

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

67th Legislative Day

May 23, 1995

Speaker Churchill: "The House will be in order. The Members will be in their chairs. Representative Churchill in the Chair. The Chaplain for today is Darren Henwell, Minister of the Armington Christian Church in Armington. Mr. Henwell is the guest of Representative John Turner. Will the guests in the gallery please rise and join us for the invocation. Reverend Henwell."

Reverend Henwell: "Let us pray. Oh loving God, we enter into this time with praise. We thank you, our loving Father, for those men and women who have dedicated their lives to helping to bring about law and justice. And, God, we pray for courage for that to be the goal, justice and help for those in the midst of need. God, we know that there have been some long hours put in, and we pray for strength. We ask for strength of mind and bodies so that the best decisions can be made. And we ask also, Lord, for a...an attitude in a spirit of peace and unity that might transcend political names so that true justice could come about. And, God, we pray blessings on this day and we give it all in Your hands, in Jesus' name. Amen."

Speaker Churchill: "Be led in the Pledge of Allegiance this morning by Representative Blagojevich."

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

Speaker Churchill: "We were all wondering whether you were going to remember that this morning, Representative Blagojevich. Roll Call for Attendance. Good morning, Representative Currie. Do you have any excused absences on the Democratic side of the aisle?"

Currie: "Thank you, Speaker. Please let the record show that

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Representative Martinez is excused today. Otherwise as you can see, we are all here."

Speaker Churchill: "Wonderful. The Journal will so reflect. Representative Cross, any excused absences on the Republican side of the aisle?"

Cross: "I'm sorry, Mr. Speaker. I didn't hear you. What was the question?"

Speaker Churchill: "It's nice that you are here very early this morning, but perhaps you ought to get your energy level high. Are there any excused absences on the Republican side of the aisle?"

Cross: "I'm sorry, Mr. Speaker. I just didn't hear you the first time. No, we are all here, ready for work."

Speaker Churchill: "Wonderful. Mr. Clerk, take the record. There are 116 Members answering the Roll. A quorum is present and the House will come to order. We will now proceed to the order of Senate Bills - Third Reading. Mr. Clerk, please read Senate Bill 97."

Clerk McLennand: "Senate Bill #97, a Bill for an Act that amends the Illinois Aeronautics Act. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Sangamon, Representative Poe."

Poe: "Mr. Chairman (sic - Speaker), Ladies and Gentlemen of the House, this Bill is Senate Bill 97. It passed in the Senate 55 to 0. It amends the Illinois Aeronautics Act. It provides that the division of aeronautics within the Department of Transportation may provide support and assistance in the form of money, materials, personnel, or other necessary contributions to the Civil Air Patrol. I'll answer any questions."

Speaker Churchill: "Is there any discussion? The Chair

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recognizes the Gentleman from Cook, Representative Lang."

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

Speaker Churchill: "Indicates he will. Please proceed."

Lang: "Good morning, Mr. Poe. Mr. Poe, you're aware, I think, that this is the first phony fiscal note Bill. You know that this is the Bill that...where we uncovered that scandal. I note that you have not been in favor of voting on House Resolution 49. Will you join me today in moving that along?"

Speaker Churchill: "For what reason does the Gentleman from Madison, Representative Stephens, rise?"

Stephens: "No one has stated their opinion as to whether they want to vote on a particular Resolution in Rules. We have voted against changing the order of business. We have voted not to discharge certain Motions, but that has nothing to do with the underlying Motions. This... These points are getting absolutely ridiculous. It's time to do the people's business. Representative Lang, why don't we just do the business of the people. Why don't you quit trying to demagogue on one single issue."

Speaker Churchill: "Representative Lang."

Lang: "Well, Mr. Speaker, admittedly this is a Bill that had a phony fiscal note. I only ask Mr. Poe if he's willing to join us on our House Resolution #49 to deal with the problem. But we'll go on."

Speaker Churchill: "Questions of the Bill."

Lang: "Thank you. First thing we'd like to do is remove this from Short Debate, Sir."

Speaker Churchill: "I see a lot of Staff hands there. We're giving up numbers here now. Okay, Hoffman...put his hand up. You're okay. Off Short Debate."

Lang: "Thank you. Thank you very much. Well, Representative, I

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didn't get much of an explanation as to what this Bill does. You want to tell me what it does?"

Speaker Churchill: "Representative Poe."

Poe: "Yes. This Bill would just codify what the practice has been over the last 40 years with the Civil Air Patrol. It... We have offered 'in kind' services to them over the years in situations such as in aerospace education, emergency services, such as rescue missions, flood control rescues, earthquake rescues."

Speaker Churchill: "Representative Lang."

Lang: "Thank you. What does DOT actually do to help promote this program?"

Speaker Churchill: "Representative Poe."

Poe: "They provide the assistance for the Civil Air Patrol. The Civil Air Patrol is a volunteer organization throughout the United States. There's 50,000 unpaid members. In Illinois we have 1,800 members of the Civil Air Patrol that donate their time. And this is 'in kind' service so that we can help them in emergency situations."

Speaker Churchill: "Representative Lang."

Lang: "Yes, but what assistance do they give, Sir? What do they do? I...It's probably not on that paper. Why don't you put the paper down and tell me what the purpose of the Bill is."

Speaker Churchill: "Representative Poe."

Poe: "For instance, during the flood, the big flood, they provided assistance there. They put in as many as, oh, like 185,000 annual manual hours donated to education for our students in emergency situations around the country."

Speaker Churchill: "Representative Lang."

Lang: "Can you tell me what this will cost? And don't read the fiscal note to me. We know there's some fiscal impact."

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What is this going to cost?"

Speaker Churchill: "Representative Poe."

Poe: "This will be revenue neutral. This is something that is done now from year to year and it will be no additional cost to the state as in the past."

Speaker Churchill: "Representative Lang."

Lang: "Well, for a long time this has been buried in the Division of Aeronautics' budget, and they've used money to do this, and now you're going to create a line item for this. So there obviously... There obviously is a cost, perhaps it's revenue neutral, because there is no new money that you're putting in this, but there will be a line item for it. How much will that line item be, Sir?"

Speaker Churchill: "Representative Poe."

Poe: "The fiscal note, Senate Bill 97, the passage of Senate Bill 97 will not have any fiscal impact on the Department of Transportation."

Speaker Churchill: "Representative Lang."

Lang: "Yes, that's why it's revenue neutral. I agree with you that it is revenue neutral, but you want to create a line item for this. What will be on that line item? What will the cost of this program be? I recognize it's revenue neutral. I recognize it won't cost any new money, but I'd like to know what's being expended on this, Sir?"

Speaker Churchill: "Representative Poe."

Poe: "Okay, this is a 40 year old program. IDOT currently provides office space, office supplies, fuel in airplanes and technical assistance to the Civil Air Patrol, and that annual cost runs between 80 and 90 thousand dollars a year."

Speaker Churchill: "Representative Lang."

Lang: "Has that varied during the four years of the program or

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has it been relatively constant?"

Speaker Churchill: "Representative Poe."

Poe: "Okay. It does vary from year to year. That would depend on the..."

Speaker Churchill: "Representative Poe, please bring your answer to a conclusion."

Poe: "That would depend on some years when there's more...the flood, for example. There's more disasters that they'd have to be used more, then it can fluctuate a little bit, but this is in general about what it runs."

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

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

Speaker Churchill: "Indicates he will. Please proceed."

Dart: "Representative, I'm trying to get this straight now. None of these services that you have listed in your Bill are presently given to the Civil Air Patrol. Is that correct?"

Speaker Churchill: "Representative Poe."

Poe: "They presently do it. All we're doing is codifying the practice."

Speaker Churchill: "Representative Dart."

Dart: "And how long have they been given these things?"

Speaker Churchill: "Representative Poe."

Poe: "For 40 years."

Speaker Churchill: "Representative Dart."

Dart: "Okay, so they've had no problems for 40 years. What is it that required that this all of a sudden had to be done? I mean was there a lawsuit or is there some other case or decision by the department that prevented this now?"

Speaker Churchill: "Representative Poe."

Poe: "I think this just clarifies the situation that they work under. They'd just as soon have it clarified."

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Speaker Churchill: "Representative Dart."

Dart: "What...I mean when you clarify something that is because there was a problem. What was the problem?"

Speaker Churchill: "Representative Poe."

Poe: "There's been no problem in the past. They just wanted to have it on the books and an agreement just in case for the future."

Speaker Churchill: "Representative Dart."

Dart: "This is actually very interesting, Representative. For 40 years we've had no problem whatsoever, but now we feel compelled to clarify something. I find that rather interesting in of itself, but I also find it sort of interesting the language in your Bill is all provided as 'may'. They 'may' do this. They 'may' do that. There's nothing in here that is requiring anybody to do anything. Correct?"

Speaker Churchill: "Representative Poe."

Poe: "We feel this is in a timely manner. Right now you see we're in the southern part of the state, we're also having flood control, and this brings the importance of the agreement."

Speaker Churchill: "Representative Dart."

Dart: "What percentage of the budget of Civil Air Patrol comes out of DOT now?"

Speaker Churchill: "Representative Poe."

Poe: "This is a small percentage. There's a membership fees and those kinds of things, but I don't know the exact amount and the percentage of their total budget."

Speaker Churchill: "Representative Dart."

Dart: "If we're going to, you know, scratch the percentages. What about actual dollar figure?"

Speaker Churchill: "Representative Dart (sic - Poe)."

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Poe: "That information is not available at this time. We could get back to you later, but I'm not sure of their total budget."

Speaker Churchill: "Representative Dart."

Dart: "Sir, Representative, I'm really trying to get this straightened. For 40 years we've had no problems with this. There's been no emergency. There's been no court decision. There's been no problems with DOT. I guess why I can only discern from all this is that, there has been a major problem lately between DOT and the Civil Air Patrol, where they've had...been at loggerheads, where DOT's saying you better get this in law, otherwise you're not going to be getting any assistance from us. Is that what's occurred?"

Speaker Churchill: "Representative Poe."

Poe: "There's been no problem in the past. I think this just gives them recognition that they want, and it will help the importance of their duties and their help around the state in emergency situations."

Speaker Churchill: "Representative Dart."

Dart: "So, who is it that brought this nonproblem to light? Who was it that demanded this legislation to answer this nonproblem?"

Speaker Churchill: "Representative Poe."

Poe: "The Chairman of the Senate Transportation Committee brought this to the surface."

Speaker Churchill: "Representative Dart."

Dart: "And what exactly did he bring to the surface here? What type of problem was this that he uncovered? I understand this had nothing to do with 'Notegate', but what was it that he uncovered here, that required us to pass this legislation?"



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Speaker Churchill: "Representative Poe."

Poe: "I think we've seen many times during the Session here that we're cleaning up things, and we're just codifying the practice. It's happened in the past, and this is another situation like that."

Speaker Churchill: "Representative Dart."

Dart: "One last thing. On the bottom portion of your Bill, it says other state agencies may participate with the department providing these services. Do other agencies provide these services now and are they the ones that are at the heart of this problem that they were now stopping...they were not giving the services that required this dramatic piece of legislation?"

Speaker Churchill: "Representative Poe."

Poe: "I'm not aware of any other agencies that provide assistance to the Civil Air Patrol."

Speaker Churchill: "Representative Dart, anything further?"

Dart: "One final question. Then if there aren't any, why are we allowing them to do it? I mean if there aren't any that do it now, why are we allowing other agencies to participate in providing assistance and support? That's what your Bill says. Why are we doing that then?"

Speaker Churchill: "Representative Poe."

Poe: "At a future date, there might be other agencies where the Civil Air Patrol operates with other volunteers and it would be a very efficient way to get involved and volunteers working on disaster situations."

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

Pugh: "Good morning and thank you, Mr. Speaker."

Speaker Churchill: "Good morning."

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

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Speaker Churchill: "He was done, Sir."

Dart: "Representative, I just wanted to touch..."

Speaker Churchill: "Excuse me, Representative Dart. Representative Pugh had yielded time to you, but I thought you had concluded when you said there was one final question. Are you done or do you have more?"

Dart: "I got a couple more here. I was just actually starting to scratch..."

Speaker Churchill: "Okay. Representative Dart, for an additional five minutes."

Dart: "Thank you. I was just starting to scratch the surface on this other state agencies thing. Are there any other state agencies, whatsoever, that presently give any of these services that we're talking about to the Civil Air Patrol?"

Speaker Churchill: "Representative Poe."

Poe: "We're not aware of it, at that time if you have some ideas how to involve them in the Civil Air Patrol and give them some assistance, they'd be glad to work with you."

Speaker Churchill: "Representative Dart."

Dart: "I'd be happy to do that, Representative, but as I said, this wasn't my legislation, so I was trying to figure this one out here. And it's...all, from the information you supplied, there is no other agency, so it just seems silly that we have a sentence in here allowing other agencies to participate when there aren't any other agencies that do participate. But what I...what line item... Is this money for the Civil Air Patrol come out of presently?"

Speaker Churchill: "Representative Poe."

Poe: "It comes out of the Division of Aeronautics budget."

Speaker Churchill: "Representative Dart."

Dart: "Are those Road Funds or are those General Revenue Funds?"

Speaker Churchill: "Representative Poe."

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Poe: "Yes, and DOT supports it."

Speaker Churchill: "Representative Dart."

Dart: "I'm sorry. Can you repeat that?"

Speaker Churchill: "Representative Poe."

Poe: "Say yes, yes, yes."

Speaker Churchill: "Representative Dart."

Dart: "Okay, so this money, that we are talking about, is coming out of the Road Fund and also coming out of GRF at the same time for your Civil Air Patrol. I just wanted to get that straight, right off the bat. And now, so, and approximately how much money do you...are you taking out of the Road Fund and GRF with this then?"

Speaker Churchill: "Representative Poe."

Poe: "Most all of this is 'in kind' services and it comes out of the... out of the Department of Transportation's budget."

Speaker Churchill: "Representative Dart."

Dart: "Okay. But is it Road Fund money that's in DOT's budget? I mean where's this money coming from?"

Speaker Churchill: "Representative Poe."

Poe: "A lot of times it's not money. A lot of times it's support and assistance, and for money, materials, personnel and other necessary contributions. Sometimes it's office space, sometimes it's phones. You arrange with phone companies, sometimes things like that."

Speaker Churchill: "Representative Dart."

Dart: "Okay. Well, the...this is money from DOT now. It says that the estimate is about \$100,000. Is this a \$100,000 diversion from the Road Fund money?"

Speaker Churchill: "Representative Poe."

Poe: "No, this is no new funds. This is the funds that we've been spending for the last 40 years during disaster situations in the State of Illinois."

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Speaker Churchill: "Representative Dart."

Dart: "Representative, I'm looking at your legislation here, and I don't see any type of limit whatsoever. So is this sort of a bottomless pit where they can keep getting as much money and services out of this agency as they want, or what is the limit? What is the limit that you see here?"

Speaker Churchill: "Representative Poe."

Poe: "It's not a pit. We've got 40 years of precedence set there, and we know the amounts of money we normally work with."

Speaker Churchill: "Representative Dart."

Dart: "And how much are those?"

Speaker Churchill: "Representative Poe. Representative Dart, Representative Poe did not hear that question."

Dart: "And how much is that money that you're talking about then?"

Speaker Churchill: "Representative Poe."

Poe: "In the past it runs right around \$80,000 a year."

Speaker Churchill: "Representative Dart."

Dart: "Well, once again, Representative, I understand the forty year precedent, and that was the whole...that's the whole reason for my line of questioning here. We have 40 years of precedent which shows that there has been no problem. They've run rather smoothly. There's been no court cases. There's been no administrative decisions made, and there's been nothing made by the department, itself, saying that there is a problem here, but nonetheless we are rushing here with this important piece of legislation to change something that doesn't appear to be broken. We do have enough broken things in this state right now, that I'm sure you're well aware of. None...the least of which is our education system here, and as opposed to working in that

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area, we are now working in an area where there is, as you stated, there is nothing wrong. There's no problem. There's nothing that necessitates any of this legislation. And that is something that is problematic, because when you go changing laws for no reason, then all of a sudden you create a problem that may not be there. And for those reasons, Representative, it gets a little bit hard to understand why it is that we're spending this amount of time on a piece of legislation that no one seems to want and nobody seems to need. It is rather troubling, Representative, and...but, as I said, this is something I'm getting use to around this place."

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

Poe: "I'd just like to ask, I think this is a Bill that codifies something we're doing. I think as we look at emergency services, and especially what's going on in the State of Illinois right now, with tornadoes in our area, floods in St. Louis area, that anytime we can educate people how to react in emergencies on a volunteer basis, this is good legislation and I'd appreciate a 'yes' vote."

Speaker Churchill: "The question is, 'Shall Senate Bill 97 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 'nay' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 28?"

Clerk Rossi: "Senate Bill 28 is on the Order of Third Reading."

Speaker Churchill: "Bring it back to Second. Mr. Clerk, what is

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the status of Senate Bill 203?"

Clerk Rossi: "Senate Bill 203 is on the Order of Third Reading."

Speaker Churchill: "Bring it back to Second. Mr. Clerk, please read Senate Bill 192."

Clerk Rossi: "Senate Bill 192, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this Senate Bill."

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

McGuire: "Thank you, Mr. Speaker. As so often happens with a Bill on Third Reading, I find some people who have some difficulty with it. My question always is, where were you when it went through the Senate, but in deference to these folks, I'd like to take the Bill back to Second Reading for temporary, for a possible Amendment."

Speaker Churchill: "As you wish, Sir." McGuire: "Thank you."

Speaker Churchill: "We'll return the Bill to Second Reading. Mr. Clerk, please read Senate Bill 245."

Clerk Rossi: "Senate Bill 245, a Bill for an Act in relation to university peace officers. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Cook, Representative O'Connor."

O'Connor: "Thank you, Mr. Speaker. Mr. Speaker, Senate Bill 245 amends the Illinois Public Relations Act and the Illinois Educational Labor Relations Act to include peace officers employed by state universities under the Public Labor Relations Act. And I'd be more than happy to answer any questions from my fellow Members."

Speaker Churchill: "Is there any discussion? Is there any discussion? Any discussion? There being no discussion, the question is, 'Shall Senate Bill 245 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The

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voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'aye', none voting 'nay' and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 246."

Clerk Rossi: "Senate Bill 246, a Bill for an Act amending the Illinois Public Labor Relations Act. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate 246, as of last night, is only addressing the underlying part of the Bill which governs the resolution police negotiation impasses. The purpose of the Bill is to prohibit unilateral changes in wage hours and conditions of employment during the period between initiating an arbitration proceedings and the dependency of those proceedings before the arbitration panel. In essence, when a volunteer, police officer or fireman, goes before and represents the interests of the union, his wages, hours and condition of employment cannot be changed. It's a whole harmless during this window of negotiations on their contract or whatever they are negotiating. I would ask the Body to vote favorably and I will take any questions."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

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

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Hoffman: "Just for a point of clarification. The provisions which I spoke on last night, regarding this Bill, have now been removed. Is that correct?"

Speaker Churchill: "Representative Parke."

Parke: "Representative Hoffman, your eloquent tirade last night convinced me that, in fact, the Amendment was misguided and I have removed that provision as you pointed out."

Speaker Churchill: "Representative Hoffman."

Hoffman: "So that the individuals of the Body understand. This would just set up the arbitration...or this now just concerns the arbitration panel. Is that correct?"

Speaker Churchill: "Representative Parke."

Parke: "Representative Hoffman, one more time, it's so loud I couldn't hear you."

Speaker Churchill: "Representative Hoffman."

Hoffman: "So, what's left is the original Bill, which just relates to the provisions regarding arbitration panels."

Speaker Churchill: "Representative Parke."

Parke: "That is absolutely correct."

Speaker Churchill: "Representative Hoffman."

Hoffman: "And do you know of any opposition to the underlying Bill, Senate Bill 246, as it presently exists?"

Speaker Churchill: "Representative Parke."

Parke: "No one has contacted me in opposition to this Bill."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Does this have any type of a...effect on arbitrations as they currently exist. Does this really have any...or is it just a technical change?"

Speaker Churchill: "Representative Parke."

Parke: "It doesn't affect arbitration."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Well, I believe, I don't see any problem with this



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underlying Bill and would urge an 'aye' vote."

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

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I want to thank the Sponsor of Senate Bill 246, too, for being responsive to the concerns that were raised. Taking off the Amendment and putting it in a position that it is now supported by everyone, including the AFL-CIO and the Teamsters and I really want to encourage everybody to vote in favor of this Bill, and in favor of a process that seems to have worked well. I appreciate it."

Speaker Churchill: "The question is, 'Shall Senate Bill 246 pass?' All those in favor vote 'aye'; any opposed vote 'nay'. The voting is open. This is Final Action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'aye', 5 voting 'no', and 1 person voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 358."

Clerk Rossi: "Senate Bill 358, a Bill for an Act in relation to nursing homes. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Adams, Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 358 is a Bill that includes four major provisions. First of all, what was in Senate Bill 358 originally when it came over, is...it amends Section 3108 (sic -- 3-108) of the Nursing Home Care Act to require public health to refer to the Department of Professional Regulation credible evidence that a nurse, doctor, nursing home administrator has violated the Nursing Home Care Act

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or applicable rules. Section 2, the second Section was originally in Senate Bill 443, and that amends Section 2...3212 (sic -- 3-212) of the Nursing Home Care Act to make a state or local employee who profits from violating the confidentiality of the survey process shall be guilty of a Class 4 felony. The 3rd Section of...amends the Nursing Home Care Act to provide that a nursing home shall pay actual damages and cost and attorney fees to residents whose rights are specified in part one of the Article, that they are violated. That's, by the way, is House Bill 1941, which was introduced originally by Representative Ryder and Hannig. The 4th Section is House Bill 256, which is the initiative of our Majority Leader and one that he has worked on very, very hard over the last several years, and that creates the health care worker background check, which requires health care employers to initiate a state nonfingerprint criminal background check by the state police for nonlicensed health care workers providing direct care. I would ask for favorable consideration by this Body."

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

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

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

Schakowsky: "Representative, did you say that one of the provisions in this Bill had been in House Bill 1941?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "Yes, the entire Bill. House Bill 1941."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Could you give us more detail on the provisions then of this Section of Senate Bill 358?"

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Speaker Churchill: "Representative Tenhouse."

Tenhouse: "This basically...currently, triple damages can be assessed against nursing homes, which in effect makes them punitive damages, which should be paid only where actions are intentional or willful or wanton. What this would do is eliminate the triple damage provision that's currently included, but it would not affect the ability of a nursing home resident to receive remuneration as a result of any action."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "I want everybody to listen carefully to what this provision of Senate Bill 358 does. Currently, nursing home residents who are abused, and in a moment I want to outline some of the more typical abuses and some of the findings of a study that was done of nursing homes. It means that victims of such abuse can no longer sue for treble damages. We are now in the business, I guess, of protecting nursing homes, even those that have been found to be abusing nursing home residents. Right, this would eliminate treble damages. Let me...Let me tell you about a study that was done by Illinois Citizens for Better Care. A study that was done that found that...that conclusions of their study was that the Illinois Department of Public Health consistently cites violations against numerous residents as a single violation that lying by the Illinois...by nursing homes is not punished; that the present enforcement system rewards nursing homes for not documenting injuries suffered by their residents; that the Illinois Department of Public Health routinely violates Nursing Home Care Act by failing to order nursing homes to reimburse residents for violating their statutory rights. The point is, that the Illinois Department of Public Health is itself not protecting

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nursing home residents, and now we're going to say that nursing home residents will no longer have adequate protection by the courts. We are focusing on the most vulnerable of our citizens and limiting their rights to compensation and also limiting the punishment on nursing homes that are violating those rights. We seem to have gone to every level here in this Body right now to protect those who are perpetrating abuses on innocent victims, but this may be the worst. We're talking about people in nursing homes who have no other recourse often but to sue because the Department of Public Health is not protecting their rights. I urge this Body to vote against Senate Bill 358, but actually I would urge the Sponsor to do what was just done with the earlier Bill by Representative Parke. Let's take it back to Second. Let's take out this bad provision that hurts nursing home residents, and then we can pass a very good Bill. I urge all Members of this Body to vote 'no', but first I would urge the Sponsor. Would you consider taking it back to Second and taking out this very damaging provision?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "We had an agreement with several health care organizations, and professionals have been involved with this, as well as Sponsors on both sides of the aisle. No, I'm not willing to take this back to Second. This Bill passed out of committee with only two negative votes."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "The supporters of this legislation are the nursing home industry. Who, if not we, will stand up for the residents of nursing homes, who are regularly being abused and whose rights are being taken away by this bad Bill? Please vote 'no'."

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

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

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

Davis, M.: "Yes. Representative, were there fiscal notes filed on this Bill?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "Yes, I think they are but that would up to the Clerk's Office to fill us in on that."

Speaker Churchill: "Representative Davis, further discussion?"

Davis, M.: "Are these the corrected fiscal notes or those that are signed as well as the...the ones that were not signed? Are these the new signed fiscal notes?"

Speaker Churchill: "Representative Davis, this Bill was moved from Second to Third last night and these questions were all posed, if they were necessary at that point last night, so this Bill is in proper form. Please proceed with questioning."

Davis, M.: "Thank you. Representative, if a person is...if they are operating a nursing home, and they're operating under a temporary license, and they're doing everything that is required of them, can they take the exam at some later date or is there some designated time in which they must take that examination?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "They have to take it within one year after their temporary license is valid. One year after their temporary license is declared valid."

Speaker Churchill: "Representative Davis."

Davis, M.: "And, Representative, if a person is injured in a nursing home, you know, many times people are there because they're defenseless and perhaps a little helpless, and if a

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person is neglectful of their concerns and injures them, exactly what are their limitations in recouping damages?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "They will still be eligible for any damages that they can obtain through the court, and I think the other point that needs to be pointed out as well, as far as this Bill is concerned, the legal fees are separate. So, that makes some difference as well."

Speaker Churchill: "Representative Davis."

Davis, M.: "How does this Bill affect the inspections of a nursing home?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "Those were the provisions that were included in Senate Bill 443 and basically, if anyone tips off, gives information that could be derogatory, then those persons could...could be guilty of a Class 4 felony."

Speaker Churchill: "Representative Davis."

Davis, M.: "Does your legislation, Representative, state that the nursing home has to be alerted as to the time and the date that the inspection will occur?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "No, there can be surprise inspections. It's not required that they be informed."

Speaker Churchill: "Representative Davis."

Davis, M.: "Representative, what exactly is the purpose or intent of your legislation? What problem in the State of Illinois are you attempting to solve or remedy?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "Well, we're trying to correct some of the numerous offenses against nursing home residents and, you know, we're addressing it in several different ways. Clearly the issue that's one that I think that we discussed at length

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in committee and unfortunately didn't have an opportunity to talk about much on the Floor of the House, is the health care worker background check, and I think as pointed out in numerous...numerous exposes, as far as TV and the press, in terms of abuses that have taken place there, and that certainly a major part of it as well as questions as far as the protecting the confidentiality as far as workers that are working in the nursing homes."

Speaker Churchill: "Representative Davis."

Davis, M.: "Let's lift that voice up and keep those answers nice and clear. Could you tell us, Representative, what are some of the exemptions that people...that would deny them the right to work in a nursing home. What are some of the requirements and the exemptions?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "Certainly, I would be glad to point those up. First degree murder, intentional homicide of an unborn child, second degree murder, voluntary man slaughter of an unborn child, involuntary manslaughter and reckless homicide, concealment of homicidal death, involuntary manslaughter and reckless homicide of an unborn child, drug induced homicide..."

Speaker Churchill: "Representative Tenhouse, please bring your remarks to a conclusion."

Tenhouse: "Kidnapping, aggravated kidnapping, unlawful restraint, aggravated unlawful restraint, forcible detention, child abduction, aiding and abating child abduction, assault, aggravated assault, battery, domestic battery, aggravated battery, aggravated battery with a firearm, aggravated battery of a child, aggravated battery of an unborn child, aggravated battery of a senior citizen, drug induced and infliction of great bodily harm, criminal sexual assault,

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aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, abuse and gross neglect of a long term care facility resident, criminal neglect of an elderly or disable person, financial exploitation of an elderly or disabled person, theft, retail theft, burglar, residential burglary, criminal trespass to residence, robbery, armed robbery, arson, aggravated arson, unlawful use of a weapon, an aggravated discharge of a firearm, manufacture or deliver of cannabis, cannabis trafficking, calculated criminal cannabis conspiracy, manufacture or delivery of unauthorized... by Act under the Illinois Control Substances Act, controlled substance trafficking, look-a-like substances manufacture, distribution or advertisement or possession, calculated criminal drug conspiracy, criminal drug conspiracy, manufactured delivery or sales of persons under 18 on school property, persons 18 or older engaging or employing persons under 18 to deliver controlled, counterfeit or look-a-like substances."

Speaker Churchill: "Further discussion? The Gentleman from Winnebago, Representative Scott."

Scott: "Thank you, Mr. Speaker. I yield my time to Representative Schakowsky."

Speaker Churchill: "Representative Schakowsky, for five more minutes."

Schakowsky: "Thank you, Mr. Speaker. I wanted to...so, Representative, those individuals now, whose backgrounds we want to check because we have become painfully aware that some employees of nursing homes are abusing patients. Now what your saying is, if that abuse still goes on, the nursing home residents will not be able to sue for treble damages. Is that what...don't you find this somewhat contradictory?"



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Speaker Churchill: "Representative Tenhouse."

Tenhouse: "They cannot sue for triple damages, that is correct, but they can, and first of all it needs to be pointed out, that one of the things...every other health care area is covered by the same, it is not...does not allow for triple damages. The other point is that we've included in this, that was not included before, is the fact that the legal fees are not included as far as the settlement is concerned. So, those are separate, which certainly makes a difference."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "How are damages reduced by this legislation? What is the language?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "Just a second. It's such a short Bill here, it will take a little while to dig it out. Under Section 3-602, the licensee shall pay the actual damages and cost and attorney fees to a facility resident whose rights as specified in part one of the Article II of this Act are violated."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "No, but isn't it limited now to actual damages? That's the part I wanted to know."

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "Under current law, it's three times actual damages or \$500, whichever is greater."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Yeah. I want to point out that those of you who saw the recent broadcast on '20/20' and saw the repeated physical abuse of vulnerable residents will remember that they were looking at Illinois nursing homes. When this Bill was passed that allowed for treble damages 15 years

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ago, the idea was to encourage litigation as a way to deter these kinds of abuses. And, in fact, the Illinois Supreme Court said when they upheld treble damages that the recovery of treble damages and attorneys' fees has the effect of encouraging private enforcement as well as encouraging compliance with the Act. The rest of the Representative's Bill, including background checks, are aimed at protecting nursing home residents. Now, with the other hand we say that even though we think these abuses are occurring, we will not allow nursing home residents to sue and get treble damages. In fact, we're going to protect these nursing homes, that we know are engaged in abuse. I would like to know, Representative, how many suits are now pending?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "I do not know."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "So what is the problem? Do we even know if we're talking about so many suits and so many awards and so much money? Let's face it, we are not even aware, Representative, if we're...you're not even alleging that we're burdening nursing homes by this. They just want a little extra money at the expense of abused nursing home residents. This is...this is ridiculous."

Speaker Churchill: "Representative Schakowsky, is that a point or was that a question?"

Schakowsky: "I wanted to...I did want to point out a couple of things that we see. In a survey done in Joliet, the survey noticed a resident with bruises around the eye. Although the facility staff said they had first noticed the bruises five days earlier there..."

Speaker Churchill: "Representative Schakowsky, please bring your

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question to a conclusion."

Schakowsky: "There were no notes in the resident's record. We are talking about things ranging from bruises around the face to actual death in nursing homes at the hand of some residents. To deny the ability to sue for treble damages is to significantly weaken this law and to put at risk our most vulnerable citizens. Once again, I implore the Sponsor to take this bad provision out of the Bill that would otherwise be okay, but is rendered impossible to support with this Amendment."

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

Flowers: "I would like to yield my time to Representative Davis, please."

Speaker Churchill: "Okay. Representative Davis, you're back on."

Davis, M.: "Thank you very much, and when I'm back on, I would appreciate the opportunity to close my remarks as the courtesy is given to other Legislators to close their remarks, and I expect that same courtesy."

Speaker Churchill: "Representative Davis, we have a timer on and perhaps if you'd just look upon the board, you'll see the time and as you get down towards that zero mark, start your conclusion. Thank you."

Davis, M.: "I've seen the timer on before and other people are given the courtesy of saying, 'Bring your remarks to a close.' I expect that same courtesy."

Speaker Churchill: "You will be granted all courtesies."

Davis, M.: "Representative Tenhouse, in listening to the list of offenses that you gave in reference to those who cannot work in a nursing home, it sounds like they should be in jail and not applying for a job. So, you know, I would be

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very concerned if these were the kinds of people that you would expect to be seeking jobs in a nursing home."

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "The problem, Representative, is that, not that...you know, who is applying? The problem is that they can't really screen because they don't know. That's the reason for the criminal background check provision. Someone comes and applies, they do not list this on their application obviously and that's the reason that...for the background check. You know, they're just saying that if you've been guilty of these violations, clearly they need to...should not be employed in a nursing home, without a waiver."

Speaker Churchill: "Representative Davis."

Davis, M.: "Representative Tenhouse, who does not...who pays for the background check? Where does that dollar come from? I understand they're quiet expensive, and I would just like to know who does...who pays that fee?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "There would be no cost to the state. It would either be paid for by the health care organization that would be hiring the individual or would be passed on to the employee."

Speaker Churchill: "Representative Davis."

Davis, M.: "Approximately how long does it take, Representative, to get a background check returned? Let's say I apply for a job on Monday, approximately how long would it take before your background check was returned to you?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "We've been assured by the state...the Department of State Police that it will take no more than 60 days to go through the criminal background check."

Speaker Churchill: "Representative Davis."

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Davis, M.: "So, people are working on a temporary basis in a nursing home until this background check comes back. Well, are we putting people at risk?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "Well, we're allowing for up to 90 days. Clearly, the problem is in terms, as we all know, in terms of hiring people for any organization, how much time do you have? I mean to wait for the background checks and everything to clear before you hire someone can really be...I can understand your concern, but also can be a very troublesome situation when terms of short staffing, especially where some of our health care organizations have real difficulty in terms of keeping their staffing levels up. By the time we clear it through all this background check, you could have a situation where we'd have severe staffing shortages."

Speaker Churchill: "Representative Davis."

Davis, M.: "Representative, who's exempt from having the background check? Who and what kind of job applicants are exempt and why are they exempt from the background check?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "If someone is already licensed by the Department of Professional Regulation, they would not be subject to the criminal background check."

Speaker Churchill: "Representative Davis."

Davis, M.: "A nail technician would be licensed, would that suffice?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "If they're in the nursing home."

Speaker Churchill: "Representative Davis, with a minute left."

Davis, M.: "I would just like to ask, as my final question, if a person is injured or damaged in a nursing home, and private

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people run these nursing homes, private companies, why would we as a Legislature attempt to limit how much a person could recover from damages from these private people who have been responsible for caring for senior citizens? Why would the state attempt to protect these private businesses from a certain amount of suit, I guess, why would they limit how much a person who is damaged could obtain from a private company who had damaged or injured a senior citizen in a nursing home?"

Speaker Churchill: "Representative Tenhouse."

Tenhouse: "I think one thing we need to point out here, we're not eliminating punitive damages. Punitive damages can still be pursued in cases of abuse and personal injury. I think we also need to point out that this proposal does not modify..."

Speaker Churchill: "Representative Tenhouse, the timer has come to a conclusion. Will you please bring your response to a close."

Tenhouse: "This proposal does not modify the Section of the Nursing Home Act which provides that the owner and licensee are liable to resident for any intentional or negligent acts or admission by their agents or employees. In addition the Bill still mandates the award of attorney fees to successful plaintiff, and that's pretty unusual for statutory protection for plaintiffs."

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 question is, 'Shall the previous question be moved?' All those in favor signify by saying 'aye'; any opposed say 'nay'. In the opinion of the Chair, the 'ayes'

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have it and the previous question is moved. Representative Tenhouse to close."

Tenhouse: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. One of the things that I would like to point out, some of the folks who are in support of this Bill, so you will understand. It's supported by the Catholic Conference of Illinois, Managed Care, Independent Insurance Agents, the list goes on and on and on. This is a good Bill and certainly, the Section that deals with the Health Care Worker Background Check Act, is a new provision that...certainly our Majority Leader has worked very, very diligently to bring to the Floor, and I would just certainly urge an 'aye' vote from Members of both sides of the aisle."

Speaker Churchill: "The question is, 'Shall Senate Bill 358 pass?' All those in favor vote 'aye'; any 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 91 voting 'aye', 21 voting 'nay', and 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Kubik. Representative Kubik on Senate Bill 368. Please read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 368, a Bill for an Act concerning property tax assessments. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 368, as amended, is a shell Bill. Our intention is to send this Bill over to the Senate, so that

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there might be some vehicle Bills available for outstanding property tax issues. I'd be happy to answer any questions and would appreciate your support."

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

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

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

Dart: "Representative, the obvious question. What are you planning to do with this Bill?"

Speaker Churchill: "Representative Kubik."

Kubik: "Representative Dart, I am not totally sure. There are some outstanding issues, including issues relating to a tax assessment, issues relating to property taxes. You know, no final decision has been made, but...but we thought that it would helpful to have a property tax vehicle over in the Senate."

Speaker Churchill: "Representative Dart."

Dart: "Is this a possible vehicle for work in the area of the tax, Cook County Tax Assessors Office and/or the Tax Appeal Board or has that been targeted for another Bill?"

Speaker Churchill: "Representative Kubik."

Kubik: "Representative Dart, I do not know. I know that there is a Bill in the Senate that's being considered. I don't know if this Bill will have those provisions in it. Our idea is that we wanted to have a vehicle available so that if there were some property tax issues that needed to be addressed, that we would have a place to address some of those issues."

Speaker Churchill: "Representative Dart."

Dart: "Are there not other vehicles out there right now?"

Speaker Churchill: "Representative Kubik."

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



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Speaker Churchill: "Representative Dart, please repeat your question."

Dart: "Are there not other vehicles out there right now? Do we need this one as well?"

Speaker Churchill: "Representative Kubik."

Kubik: "I don't believe there are. There may be, but I don't believe there are. You've been very sparing in the amount of vehicles that we have sent out of here, so you've been very vigilant, Representative Dart. No. I don't think we have very many of them."

Speaker Churchill: "Representative Dart."

Dart: "I seem to recall 18 of them going out of here, at once, on one roll call, as a matter of fact. Yeah, in violation of about every rule I've ever seen. Could this Bill, as in its present form as a vehicle, could this be used as a Bill dealing with property tax caps exemptions?"

Speaker Churchill: "Representative Kubik."

Kubik: "Representative, again, we have made no final decisions. You know, we're coming down to the final days. I don't want to mislead anyone. I just want to let you know that I don't know the answer to that. There...it's possible, it's possible it could be used for some very dry, technical, clean up that many people have requested. So, all I'm saying is, that this is a Bill that we'd like to send over to the Senate for...for some possible property tax issues."

Speaker Churchill: "Representative Dart."

Dart: "My point is, is just technically the area of the code that is being amended left open by this Amend...this Bill. It could, in fact, be used for a property tax caps exemptions, based on the area of the law that we're amending here. Is that not correct?"

Speaker Churchill: "Representative Kubik."

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Kubik: "My understanding is that this...this Bill amends the Property Tax Code. So I...anything that it...anything to do with property taxes could...affecting that law, and I might point out, Representative Dart, that this is a very broad issue. So, there's a lot of things that could possibly be contained in this Bill. If it even comes back."

Speaker Churchill: "Representative Dart."

Dart: "Thank you, Mr. Speaker. To the Bill. For all those people out there who are interested in tax caps, I think you might want to take heed of this. This can be, as the Sponsor just announced, it's an empty Bill right now and very easily can be used for a tax cap exemption. And you know what those mean, those mean mailers out to your districts. And you know what's going to happen then, we don't need a lot to put one of those out. So we have a lot of vehicles out there. We don't need anymore, and here we have one that can very easily...and very easily could be a property tax cap exemption. If this Bill goes over to the Senate and then goes into a Conference Committee and becomes a property tax cap exemption, even if you vote for it...against it then, you would be on record voting for it in this present stage. It's not very responsible to vote for this type of shell Bill, especially because we have so many other ones out there, but more importantly, this is one where you might have a property tax cap exemption land square in the middle of it. And guess what? You are on record voting for it then. So if that's what you want to do, go ahead and vote for this."

Speaker Churchill: "Further discussion? The Gentleman from Cook, Representative Schoenberg. No further discussion. Representative Kubik to close."

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Kubik: "Well, Mr. Speaker, let me make sure that everybody understands what's in this Bill. To use Representative Cowlshaw's very famous description of a previous Bill, that she has had, there is absolutely nothing in this Bill. This Bill is a vehicle Bill; it is a Bill that deals with property tax...the Property Tax Code. No decisions have been made; however, at this late hour of the Session, we felt that it was important to have some Bills that amend the Property Tax Code. But for my Members on our side of the aisle, this Bill does nothing. It is a shell Bill. I'd appreciate your strong support. Thank you, Mr. Speaker."

Speaker Churchill: "The question is, 'Shall this nothing Bill, Senate Bill 368 pass?' All those in favor vote 'aye'; any 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 68 voting 'aye', 48 voting 'no', and 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 528."

Clerk McLennand: "Senate Bill #528, a Bill for an Act in relation to Use and Occupation Taxes. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Cook, Representative Balthis."

Balthis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 528 amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act and the Retailers Occupation Tax Act. It exempts the following from sales tax obligations: computer and communications equipment utilized for any hospital purpose and equipment

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used in the diagnosis, analysis...analysis or treatment of hospital patients sold to a lessor, who leases the property to a not-for-profit hospital, and (b) personal property sold to a lessor, who leases the property to a governmental body. It allows for the tax exempt property to become taxable if the computer and communications equipment or personal property is not leased to a not-for-profit hospital or governmental body. Amendment #1 was language recommended by the Department of Revenue to narrow the definition of a hospital and governmental leased property that would be tax exempt, specifies that a hospital or a governmental body must have an active sales tax exemption identification number issued by the department to qualify for the exemption. Unamended, the hospital must be operated exclusively for charitable, education or religious purposes. Inserts a provision in the Use Tax Act and the Service Use Tax Act that requires a lessor to reimburse a lessee or the Department of Revenue if the lessor charges a tax for a leased product that was exempt, thereby requiring the passer of the tax exempt property to the lessee. Be happy to entertain any questions."

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

Dart: "Thank you, Mr. Speaker. I ask that this Bill be taken off of Short Debate and I'm joined by the appropriate number of hands."

Speaker Churchill: "There are three, four, five, there we go. Now you have the right number. The Bill's off Short Debate. Please proceed."

Dart: "Will the Sponsor yield?"

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

Dart: "Representative, this Bill is relatively straightforward, I

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guess. It's targeted at what particular items?"

Speaker Churchill: "Representative Balthis."

Balthis: "Primarily communication and diagnostic equipment used by a hospital, which currently, if they purchase the piece of equipment, they don't pay sales tax on it. If they lease it, they pay a sales tax. So this simply levels the playing field and should help reduce the cost of medical services."

Speaker Churchill: "Representative Dart."

Dart: "In approximately how many other states do they have this type of legislation?"

Speaker Churchill: "Representative Balthis."

Balthis: "I don't have the exact number, but I know that it's several."

Speaker Churchill: "Representative Dart."

Dart: "Thank you. My understanding is, that we're one of a handful of states that don't have it presently, if I'm not mistaken. It was a very small number, if I'm not mistaken, that do this. Has there been a competitive disadvantage to our state, because of this change in law, because of the way the law presently exists?"

Speaker Churchill: "Representative Balthis."

Balthis: "Yes."

Speaker Churchill: "Representative Dart."

Dart: "What is the position of the Department of Revenue in regards to this Bill?"

Speaker Churchill: "Representative Balthis."

Balthis: "The Department of Revenue is neutral on the Bill or supportive because of the Amendment that was put on, which tightened up the language and also they inserted some language that the lease...the savings would be passed through to the leasee."

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Speaker Churchill: "Representative Dart."

Dart: "And what was the initial... What was the... Originally, when this came over, there were major problems that the Department of Revenue had. There's been extensive negotiations going on. As you mentioned, they have changed that, their position on this, as a result of that negotiations. What was it that caused the point of contention and what was the resolution of that?"

Speaker Churchill: "Representative Balthis."

Balthis: "Well, I think their initial look at the Bill was obviously that it's going to be a reduction in income for the state. That is minimal, based on the information that we have, and after the negotiations and tightening up the language so it became very specific as to what kind of equipment we were talking about. That was when they removed their objection."

Speaker Churchill: "Representative Dart."

Dart: "And was there a 'ballpark' figure on the cost that was estimate...was estimated that would be seen as a loss because of this?"

Speaker Churchill: "Representative Balthis."

Balthis: "The information I had, was that they could not determine the amount, because more people were purchasing rather than leasing. And so this was a tool to allow the hospitals to lease, on a long-term basis some of this equipment, rather than having to buy it outright. So if they would continue to purchase it, there would be no loss of income to the state, so by allowing them to lease it, really I don't think there was a way for them to determine if there would be any loss."

Speaker Churchill: "Representative Dart."

Dart: "How many hospitals have contacted you in regards to this,

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and what have their positions been?"

Speaker Churchill: "Representative Balthis."

Balthis: "Every hospital that I've heard from, and there are several, are in favor of the legislation, because it will allow them to plan and to lease equipment rather than having to buy it outright, which is a large capital expense."

Speaker Churchill: "Representative Dart."

Dart: "The...My understanding of this is that the...as you just mentioned now, that the hospitals have been having you jump through quite a few hoops, in regards to this equipment, because of the present scheme of the law. Do they see this as being... You're saying it would allow them to do more long-term planning. Were they able to give an estimate at all, on the amount that this legislation would save them in operations and the like?"

Speaker Churchill: "Representative Balthis."

Balthis: "There was no way for them to determine an exact amount. They simply, and I understand what they are saying, is that they can budget each year instead of having to come up with a large capital expense for some of this equipment that costs millions of dollars. They can amortize that and pay for it over a ten year or a fifteen year period of time, whatever the life of that piece of equipment is. So, if you actually took the time to calculate it, I think it would be substantial, the amount of savings that they would have."

Speaker Churchill: "Representative Dart."

Dart: "My final question, Representative. What type of equipment would come underneath the heading of this legislation as far as the equipment that they can...get this exemption?"

Speaker Churchill: "Representative Balthis."

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Balthis: "Representative, I could not hear the question."

Speaker Churchill: "Representative Dart, please repeat the question."

Dart: "I was just trying to get an idea of the type of quest...or the type of equipment that would come under the heading of this Bill."

Speaker Churchill: "Representative Balthis."

Balthis: "Again, Representative, they're talking about very specifically, communications and diagnostic types of equipment, which would be used directly on patients. So I think it was narrowly defined down to those kinds of things."

Speaker Churchill: "Further discussion? The Gentleman from Effingham, Representative Hartke. Representative Hartke, do you wish to ask questions? Representative Hartke, your light is on. Do you wish to ask questions? Representative Hartke."

Hartke: "Yes, Mr. Speaker, I would like to yield my time to Representative Granberg. Granberg."

Speaker Churchill: "Granberg. Well, why don't we do this. He's got his light on. We'll call on him for his five minutes here. The Gentleman from Clinton, Representative Granberg."

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

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

Granberg: "Representative Balthis, I was involved in a conversation, but I just wanted to ask you a couple of questions about your Bill, to make sure I understand this correctly. Our analysis indicates that this is for not-for-profit or nonprofit hospitals. That was the intention with your legislation. Is that correct?"

Speaker Churchill: "Representative Balthis."



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Balthis: "Yes."

Speaker Churchill: "Representative Granberg."

Granberg: "And the rationale is, that they can't afford sometimes, to purchase this type of equipment, which is very expensive and so they must lease and then they...often they must reimburse the leasor for the sales tax. Is that correct? Is that the intent?"

Speaker Churchill: "Representative Balthis."

Balthis: "Yes, Representative, currently if they purchase a piece of equipment, they do not pay sales tax on it. So the rationale here is that why not let them lease it, which will give them the opportunity to plan and to pay for this over a period of time, would not be a large one-time capital expense and it would help the hospitals do a better job of planning."

Speaker Churchill: "Representative Granberg."

Granberg: "Are there any limitations on the kinds of exempt personal property, leased to governmental bodies?"

Speaker Churchill: "Representative Balthis."

Balthis: "Representative, that was one of the...that was part of Amendment #1, worked out with the Department of Revenue, to clarify and narrow the leased property would be exempt. It specifies very closely, that it is equipment used for communications and for diagnostic."

Speaker Churchill: "Representative Granberg."

Granberg: "And that would...So that would take care of that issue according to the department?"

Speaker Churchill: "Representative Balthis."

Balthis: "Yes."

Speaker Churchill: "Representative Granberg."

Granberg: "So, with the Amendment though, this actually puts limitation on it. I didn't think there was any limit on

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personal property leased to governmental bodies. You indicated that is the case, though."

Speaker Churchill: "Representative Balthis."

Balthis: "Representative, I...It's my understanding that the equipment for hospitals, is more specific than it is for other governmental bodies."

Speaker Churchill: "Representative Granberg."

Granberg: "My question is to governmental bodies, Representative Balthis. Why are there no limitations on this type of exempt property, for governmental bodies?"

Speaker Churchill: "Representative Balthis."

Balthis: "Representative, because more governmental bodies are going to lease purchase, rather than an outright capital expenditure one time. Currently, they don't have to pay sales tax if they buy it outright, so it seems simply to make sense to allow them to lease purchase, those items that have a life span long, enough to put on some kind of a lease purchase."

Speaker Churchill: "Representative Granberg."

Granberg: "So that would include anything, so that rationale would apply to cars, automobiles, any types of expenditures, for the purpose of the governmental unit...or leased for the governmental unit."

Speaker Churchill: "Representative Balthis."

Balthis: "Representative, that is my understanding, that anything that has a life span that would fit into a lease purchase agreement, probably a year or more, that they would be allowed to do that, yes."

Speaker Churchill: "Representative Granberg."

Granberg: "Would this have any limitation on the amount of the expenditure for the lease, that is...if a governmental entity, wanted to lease purchase or actually buy a piece of

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personal property, they could do it for any amount. This lease purchase arrangement can be done for any amount whatsoever, ranging from \$100 to \$100,000?"

Speaker Churchill: "Representative Balthis."

Balthis: "Representative, it is my understanding that they can, depending on their ability to pay or repay the lease, so it really is going to come down to their planning and what they can afford to do on a local level."

Speaker Churchill: "Representative Granberg."

Granberg: "So we would allow the governmental entities to lease anything?"

Speaker Churchill: "Representative Balthis."

Balthis: "Representative, anything that has a life span or some company will actually put on the lease agreement or a bank or an institution, as long as those entities, governmental bodies are purchasing something that has a life span that would be commensurate with doing the lease, yes, they can do that."

Speaker Churchill: "Representative Granberg."

Granberg: "And what type of life span would be commensurate with the lease?"

Speaker Churchill: "Representative Balthis."

Balthis: "I believe there's currently a limit on the ten years for governmental bodies. I know there's an attempt to increase that, but I believe there is some limit currently, especially on nonhome-rule communities of ten years on a lease purchase."

Speaker Churchill: "Representative Granberg."

Granberg: "Alright, thank you."

Speaker Churchill: "Further discussion? The Gentleman from Effingham, Representative Hartke. Representative Granberg was done with his questioning. Do you have additional

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questions, Sir?"

Hartke: "Yes, Mr. Speaker, I'd like to yield my time now to Representative Granberg."

Speaker Churchill: "He's done. He is done; he has concluded his questions. There being no further discussion, Representative Balthis to close."

Balthis: "Thank you, Mr. Speaker. Ladies and Gentlemen, I ask for your favorable vote on Senate Bill 528. It is an attempt to allow hospitals and governmental entities to do better planning and to use lease purchase, rather than to have to do an outright purchase, and I would ask for your favorable vote."

Speaker Churchill: "The question is, 'Shall Senate Bill 528 pass?' All those in favor vote 'aye'; any opposed vote 'nay'. Voting is open. This is Final Action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'aye', none voting 'nay' and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 549."

Clerk Rossi: "Senate Bill 549, a Bill for an Act relating to the Public Community College System. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 549 came out of a Senate Committee on a vote of 7 to 0. It passed out of the Senate with 50 'yes' votes. This is a very simple Bill. It is presented by Senator Fawell in the Senate and by the Sponsors listed on the board here, in an attempt to

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strengthen the Community College System in Illinois. What this Bill does is to remove the community colleges from the jurisdiction of the Board of Higher Education and leave the community colleges, instead, under the jurisdiction of the Community College Board. So, all of the things that the community college...that the Board of Higher Education now does to control community colleges would become the duties and powers of the Community College Board. Mr. Speaker, Ladies and Gentlemen of the House, the community colleges in this state have a far different mission than the four year institutions. Our community colleges, particularly their presidents, have spoken to all of us and probably frequently, about the fact, that they have felt as though they have not been treated fairly by the Board of Higher Education. I think community colleges are the biggest bargain in education in Illinois today. One last thing, just a couple of statistics, since we seem to like those. Today, if you look at the total enrollment of all people in Illinois, in any type of higher education, public or private, including trade schools and all other kinds of learning beyond high school, fifty percent of all of those people are in community colleges. If you look only at the public sector, that is the public universities and the public community colleges, two-thirds of all those students are in community colleges. I think the community colleges deserve to be their own entity, and therefore, I would appreciate your support for Senate Bill 549."

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

Pugh: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this legislation. I and Members of our caucus have spoken to our community college

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presidents back home and they echo the same concerns and frustrations that Representative Cowlshaw had mentioned in their attempt to seek their own autonomy. They feel that they can be governed. They can govern themselves, and we feel that this is a good piece of legislation. I recommend an 'aye' vote."

Speaker Churchill: "Further discussion? The Gentleman from Kankakee, Representative Novak."

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

Speaker Churchill: "She indicates she will, please proceed."

Novak: "Yes, Representative Cowlshaw, I know you spoke to me about this Bill yesterday and it seems like a reasonable and logical Bill. Assuming this becomes law for the FY '97, I believe, fiscal year appropriation, will the ICCB then...appropriation be separate from the Board of Higher Ed, when they go through the appropriations process?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "That is correct. Currently, the community college budget, including any capital projects, originates with the Community College Board, but then it has to go through the Board of Higher Education. That last step would be eliminated, and the Community College Board would have the authority to do, for itself, what it would like to do in that regard."

Speaker Churchill: "Representative Novak."

Novak: "Yes, I understand that. So, since there will be a diminished level of responsibilities with respect to the ICCB in relation to the Board of Higher Education, will there be a commensurate reduction in staff, because there will be less responsibilities with the Board of Higher Education?"

Speaker Churchill: "Representative Cowlshaw."

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Cowlshaw: "I'm glad you raised that question. We ought to look at that for the following fiscal year. Right now, of course, the Board of Higher Education has brought forward the community college budget, as well as its own. But for our budget for next year, you've raised a very good point. They are going to have diminished responsibilities; they probably do not need as large a staff."

Speaker Churchill: "Representative Novak."

Novak: "Well, I appreciate that, Representative. On the flip side, assuming this becomes law, will we have increased responsibilities with the ICCB and therefore have increased staff since they'll be on their own?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "Having spoken to the president of the Illinois Community College Board, it is my understanding that they already do their own budget, and then they have to go fight for it before the Board of Higher Education. They believe that they can do what they need to do, with the personnel that they already have. It's just that they won't have to spend that extra time fighting for what they believe they need. They will just be able to put it forward to us and eliminate the middle man, which in their case is the Board of Higher Education."

Speaker Churchill: "Representative Novak."

Novak: "Yes, Representative, will this Bill entail any changes with respect to the appointments of the ICC Board that are appointed now by the Governor? Any changes at all in that?"

Speaker Churchill: "Representative Cowlshaw."

Novak: "Any changes in the structure?"

Cowlshaw: "No, Representative. There are no changes in that at all. The current law stands; it is not even touched by this Bill. There are, as you know, 11 public members and

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one student. There...all those positions are currently filled. They are six year terms and none of that is affected by this Bill."

Speaker Churchill: "Representative Novak."

Novak: "Thank you, Representative. When we passed the Higher Education...and I'll put this in quotes, 'Reform Act', when we got rid of the Board of Regents and the Board of Governors, during the Floor debate I asked Representative Weaver questions about lobbyists, where each university would have to hire a lobbyist and we know the University of Illinois has its own hired lobbyist. I believe my alma mater, Eastern Illinois University has a lobbyist and probably some of the other public universities in the state will be hiring lobbyists. Will individual junior colleges, in this respect, be compelled to hire a lobbyist to come before the Legislature since they're going to be standing on their own or will the ICCB coordinate all the requests for the junior colleges through one individual lobbyist or individual staff member?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "The ICCB already has its own lobbyist and my understanding is that that would suffice whether they're on their own or under the 'heel' of the Board of Higher Education."

Speaker Churchill: "Representative Novak."

Novak: "So, it's safe to assume that in my community, the Kankakee Community College, there would be no need for them to hire a lobbyist, or Blackhawk Junior College, or Lincoln Land Junior College in Mattoon, there wouldn't be any need for them to hire any lobbyists?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "No, Sir. In fact, if we pass this Bill, the



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community colleges will speak with one voice, all of them together, and it will be a much stronger voice."

Speaker Churchill: "Representative Novak."

Novak: "Yes, Mr. Speaker, to the Bill. I simply rise in strong support. I think this is a sound, reasonable, and logical piece of legislation and ask my colleagues to join me in supporting Senate Bill 549."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I simply rise to support the Lady's Bill. I think she has already articulated the reasons. Any of you, who have a community college in your district, should be as familiar with these reasons as any of us. The fall of '94 head count enrollment...community colleges enrolled approximately 350,000 students, all the public universities and colleges in Illinois had 194,000 students. In the '95, fiscal year '95, General Revenue Fund per head count, the public colleges and universities got more than \$5,000 a student. The community colleges got less \$1,000 per student. And if FY '96 budget, the Board of Higher Education saw fit to put three community college projects in the capital funding budget. I think this kind of outrageous behavior on the Board of Higher Ed, who has always treated community colleges as second class citizens, has got to come to an end. It's time to pass this Bill. It's a good Bill. It delivers a strong message to the Board of Higher Education. Quit treating the 'light cavalry' of higher education, that is our community college system. They do more with less, in a faster amount of time, than all of the universities and colleges put together. They aren't research orientated, they're job

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oriented, they're people oriented. It's time to put community colleges in Illinois where they belong, on an equal footing with our four year college and universities. This Bill ought to go out of here with a unanimous vote and send a message to the Board of Higher Ed. It's time to put community colleges first, because they put people first. I vote 'aye' and I urge you to."

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

Holbrook: "Thank you, Mr. Chairman. Mr. Chairman, I look at the students up in the gallery today and if trends continue, four out of five will be attending community colleges within the next ten years. I don't think I can articulate any better than the Reverend Black just did; that the time has come. The time has come to put our community colleges where they belong, on an equal footing with the rest of higher ed in this state and I urge my colleagues on this side of the aisle and that side, to vote 'yes'. Thank you."

Speaker Churchill: "Further discussion? The Gentleman from McLean, Representative Brady."

Brady: "Mr. Speaker, and Ladies and Gentlemen, I, too, rise in strong support of community colleges, but I must ask a few questions of the Sponsor, because I'm concerned about the nature of this Bill."

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

Brady: "Representative, should community colleges become four year baccalaureate degree granting institutions?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "I'm sorry, Representative Brady, I could not hear your question."

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Speaker Churchill: "Representative Brady, please repeat the question."

Brady: "Do you believe that community colleges should become a four year baccalaureate degree granting institutions?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "I don't believe that and I don't believe there is a single community college president in this state who would believe that. Community colleges have a very special mission. It is a separate mission from four year institutions that grant baccalaureate degrees."

Speaker Churchill: "Representative Brady."

Brady: "What check would there be on this?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "The Illinois Community College Board would have to approve any changes, of any kind, that are made for community colleges."

Speaker Churchill: "Representative Brady."

Brady: "How will a program duplication with public and private colleges and universities be avoided by two separate boards?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "I'm...once again, I'm sorry. I...I...this...I'm having a little..."

Speaker Churchill: "Representative Brady, please repeat the question."

Brady: "Representative, how would program duplication with public and private colleges and universities be avoided with two separate boards?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "I would suppose, Representative Brady, that the members of these two boards do talk to one another. But, also, I think there's very little risk involved in that

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aspect of this, because the mission of community colleges is far different than the mission of four year degree granting institutions. I don't think there's that much overlap and they serve quite a different population."

Speaker Churchill: "Representative Brady."

Brady: "In what arena will student financial aid decisions and allocation of financial aid be resolved?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "I would suppose that the Illinois Student Assistance Commission would do whatever is necessary to see to it that the help for community college students remains the same, as it would be if this change had not been made."

Speaker Churchill: "Representative Brady."

Brady: "So, you would leave it up to the Illinois Students Assistance Commission as to the division of resources?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "Either that or we can do it."

Speaker Churchill: "Representative Brady."

Brady: "What did you say, I'm sorry."

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "We can either leave it to the Illinois Community College...the Illinois Students Assistance Commission, Representative Brady, or we can specify in our appropriations to ISAC how much is to go to community colleges and how much is to go to four year institutions."

Speaker Churchill: "Representative Brady."

Brady: "This Act removes Illinois Community Colleges from eligibility for cooperative grants under the Higher Education Cooperation Act. Is this a wise decision for community colleges?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "Representative, the community college presidents are

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fully aware of the fact that there are a number of things that need to be resolved if this Bill passes. In fact, many of them have already begun working on those kinds of things and attempting to figure out how we can work cooperatively between the Board of Higher Education and the Illinois Community College Board. In fact, I just talked to Dr. John Swalek, the president of Waubonsie Community College, a moment ago. He is the chairman of the legislative committee for the Illinois Community College presidents and they are planning a meeting on June 16, in Itasca. They are going to invite several Legislators to come and is the various kinds of things that you bring up, Representative, the grants and other things that we may have to make some kind of arrangement with the Board of Higher Education to make sure that those...the flow of those funds is not interrupted. But, I'm sure that can all be worked out, the work on that has already begun."

Speaker Churchill: "Representative Brady."

Brady: "Thank you, Mr. Speaker, and I want to say that I certainly understand where the Sponsor is coming from and I understand that her intentions are sincere and earnest. And I, too, rise in support of education in the State of Illinois. And particularly rise in support of community colleges. They're a very important vehicle, but I don't think this is the time to change this particular element of the structure, and I would ask my colleagues to vote 'no' on this for further study and so that we can resolve this issue in a more studied manner and so, I ask for a 'no' vote."

Speaker Churchill: "Representative McAuliffe in the Chair."

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

Davis, M.: "Thank you, Mr. Speaker. I would like to add my wee

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small voice in support of this legislation. A number of years ago in the City of Chicago, approximately 70% of city college students articulated (sic matriculated) into a four year institution, for many and varied reasons, that no longer occurs. I do believe that with the strengthening of programs in the city colleges or community colleges, we can get back to the day where those colleges are basically used for say, getting people prepared to go into four year institutions and completing their education. Now this legislation, Senate Bill 549, would establish minimum admission policies for the community colleges. This Bill would present a comprehensive community college plan with consideration to the Board of Higher Education's master plan and, they would make recommendations to the General Assembly. This particular Bill will also allow the community college or the board, the Illinois Community College Board, to submit their budget request to the Governor each fiscal year, and one of the most important and final things this Bill will do, is grant program approval for community colleges. I believe that in our attempt in the State of Illinois, to improve and increase educational opportunities for our citizens, this Bill should certainly be as one of our top priority items. It will open the door for a gain, increasing and improving program offerings in our community colleges. Community colleges, in my opinion today, are much under used. They can be extremely valuable resources in preparing people for the world of work, through education. As a former graduate...well I didn't graduate but as a former student from a community college, I know the value of a returning student to college who's been out for awhile and who needs to jump back in and get his or her feet wet into what it

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takes to be a successful college graduate. There is nothing or any place much more significant where this can occur than in a community college. Frequently, a student attending community college has to work. Community colleges usually have programs that meet in the evening. They have classes that can fit the schedule of a working student. A person who has been employed and needs to go back to school in order to 'bone up' on a totally different topic, can find a community college just that source of education that is needed for that student to go back, get some new information, and go back into the world of work and then do an excellent job of finding even higher or better employment. I find that the programs in the community colleges are still good; however, with this legislation, perhaps we can bring them back up to the level in which students are given the very best of services, to prepare them for a four year institution or to prepare them for the world of work. Enough cannot be said for those presidents of those community colleges, who work diligently to prepare young people for the 20th century. We find them...the 21st century, we find them offering all kinds of programs, with extremely limited resources. With the passage of 549, those resources can perhaps be increased and be given to those who will be the workers in the State of Illinois. They will be those from our State who go on to the four year institutions and have prepared themselves to take our places in society. It is with a great, great deal of respect for this legislation, that I stand in support. I urge an 'aye' vote from all and both sides of the aisle in order that we can do something educationally for the people in the State of Illinois. We're not tearing down anything, we're not reforming anything, we're simply

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making it better and that's why we're here, to make it better, to find solutions and remedies and this legislation, in my opinion, certainly will make community..."

Speaker McAuliffe: "The Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Facts of the day, all right. Who created the first community college in the world? Where was it located? Illinois. Joliet Community College is the first one in the entire world. Who was the person that created...who was the first president of the first community college? William Raney Harper. Now these are your facts of the day, you can go home and say you learned something today. The point is, that we created the first community college, then we lost it. Other states came along, like Minnesota and California, and created a very good strong system. Illinois dropped the ball. We ought to take this, which is our heritage, we ought to focus on the fact that we should have the strongest community college system in this country. This Bill will go a long ways to establishing ourselves as a front runner in terms of education. We started it. Let's be the leaders we should be. Vote 'yes'."

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

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

Speaker McAuliffe: "Excuse me, Representative Erwin. The Clerk has an announcement."

Clerk Rossi: "The House Rules Committee will meet at 11:15 in the Speaker's conference room. The House Rules Committee will meet at 11:15 in the Speaker's conference room."

Speaker McAuliffe: "Continue, Representative Erwin."

Erwin: "Thank you, Speaker. I apologize. Will the Sponsor yield



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for a question, and will the Gentleman in the suspenders in the main aisle move...oh, it's Representative Persico, the Gentleman. Thank you. Representative Cowlshaw, I apologize if you have already answered this question but, I do want...I do want to make it clear in the record. Have you stipulated, as a matter of legislative intent here, that it is not your intention to permit community colleges to become baccalaureate four year degree granting institutions?"

Speaker McAuliffe: "Representative Cowlshaw."

Cowlshaw: "It is, not only, not my intent, it is clearly not the intent of this legislation or anyone who supports it, for community colleges to change their mission. It is only to strengthen the mission on which they have already embarked, that this Bill is offered."

Speaker McAuliffe: "Representative Erwin."

Erwin: "Thank you, Representative. I do appreciate your...your restating that for me. I just have one other question. The seat that is now on the Board of Higher Education that is, a member representing the community colleges across this state, has the issue of that seat been resolved or raised or what would the status be?"

Speaker McAuliffe: "Representative Cowlshaw."

Cowlshaw: "Representative, we did not change that. I think there needs to be communication. This Bill does not change, the make-up of either the Community College Board or the Board of Higher Education. I think we need to retain those cross memberships so that, in fact, each knows what the other is doing."

Speaker McAuliffe: "Representative Erwin."

Erwin: "Thank you, Representative. Let me just say, share with my colleagues, that while I could not agree more with

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Representative Cowlshaw, Representative Monique Davis' comments on the strength and importances of community colleges in this state, I think they have a very, very critical mission, in terms of the economic vitality of regions of our state, and it's extremely important. I must confess, I am concerned that we have spent nearly three years debating the reorganization of higher ed. Lieutenant Governor came before the Higher Ed Committee back several years ago, and so we went through that somewhat agonizing process, over three years. It is a little bothersome to me that this is just moving along this quickly, at a time when there is so much change going on in higher ed. I do not, and I mean this is no way to diminish the importance or significance of community colleges, nor necessarily that they...you know, that they may indeed want to have their own separate board, but I think we ought to proceed with caution on this, and I agree with Representative Cowlshaw, the communication between all of these levels is going to be absolutely critical. So, I hope we do this in a way that will lead to good higher ed public policy and not, I hope, just because people might be mad at one board versus the another these days. So, I just urge caution."

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

Schoenberg: "Mr. Speaker, I move the previous question."

Speaker McAuliffe: "Representative Schoenberg has moved the previous question. Those in favor signify by saying 'aye'; opposed say 'nay'. The 'ayes' have it, the previous question has been moved. Representative Cowlshaw to close."

Cowlshaw: "Mr. Speaker, I am a great fan of community colleges. I know you all are. Please, vote 'yes'."

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Speaker McAuliffe: "Representative Cowlshaw has moved for the passage of Senate Bill 549. On that question, all those in favor signify by voting 'aye'; opposed vote 'nay'. Voting is open. This is Final Action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 113 voting 'aye', 3 voting 'no', 1 voting 'present'. And Senate Bill 549, having received the Constitutional Majority, is hereby declared passed. The Chair would like to welcome the Oakwood Junior Girl Scout Troop #422, guests of Representative Bill Black, in the gallery. Mr. Clerk, will you please read Senate Bill 560?"

Clerk Rossi: "Senate Bill 560. A Bill for an Act amending the Historic Preservation Agency Act. Third Reading of this Senate Bill."

Speaker McAuliffe: "Representative Poe."

Poe: "Yes. Senate Bill 560 is a Bill that was formerly in the House as Senate Bill 428. It had a lot of the same things. It voted out of here 115 to nothing. It is a Veterans Bill. It's a consolidation of Amendment and the Amendment becomes the Bill. The consolidation is House Bill 1508. It was sponsored by Representative Stephens, House Bill 1509 by Representative Jones, Senate Bill 177, which in the House was sponsored by Representative Jones, Senate Bill 301 by Stephens...Representative Stephens, Senate Bill 428 by Representative Stephens, House Bill 2154 by Representative Dart, House Bill 1510 by Representative Zickus, and House Bill 1511, which was my Bill, that amended the Historic Preservation Act. Is there any questions? I would say that I'm going to yield some of the answers to Representative Stephens, since some of these Bills are out of the Veterans Committee, and some of the

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Bill are his."

Speaker McAuliffe: "The questions of the Sponsor. Representative...the Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker McAuliffe: "Indicates he will."

Hoffman: "Representative, this is certainly an omnibus Bill, coming out of the Veterans Committee. Many things are good in here, but I think we need to attempt to walk through this. First of all, and maybe Representative Stephens could answer this, it's my understanding, and you had indicated that Representative Jones' provision regarding the Veterans Scholarships, were on here. I remember the debate regarding the Veterans Scholarships, and my concern was that we were taking scholarships away from Veterans' kids. Ultimately, that did pass this House, and I believe that Representative Stephens filed a Motion to reconsider that vote, because of potential drafting problems. In this Bill, have we made...have we corrected those problems to ensure that we are not taking any scholarships away from Veterans' kids?"

Speaker McAuliffe: "Representative Stephens would like to answer your question. Representative Stephens."

Stephens: "Thank you, Representative Hoffman. Your question is a very good description of what happened with my seatmate's Bill. That is the day I exploded at you because I thought you were picking on Veterans, and my seatmate at the same time. I believe you were doing neither, and I apologize to you for that. In fact, what the language in this Bill does, it compliments Representative Jones' Bill, which was 1509, that eliminates the provisions that allows the children of Veterans Scholarships to be given to children

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of nonveterans which has passed the House, and this just clarifies that language, does the same thing had we...my Motion to reconsider the Motion by which it passed. We would have made those corrections in the original Bill."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "Okay. So, essentially what this is doing, it's clarifying and getting rid of the problems that the original Bill had created. Is that correct?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "That is correct, Representative."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "To other parts of the Bill then, it is my understanding that this would allow for military...that individuals who are on military leave, to keep their health insurance coverage, without any contribution, if they are on military leave with pay. What is the current law and how is this changing that current law?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "Representative, we amended the State Employer Group Insurance Act to clarify health and life insurance benefits on personnel on military leave. We also distinguish between the military leave with pay and benefits, and military leave without pay and benefits. Furthermore, we allowed coverage to continue for a maximum of four years, through personal payments. This was originally in the form of Senate Bill 301, which passed the Senate by Representative Hasara and was not called here in the House. We also had agreed language from the Department of Military Affairs and Central Management Services to clarify how that would affect those under state employment."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "It also, I think...this Bill also, is a good provision,

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that would allow Persian Gulf Veterans admission to Veterans' homes. I think that is a good provision, but do we have any estimate on the cost, just so individuals will know, when they are voting on this Bill, what the cost would be for that?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "Representative, the United States Department of Veterans' Affairs, already requires the language here, and this just simply clarified that those benefits...the use of those benefit funds at Illinois Veterans' homes, to ensure that they were used for special comfort, pleasure, and amusement of the home residents and no others, and it repealed...that same language repealed various Sections concerning the Veterans' homes and consolidated them into one Section of the Act. It was just something we thought...it was found in three separate parts of the Act, and we thought we ought to put it altogether. But, basically, those sort of funds that we are referring to, the benefit funds, in the past or at least been suspicion that they have been used for benefits of the employees or others, and this specifies, along with the Department of...the U.S. Department of Veterans' Administration, that that is forbidden."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "Is the original provisions of the Bill, regarding the Korean War Memorial in Sangamon County, still in this Bill?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "Yes."

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

Younger: "Thank you, Mr. Speaker. I yield my time to

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Representative Hoffman."

Speaker McAuliffe: "Representative Hoffman, do you have any further questions?"

Hoffman: "Yes, Mr. Speaker. What I think, because of the number of provisions, I don't know that or...I don't know that there is much opposition to the Bill, but there's so many provisions, I think we just need to work through it, so everybody knows when they are voting, what they are voting on. I certainly believe that this is a good Bill, and I plan on voting in favor of it. I just think that we need to make sure everybody...everybody's aware of what else is in it. Let's go back real briefly. I didn't get to talk enough about it. The health care coverage for individuals who are on military leave, it also indicates that if you are on nonpaid status, you can pay the contribution and keep the health care coverage up to four years. Do we know what the cost to the...to our system would be? Would the state still have to pay any type of contribution towards that, or would the individual have to pay the entire health care contribution?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "Representative, we're not sure how many people this affects, and thus, are unable to determine what the cost would be, but I can tell you that this is language that actually puts the statutes in the way that it ought to be. This is the fair way to do it, and...but I'm not sure what that cost would be. I'm not sure how many people would be affected."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "I also see another very good provision in this Bill that I think that the original Bill, I may or may not have been a Cosponsor, but I certainly am in favor of it, and

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that is the verification for Veterans' preference. Is that the same Bill that was put forward by the...the former Vietnam Veterans Association headed by, I believe, Brian Duffy? Now, I believe, it's now the Veterans ...just...the Veterans' Association that does job training throughout the state. Is that their provision, regarding the verification for Veterans' preference, to ensure the people who say they are Veterans, actually are?"

Speaker McAuliffe: "Excuse me, the Clerk has to make an announcement."

Clerk Rossi: "The Rules Committee is meeting immediately in the Speaker's Conference Room. Immediately!"

Speaker McAuliffe: "Representative Stephens to answer."

Stephens: "Representative Hoffman, I'm not sure that...I don't believe that this is the exact language that was in House Bill 2154 if that is what you are referring to, but it is...it does accomplish the same thing. I'm not sure that it's a verbatim, what it was before, but it does...does have the same effect."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "So, the intent that we would require Central Management Services to adopt some type of procedure, to ensure that they verify that Veterans seeking preference for employment, were indeed Veterans. That is the intent of that provision of this Bill, and that is what you would like to see done. Is that correct?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "Without question, that is our intent and we think the language in this Amendment accomplishes that."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "In addition, I see one last provision that I think we haven't covered. Could you explain the provision regarding



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allowing an individual to retire at a rank higher than the rank they retire at? Does that mean that they were at one point a higher rank, and now when the date...when they retire, they are at a lower rank? I just...just... Could you please explain what that exactly means?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "I'd be glad to. Representative, it's current law. It...and in conjunction with federal law, and those promotions at retirement are simply honorary."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "Yes, to the Bill. I believe, that I would like to commend individuals on both sides of the aisle, because this Bill is certainly a compilation of individual ideas from both sides of the aisle. I would also like to commend the Chairman of the Veterans' Affairs Committee for his fairness in this endeavor and putting together a Bill that can be supported by both sides of the aisle. It truly is something that is positive to the Veterans in this state. I look forward to working with the Chairman on ensuring that we can all move forward in other areas, and I would just like to urge an 'aye' vote."

Speaker McAuliffe: "The Gentleman from Jo Daviess, Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman. Ladies and Gentlemen of the House, I rise in support of the Korean War Veteran Memorial here in Springfield. I think it is most appropriate. It may be a little belated, forty five years since the conflict occurred, but I think it is very appropriate that a lot of people have spent time in Korea, a lot of them spent the last days of their life there, and I think that this memorial is very appropriate and I urge a 'yes' vote."

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

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Representative Ronen."

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

Speaker McAuliffe: "Indicates he will."

Ronen: "Representative, would you tell me about the Women's Checkoff Fund?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "Ann Zickus had a Bill filed before the Assembly, in the form of House Bill 1511, one that the Veterans' Committee, I think, looked favorably upon...1510, I'm sorry. It amends the Income Tax Act and creates a checkoff for Women in Military Service Memorial, and for those of us who served in the military and those who have family...are family members of those, it's absolutely appropriate that we have and recognize and continue to recognize the contribution of women to the military. In the past it has been a much different mission than it is today, but has always had the same significant importance. And whether you've served stateside or in combat, and I know of eight women who for instance, were killed in Vietnam. I can tell you that this is very, very appropriate and we stand in full support of it."

Speaker McAuliffe: "Representative Ronen."

Ronen: "Thank you, Representative. We...I appreciate that. I think this is a much overdue effort in that regard."

Speaker McAuliffe: "Representative Ronen..."

Ronen: "Is it... We have some questions in regard to the Veterans' status in CMS. Is this what is current practice?"

Speaker McAuliffe: "Representative Ronen, did you want to ask a question?"

Ronen: "I think I did, Speaker."

Speaker McAuliffe: "Representative Stephens."

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Stephens: "Well, if your question is, 'What is current practice under CMS for Veterans' preference?' I can just tell you that in Section I of that Section, a preference shall also be given to the following individuals: ten points for one parent of an unmarried Veteran who has suffered a service connected death or a service connected disability, that prevents the Veteran for qualifying for Civil Service Employment. The first parent to receive a civil service appointment shall be the parent entitled to the preference. We add to that language, that says that the Department of CMS shall adopt rules and implement procedures to verify that any person seeking preference, actually is a Veteran."

Speaker McAuliffe: "Representative Ronen."

Ronen: "Thank you for that explanation. Now, what are the costs associated with that process?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "Well, they are supposed to verify already. I don't think that it's going to cause any extra costs, but we just want to put some teeth in the law. We want to make sure that the legislature and the Governor have spoken on this. We're very serious about this. Not only do we not want anyone faking being a Veteran, we don't want them faking winning medals or anything associated with the Veterans' community."

Speaker McAuliffe: "Representative Ronen."

Ronen: "I appreciate that. Has a Fiscal Note been filed in that regard?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "Yes, it has."

Speaker McAuliffe: "Representative Ronen."

Ronen: "Thank you, Representative Stephens, for those answers. I'm pleased that we are now focusing on women who have been

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Veterans of wars and have taken part in these things, so I very much appreciate your focus on that, and I very much appreciate your specific answers to all these questions. So, thank you."

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

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Will Representative Poe possibly yield for questions?"

Speaker McAuliffe: "Indicates he will."

Hartke: "Representative Poe, I think one of the earlier Bills, and I'm looking for it and I don't see it in here, talked about a stipend to World War II and Korean War POW's. Is that correct?"

Speaker McAuliffe: "Representative Poe."

Poe: "That is correct, but I'd like to yield that answer to Representative Stephens."

Speaker McAuliffe: "Representative Stephens."

Stephens: "Yes, that language was in and the Senate did not, because of the cost factor involved, did not leave that language in."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Excuse me, I had difficulty hearing his answer."

Speaker McAuliffe: "Try and keep the noise level down so Representative Hartke can hear Representative Stephens' answer. Representative Stephens, would you repeat your answer?"

Stephens: "Yes, I will. The language that he refers to was in the Bill that we passed out of here to the Senate. The Senate...Senate Bill 428, the Bill that I sponsored, did not concur in those Amendments. We are going to deal with that issue. There are three issues with which the Senate and our Committee in this General Assembly did not agree.

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One that you referred to, one that talks about the...what we thought was an inequity in state income tax for those involved in reserve duty, and finally, the...oh, excuse me...trying to bring some equality to the Adjutant General's Office and the Veterans' Affairs pay. Those three issues were stricken. We're going to deal with those on another Bill, at least in whole or in part. This Bill includes nine different sections that, we think, the Senate and we can agree on. We want to get this because these are important issues, as Representative Ronen said, recognition of women, straightening out some other things in hiring practices, and all the other seven items included and then those other three issues, we'll deal with on a separate Bill and I hope we can get through that today, if we can get past this Bill."

Speaker McAuliffe: "Representative Hartke."

Hartke: "I have another question dealing with the Income Tax Checkoff. If I'm correct, we only allow a certain number of issues on the Checkoff Fund on the state income tax. Can you tell me what the...Memorial Checkoff Fund, what are the others that we're competing with, for the right to be on the income tax form this year?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "Well, Representative, we won't be competing with any, because the only way we can get this one on there is if one falls off, and in order to be on, they have to, I think, raise a minimum of \$100,000 in a year. If they fail to reach that level, then they have eliminated themselves from further consideration and then we could put this one on. We're not wishing bad fate on anybody else, but should an opening come, we think that women in service and a tribute to them, is a worthy cause. We think Illinoisans will

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support it, should it appear on their income tax form."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Representative, I'm like you, but I'm curious to know, have you checked with the Department of Revenue to see how these other funds are doing? I don't want to raise false hopes or whatever, because I think that this memorial is past due and fitting that we should place it on the...on the Checkoff Fund. Have you got any idea? Or is there some suggestion on what or where, the memorial might be established if we should be fortunate enough to get this issue on the state income tax?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "Representative, I too, don't want to raise false hopes, but if this legislative Body did no more, than by gesture of supporting this Section of this Bill, recognize the contributions of women in times of combat and in other military service in peacetime, then we have done the right thing. I am not sure of the status of any of the current checkoffs and whether they are going to succeed or fail. I hope they all...like I said, we're not wishing anyone ill will. I can tell you that the building of this memorial in the Arlington National Cemetery in Washington, could be no finer tribute, not only to the fighting women in the military, but to our military and to our country."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Well, thank you very much, Mr. Speaker. I appreciate the extra time. I stand in full support of this legislation and I'm looking forward to those other three issues, and I hope that we can convince our colleagues in the other Chamber to support the Veterans. As a Vietnam Veteran myself, I stand in full support of these measures and will stand behind Representative Stephens and Poe and

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Representative Meyers, the Chairmen of the Committee. I think they did a fantastic job. Thank you."

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

Weaver: "With no opposition, Mr. Speaker, I move the previous question."

Speaker McAuliffe: "Representative Weaver's moved the previous question. All those in favor signify by saying 'aye'; opposed say 'nay'. The 'ayes' have it. The previous question has been moved. Representative Poe to close."

Poe: "Yeah, I just feel this is a good Veterans' Bill and we ask your support."

There's many things in here that we need and I would ask for a 'yes' vote."

Speaker McAuliffe: "Representative Poe has moved for a favorable passage of Senate Bill 560. On that, all those in favor signify by voting 'aye'; opposed vote 'no'. The voting is open. This is Final Action. Have all voted who wish? Have all voted who wish? Have all voted who wish? On that question... Mr. Clerk, please take the record. On that question, there are 116 voting 'aye', 0 voting 'no', 0 voting 'present', and this Bill having received the Constitutional Majority, is hereby declared passed. Committee Report."

Clerk McLennand: "Committee Reports. Representative Churchill, Chairman for Committee on Rules, to which the following Resolution was referred. Action taken on May 23rd, 1995, reported the same back with following recommendations: do adopt House Resolution #52."

Speaker McAuliffe: "Representative Cross."

Cross: "I was just waiting on the next Bill, Mr. Speaker. Am I

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ready to go on it? Which Bill is it?"

Speaker McAuliffe: "Mr. Clerk, please read House Bill 585. I'm sorry, Senate Bill 585."

Clerk McLennand: "Senate Bill #585, a Bill for an Act that amends the Attorney General Act. Third Reading of this Senate Bill."

Speaker McAuliffe: "Representative Cross."

Cross: "Thank you, Mr. Speaker. Senate Bill 585 came out of the Senate 44 to 0, to 0, and merely adds a nonsubstantive caption to the Section of the Attorney General Act. I would appreciate a favorable vote. I don't know of any opposition, and I think it is a good Bill. Thank you."

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

Hartke: "Thank you very much, Mr. Speaker. Would the Sponsor yield?"

Speaker McAuliffe: "Indicates he will."

Hartke: "That was a very brief description. What is the substance of this Bill?"

Speaker McAuliffe: "Representative Cross."

Cross: "Other than that change, Representative, there aren't any others."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Has there been a Fiscal Note filed to this Bill?"

Speaker McAuliffe: "Representative Cross."

Cross: "Yes, Representative, good question. The Fiscal Note I have, shows there will be no fiscal impact."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Well, Representative, the Fiscal Note that we have here is on a plain piece of paper, no letter head, no anything, just a...not signed. I guess it is dated here."

Speaker McAuliffe: "Mr. Clerk, do you have a Fiscal Note there?"



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Clerk McLennand: "I have both a Fiscal Note, signed by...signed for Joan Walters by Dee Wood, Bureau of the Budget, and a State Mandates Act Fiscal Note signed by Dennis Whetstone."

Speaker McAuliffe: "Representative Hartke."

Hartke: "I think our file shows a State Mandates Note that is not filed, date May 17th, at about 4:00 a.m. It's not signed at all, and... Maybe the Clerk can inform us when he did sign that Bill."

Clerk McLennand: "The Bill was moved on the seventeenth and the notes were filed in accordance with standard practices on the seventeenth."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Well, I think we've indicated before that we consider that to be a 'phony' note. It hasn't been signed. It hasn't been dated. It's not on official stationary from the agency and we're concerned about that being a totally 'phony' note, and so if the Bill was moved from Second to Third without properly meeting the requirement of the statute in the law, that we would suggest you hold this until the proper notes are filed, properly dated, and verified. Then we'll have probably no objection to this vehicle Bill, that I would suppose, that it probably doesn't do anything, anyway. So if it doesn't do anything, there shouldn't be any problem getting a proper Fiscal Note or a Mandates Act filed to the Bill. I mean they were here the other night signing until all hours of the morning, getting writer's cramp, I would think that could do it with this Bill as well. The only thing we're asking, is that you follow the rules and comply with the statutes as put forth and agreed to by Speaker Daniels, the morning of the eighteenth."

Speaker McAuliffe: "Mr. Hartke, it's the opinion of the Chair

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that the notes are in order. If you disagree, you could move to overrule the Chair."

Hartke: "Mr. Speaker, I move to overrule the Chair."

Speaker McAuliffe: "Mr. Hartke has moved to overrule the Chair. The question is, 'Shall the Chair be sustained?' Those in favor of sustaining the Chair, vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On that question, there are 64 voting 'aye', 53 voting 'no', and the Chair has been sustained. Further questions, Representative Hartke?"

Hartke: "I'd like to...Mr. Cross to explain exactly what this Bill does."

Speaker McAuliffe: "Representative Cross."

Cross: "Well, Representative, as I said earlier, it adds some language to the caption, to the Section of the Attorney General Act. I refer you to Section 5 of the Attorney General Act and all it does is, add the language, 'additional bond'."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Would you be more articulate on that, on exactly what it is?"

Speaker McAuliffe: "Representative Cross."

Cross: "Well, I'm trying to be a responsive, as we always try to be on this side, to your questions and it adds the language, 'additional bond' in the caption."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Is this a bonding Bill?"

Speaker McAuliffe: "Representative Cross."

Hartke: "Increased bonding?"

Cross: "Well, Representative, at this point it's not. It's...it merely adds language to the caption portion of the Attorney

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General Act."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Would you say this was an eighteen wheeler, maybe a vehicle Bill?"

Speaker McAuliffe: "Representative Cross."

Cross: "Yes."

Speaker McAuliffe: "Representative Hartke."

Hartke: "Are the midwest truckers in support of it?"

Speaker McAuliffe: "Representative Cross."

Cross: "They haven't filed a slip in opposition and I suspect they probably would be."

Speaker McAuliffe: "Representative Hartke."

Hartke: "I have no further questions. I would urge a 'no' vote."

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

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

Speaker McAuliffe: "Sure he will."

Dart: "Representative, you've been doing a lot in the area of 'clown legislation' this year. Do you have any intention of maybe using this is a 'clown vehicle', one of those small ones with a lot of clowns in it?"

Speaker McAuliffe: "Representative Cross."

Cross: "Well, Representative, I didn't hear the last part of that, but I know you share my concerns that I have, similar concerns of protecting the 'clowns' of this state and I'd be happy to work with you, and maybe Representative Blagojevich, to address this problem. If you have some ideas, maybe we can talk about them later and consider... I'm open to any suggestions you may have...on the 'clown' issue."

Speaker Daniels: "Representative Dart. Speaker Daniels in the Chair."

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Dart: "Thank you. Well, in regards to the Bill, in it's present form, there is nothing in it. Is there any type of design or has there been any negotiations whatsoever, whether it be 'clowns or nonclown' issues, as far as what was going to be in this Bill?"

Speaker Daniels: "Representative Cross."

Cross: "My understanding, Representative, is at this time there are no plans, but in the event something does develop, we want to be ready."

Speaker Daniels: "Representative Dart."

Dart: "Did 'Bucky the clown' file a witness slip in this...in Committee at all in this?"

Speaker Daniels: "Representative Cross."

Cross: "Well, I don't remember a slip, Representative, but Bucky is always around."

Speaker Daniels: "Representative Dart."

Dart: "Now what exactly did... Was this Bill ever...did it ever have any substance in it or has this always been a shell bill?"

Speaker Daniels: "Representative Cross."

Cross: "Representative, it's always been in the latter form."

Speaker Daniels: "Representative Dart."

Dart: "And there are no...there are no plans even in a general sense, right now, for this Bill as far as what it's going to be used for in what area?"

Speaker Daniels: "Representative Cross."

Cross: "That is my understanding."

Speaker Daniels: "Representative Dart."

Dart: "Thank you, Mr. Speaker. I have no further questions. I know Representative Lang has a couple and I would yield whatever time I have left to Representative Lang."

Speaker Daniels: "You can't do that, but I will call upon

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Representative Lang for his allotted five minutes."

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

Speaker Daniels: "Indicates he will."

Lang: "Representative, as somebody over here said, what is this Bill going to be when it grows up?"

Speaker Daniels: "Indicates he will. Representative Cross."

Cross: "Are you asking me, or are you just repeating that statement?"

Speaker Daniels: "Representative Lang."

Lang: "I'm asking you, Sir. What do you think this Bill is going to be when it grows up? You're the Sponsor. Are you just simply going to leave it to the whims of Senator Phillip to determine what he wants to do with this Bill?"

Speaker Daniels: "Representative Cross."

Cross: "You know, Representative, it's like all young things, you don't always know what it will be when it grows up. So we'll just have to wait and see."

Speaker Daniels: "Representative Lang."

Lang: "That is right. Some young things grow up and become Legislators. Let me ask you this, Sir. Have you been involved in any discussions with the Attorney General as to what they would like done with this Bill?"

Speaker Daniels: "Representative Cross."

Cross: "Representative, in all seriousness, I have not been involved in anything, any negotiations about this Bill, and I'm told at this point, that there are no plans for this Bill."

Speaker Daniels: "Representative Lang."

Lang: "Well, as you know, House Resolution 49 asked the Attorney General to appoint a special investigator to investigate Notegate, those phony Fiscal Notes. Are you planning to put something in this legislation that would allow the

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Attorney General to investigate the fraudulent activities on the Floor of this House, relative to Fiscal Notes?"

Speaker Daniels: "Representative Cross."

Cross: "I think, Representative, this may be the tenth time I've said this. There aren't any plans for this Bill at this point."

Speaker Daniels: "Representative Lang."

Lang: "Well, wouldn't you like to put something valuable in this Bill? You want to clean up the mess here. You want to do something about the phony and fraudulent Fiscal Notes that have been filed here, and I think you probably believe this matter should be further investigated. Why don't you take this Bill back to Second and put an Amendment on it that would do what we want to do in House Resolution 49. Ask the Attorney General to hire a private...a special counsel to investigate this mess. Why don't you do that, Sir?"

Speaker Daniels: "Mr. Clerk."

Clerk McLennand: "Attention: Lunch is being served in the Speaker's hallway."

Speaker Daniels: "Representative Cross."

Cross: "Representative, there aren't any plans at the present time for Senate Bill 585."

Speaker Daniels: "Representative Lang."

Lang: "Hey, I've had that coming to me for a long time, and I well deserved it. Thank you very much, but I don't think that I'm the 'Lou' that those things were printed for. Representative, let me ask you this. There's another thing the Attorney General could want to do with this Bill. He could want to do something about the loophole in the law that would allow a State Constitutional officer to give up thirty million dollars of the taxpayers' money. I know the Attorney General's held up a certain deal that is going on,

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but perhaps this would be a good opportunity to help this along. How about it? Why don't we move it back to Second and do that?"

Speaker Daniels: "Representative Cross."

Cross: "Well, Representative, I don't want to impede, in any way, the Attorney General's investigation, if there is one on that issue. At this point, Senate Bill 585 doesn't have any...I don't have any plans for Senate Bill 585."

Speaker Daniels: "Representative Lang."

Lang: "You know, perhaps the Attorney General... Mr. Cross, I'm over here, Sir. Mr. Cross, perhaps the Attorney General shouldn't be the one investigating that. According to the Chicago Sun Times today, there may be some difficulty or some conflict, relative to the Attorney General investigating that hotel deal. Maybe we should put a special counsel in this, to require, or a legislation to require the Attorney General to hire special counsel to investigate the hotel deal at the Renaissance and at the Collinsville Holiday Inn."

Speaker Daniels: "Representative Cross."

Cross: "Well, Representative, maybe I haven't been thorough enough in my explanation of the Bill. Let me spend a little time explaining what Senate Bill 585 does. It's going to take a little bit of time. What it does is it adds a nonsubstantive caption to a Section of the Attorney General Act, specifically Section point...Section 2, which deals with...we've added the language 'additional bond'. Now, whenever the Attorney...the Governor shall..."

Speaker Daniels: "Thank you. The Gentleman, Representative Cross, moves for the passage of Senate Bill 585. All those in favor signify by voting 'aye'; opposed by voting 'no'. The voting is open. Have all voted who wish? This is

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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 101 'ayes'. 9 voting 'no', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Morrow, for what purpose do you rise, Sir?"

Morrow: "Yes. Thank you, Mr. Speaker. I would just like to be recorded as voting 'aye' on that last Bill, Senate Bill 585. I wasn't fast enough to hit my button."

Speaker Daniels: "The Journal will reflect that you would have voted..."

Morrow: "I'm not as fast as you are."

Speaker Daniels: "Yeah. The Journal would reflect that you would have voted 'aye' if you had been able to get to your switch in time. Representative Phelps, for what purpose do you rise, Sir?"

Phelps: "Thank you, Mr. Speaker. I ask for unanimous consent to file a Motion to concur with Senate Amendment 1 to House Bill 175, and I'm a hyphenated' Cosponsor please."

Speaker Daniels: "The Gentleman is making this Motion because you need to be a principle Sponsor to file the Motion. Representative Martinez is absent, as you all know, due to illness. Is there unanimous leave? Hearing no objections, unanimous leave of the House is given. House Bill 377. Read the Bill, Mr. Clerk. Excuse me, it's Senate Bill 377. Read the Bill, Mr. Clerk."

Speaker McAuliffe: "House Bill 377. Read the Bill, Mr. Clerk. Excuse me, it's Senate Bill 377. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 377, a Bill for an Act relating to Early Childhood Education and Care. Third Reading of this Senate Bill."



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Speaker Daniels: "The Chair recognizes the Lady from Lake, Representative Clayton."

Clayton: "Thank you, Mr. Speaker. Senate Bill 377 creates the Illinois Early Childhood and Care law. Many of you recall during the last Session, we passed Senate Joint Resolution 173, which created a 53 member work group in the area of early childhood. That group met throughout last year, trying to reach agreement and develop a report that was requested for the General Assembly and for the Governor's office. This was a diverse group, all political spectrums and interests were involved. The recommendations of that group are encompassed in Senate Bill 377. The original Bill has been amended several times to accommodate concerns that were expressed during negotiations. Basically, this Bill recognizes the need to link early childhood education and day care. It supports children through their earliest years of development and how important that is. The Perry Preschool project is a study of 123 youths from families of low income families who are at risk of failing in school. Half were selected at random to receive a high quality preschool program and the other half did not. These children were followed until the age of 19. The results were dramatic. Preschool attendance altered performance by nearly a factor of two on four major variables at age 19. The rates of employment and participation in college or vocational training were nearly double for those with preschool, as compared with those without preschool. For those who attended preschool, the rate of teen pregnancy and the percent...percent of years spent in special education classes were slightly over half of what they were for those who did not attend preschool. Preschool attendance led to a reduction of twenty percentage points

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in the detention and arrest rate and nearly that much in the high school drop out rate. For those who attended preschool, also did better on a test of functional competence. Also, the Bill compliments our recent welfare reform efforts. Families transitioning from welfare to work and families who are the working poor, need full time child care, and, importantly, these children need early childhood education and parental involvement to prepare them for school. I became most interested in...in this area last fall, when the Sun Times had a series of articles, they were comparing the intercity children with suburban children, with their readiness for school. When this...when these...these articles indicated that less than half of the children from the lower income area could identify their colors red, white and blue. Less than, more than...just half, knew their first and last names. I was very concerned and I felt this was something that society really should not tolerate. We need to take care of the children. We need to prepare them so that they can lead productive lives. The Bill establishes the Ready to Learn Program which it sets up incentives, at the state level, to combine early childhood education with full-time child care. This is a voluntary program. Any child care facility, whether it is public, private, church sponsored, a school, whatever, can apply for a modest grant to enhance their program to become higher quality and more comprehensive. The grants we're talking about are in somewhere between the area of \$3,000 and \$6,000, so they are moderate, but mean a lot in the quality of...of a child care center. We have some good examples in this state, of the kind of centers that we're talking about. The Velesca Henton School in Peoria and the El Valore in Chicago, are

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certainly worthy of mentioning. The State Board of Education working with the new Ready to Learn Council will manage the program. The Bill also establishes full-time pre-kindergarten demonstration programs. We have some excellent pre...pre state, pre-k programs in federal Head Start programs, but they generally meet for only three to three and a half hours a day. The State Board of Education would offer grants to local school districts that elect to become a demonstration program to make full day care available without requiring young children to be shuttled to different sites throughout the day. A school district could either expand school base programs to full-time, year around or contract with community child care providers. Parents' fees would be charged on a sliding fee basis. A consolidated method of local planning is established in this Bill to achieve coordination at the local level. DCFS and other state agencies would develop a statewide computer system that has been in the planning stages for...for a few years to create central billing procedures, centralized waiting list and other administrative efficiencies, blending 25 funding streams. Social service needs identified in cooperation with the families, referrals would be on a voluntary basis. The intent is to provide access. If assistance is not needed, obviously no referrals would be made. This Bill is endorsed by the Boys and Girls Clubs of Chicago, the Catholic Conference of Illinois, the Chicago Metropolitan Association of the Education of Young Children, Child Care Coalition of Lake County, the Child Care Network of Evanston, Childrens Home and Aid Society of Illinois, Day Care Action Council of Illinois, Ecumenical Child Care Network Illinois, EDRED, Elk Grove Township Community Day Care Center, Fayette

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County Child Care Corporation, Illinois Association of School Administrators, Illinois Alliance of Quality and...and Early Childhood Settings. Illinois Association for Education of Young Children, Illinois Caucus of Adolescent Health, Illinois Education Association, Illinois Family to Family Child Care Initiative, Illinois Federation of Teachers, Illinois PTA, Jewish Federation, Kids Public Education Policy Project, Large Unit District Association, League Women Voters, The Legal Assistance Foundation. Lutheran Social Services of Illinois, Marion County Child Development Center, Midwest Family Child Care Alliance. National Association of Social Workers, Pilson YMCA Head Start in Chicago, Paul K. Kennedy Child Care Center, Veterans Affairs Medical Center, South Cook Organization for Public Education, United Way of Illinois, The Velesca Henton Early Childhood Education Center in Peoria, United Charities, Voices for Illinois Children and the YWCA of Metropolitan Chicago. This pretty much is the essence of the Bill, Mr. Speaker, and I would be happy to answer any questions."

Speaker Daniels: "Is there any discussion? The Gentleman from Cook, Representative Pedersen."

Pedersen: "Will the Sponsor yield?"

Speaker Daniels: "She indicates she will."

Pedersen: "When you talk about these early learning facilities and that any...any almost anybody can apply for them, including parochial and private facilities. When we're talking about really adding education to day care, don't we run into the problem of separation of church and state and...and the possibly of the ACLU coming in and saying you can't do this and we...we don't want any...any religious symbols and all that sort of thing?"

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Speaker Daniels: "Representative Clayton."

Clayton: "I believe that that was a concern with the Voucher Bill that both you and I voted for recently. It passed."

Speaker Daniels: "Representative Pedersen."

Pedersen: "Well, it's a concern, but you know we have...we have an example and the, with the AFDC where ACLU and AFDC and the court decided on a consent decree and they just, they just decided to do it. Of course the ACLU got a lot of money in that deal, too. So, don't you think that's a problem?"

Speaker Daniels: "Representative Clayton."

Clayton: "No more of a problem than with the recently enacted voucher program."

Speaker Daniels: "Representative Pedersen."

Pedersen: "Now on pre-kindergarten, we're talking about demonstration projects with local school districts, is this...is this exclusively with the public schools?"

Speaker Daniels: "Representative Clayton."

Clayton: "Yes, the pre-k programs that are provided in the state are through school districts. This is...this is...these are the same districts that would be involved in the demonstration programs."

Speaker Daniels: "Representative Pedersen."

Pedersen: "So, private schools or other institutions would not be able to do...to be involved in this?"

Speaker Daniels: "Representative Clayton."

Clayton: "Any existing pre-k program would be able to apply to be a demonstration program."

Speaker Daniels: "Representative Pedersen."

Pedersen: "I assume we're talking about all kinds of schools, like some of the schools we have in Chicago, that are...that aren't doing a very good job for kids in school

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and do you feel that those kind of schools are going to be able to do any better with pre-kindergarten than they...they are in the regular, in the regular, in the regular schools?"

Speaker Daniels: "Representative Clayton."

Clayton: "As I said, any school district can apply. That doesn't mean all school districts that apply will be granted this. The early...the learning, the Ready to Learn Council will evaluate each one of the grant applications and will make the final determination."

Speaker Daniels: "Representative Pedersen."

Pedersen: "It says here 'ensuring that all program guidelines address children with special needs'. What are...what are children with special needs, is that handicapped?"

Speaker Daniels: "Representative Clayton."

Clayton: "We're talking about the...the children who are in Special Ed."

Speaker Daniels: "Representative Pedersen."

Pedersen: "They also make recommendations for scholarships to train people to...to work with children that, to have teachers in this program and of course we'll be subsidizing that once they get their degrees then we'll have to pay them more. We're talking about subsidizing higher salaries and we do have the potential of unionization of these people. Don't you think that creates a problem?"

Speaker Daniels: "Representative Clayton."

Clayton: "Any part of the enhancement program could involve personnel training. I think that a quality education program is dependant upon the quality of the teachers that are involved."

Speaker Daniels: "Representative Pedersen."

Pedersen: "Thank you, Representative, and to the Bill. I rise in

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opposition to Senate Bill 377. This Bill contains the seeds of a major expansion into lives of families under the guise of..."

Speaker Daniels: "Can you bring your remarks to a close, Sir. Representative Pankau."

Pankau: "Thank you, Mr. Speaker. I yield my time to Representative Pedersen."

Speaker Daniels: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker. A major expansion into the lives of families under the guise of helping 'at risk' children. In the 60's, Lyndon Johnson tried to create the Great Society. Families were supposed to get out of poverty. The results are in, they're catastrophic for poor families. Trillions of dollars were wasted. The numbers of poor unmarried mothers with illegitimate children has reached disastrous levels. Recognizing the damage they've done to families and especially children, these same social engineers want to cause further damage. They want to intervene even more into family matters, even though they have failed with school and...age children, now they want to mess up preschoolers. How, with more government, more bureaucrats and more money. Oh, they don't want much at first, but hundreds of millions are...are in our future. Tribune columnist, Joan Beck, has called day care a bottomless hole. The work group on early childhood proposes this new program. Most of it's members will profit directly, if this Bill is passed. It's money in their pockets. They have found a way to make big money on a early childhood education and care program. They only had four days of meetings in some subcommittee meetings. But, they did review five commission papers, five commission papers, isn't that interesting. This conflict

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of interest filled work group submitted a report including comprehensive legislation. Get that, comprehensive legislation. Boy, their not kidding and what a surprise. We predicted this would happen last year. The so called first key finding that declares Illinois early childhood programs should not separate early childhood education and child care. Funny thing, that's what mothers and fathers do already. These programs should embrace national education goal number one. By the year 2000 all, that's all, folks, not just the disadvantaged, all young children should enter school Ready to Learn. Goals 2000 was passed in Washington by the last Congress. Apparently the new Congress doesn't plan to pay for it. The real concern is how it will be done and by whom. Senate Bill 377 dramatically increases that concern. Myron Magnet and his book on the underclass, asserts that moral values are vital for the poor in their quest to get out of the underclass. Economic solutions, jobs training, enterprise zones, et cetera, may have some value but the first need is moral values. No state run solution can address this fundamental need. Here are just some of the places your money will go. Child care centers, family day care homes, pre-kindergarten, comprehensive programs, community services, child staff ratios, teacher training, school district grants, community child care contracts, coordinating councils, consolidated local planning, mega computers, resource and referral agencies, increased subsidies, salary increases and I said these are just some of the places that your money will go. They've got big plans for your dollars, remember, they're starting small. Poor disadvantaged children are supposed to be helped at first, but in the long run, however, in the long run, they



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want all preschoolers. Last November the voters said, 'Give us less government, give us private solutions, include institution like churches, reduce our taxes, don't start new programs that will force tax hikes.' The real solution is to give families lower taxes, especially, if they have young children. Reduce their tax burden to the point where the family and especially the mother has a true choice in whether or not to be employed. Give her the choice to stay home, before we put all these new big government into place. Let's see how many parents or mothers opt to stay home when they have a real choice. In the meantime, let's put the grandiose bureaucratic dreams in this Bill to rest, permanently. There are other, better solutions to the problem. Marvin O'Laskey, whose gotten some pretension lately as author of a book called Tragedy of American Compassion says,..."

Speaker Daniels: "Representative, you're almost out of time."

Pedersen: "...I'm right down to the last sentence, Sir. 'Our political leaders need to work hard on breaking down programmatic barriers to compassion, not adding to them,' like we are here. And helping effective charities, not souless bureaucracies, gain the funding they need. I urge a 'no' vote."

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

Ronen: "Thank you, Speaker, Ladies and Gentlemen of the House. I rise in strong support of this Bill. I wish to commend the Sponsor, the lead Sponsor, for all that she's done. This Bill is how the legislative process should work. The process that we used, that was used, to develop this Bill is really what it's all about and what we should be about in this Chamber. It evolved from a deliberative, inclusive process that, that developed this sound policy. Let me

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just recap that, I think Representative Clayton talked about some of this, somewhat. This Bill began that we had a conference in Cantini. I think some Legislators will recall a bipartisan group called together by the McCormick Foundation, Chicago Tribune, Voices for Illinois Children and it included Representatives from both sides of the aisle, it included Representatives and experts in various fields, in child care and child development. And out of that retreat developed a Resolution that we, in this Body, passed last year that developed a task force to further study the issue of child development. You recall the Tribune series that talked about how important it is to intervene in children's lives at the earliest point we can, how the brain works. That task force was developed and was co-chaired, as a result of that Resolution, co-chaired by Senator Frank Watson, who was the lead Sponsor of this Bill in the Senate. Dr. Barbara Bowman, a leading expert in child development and Jerry Stermer, the President of Voices for Illinois Children. The task force, which was developed more than 50 people, included Representatives from both sides of the aisle, representatives from early childhood programs, from the public sector, from the private sector, from the religious sector. And what developed from that process, was the Bill that we are here talking about today. A Bill that is so important to the children and the families of this state. A Bill that talks about implementing what is sound policy for this state. A Bill that sets forth what is a voluntary program. A Bill whose goal is and what's wrong with a goal of saying that children, when they enter school, should be ready to learn. If we're afraid of that kind of goal, what does that say about us as a society? This is a goal that we all should

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be working towards. That when children enter school they can be ready to learn. That's all this Bill is about. To those who say their constituents don't need child care and don't wish it. That's fine, this Bill doesn't say you have to put children in child care. But for those of us around the state who know that our constituents use and need child care, we want to make sure that those programs are of the highest quality and meet the highest standards possible. That's what this Bill is about and that's what this Bill will support. We know these kinds of programs work. Look at the Head Start program. Twenty five, thirty years later we'll still...studies show that children who are in Head Start do better as adults. The statistics are clear, 50% are more likely to graduate high school, a third are more likely to have post secondary education. We know that early intervention and prevention help us in every way possible. This is not about setting up new bureaucracies, this is about coordinating state services. This is about saying that we as a state are going to be better coordinated and more focused on how we...how we establish child care programs. The opponents of this Bill, who have stayed in corners and talked to people individually, if you'll listen to any of the opposition that's been raised, listen to it very, very carefully and what you will realize is that it has nothing to do with the substance of this Bill. Nothing to do with the substance of this Bill. We are already spending significant resources in the State of Illinois. What this Bill says, is that we're going to do it in the best way possible. Let's not miss this opportunity to make a difference for the children of Illinois and the families of Illinois. I urge all my colleagues to vote 'yes' on House Bill 377."

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Speaker Daniels: "The Gentleman from Will, Representative Wennlund. Representative Wennlund, I wonder if you could use Representative Cross's microphone? For some reason yours in not working right now."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me tell you what this Bill is really all about. This Bill is about making the State of Illinois surrogate moms and dads for Illinois children. We're talking about, at the best fiscal scenario, \$2 million this year and \$11 million increase every year thereafter. This is a state that cannot afford to adequately subsidize health insurance premiums for 32,000 Illinois teachers. This is a state that can't pay \$1.3 billion dollars, billion dollars in unpaid medical debts. This is a state that has to subsidize Medicaid debt by relying on taxes on hospitals that push it off on the private payers and on insurance companies that you and I pay. This is a state that cannot adequately fund education in Illinois. And here we're talking about spending another \$11 million a year. By the best fiscal conservatives, \$11 million a year increase. This is something that Illinois simply cannot afford. This is the most serious intrusion into Illinois families that you could possibly imagine. It's as close to Communism and Socialism that you could ever find. The Sponsor of this legislation hasn't stated that they want to raise taxes, so that they could pay off the 1.3 billion, so that they adequately could fund education in Illinois, so that they can pay off the debts that Illinois owes. No. What we want to do is increase the cost of government in Illinois. Increase the intrusion of state government into the daily lives of American families living in Illinois. This is something Illinois cannot afford and it ought to be

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defeated."

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

Currie: "Thank you, Speaker and Members of the House. I rise in support of Senate Bill 377. If you want to get a 'bang' for your educational buck, you ought to be voting 'yes' on this Bill. The research shows that for every dollar we spend on early childhood programs, to help our youngsters become learning ready, for every dollar we spend, we save seven dollars in the long run, in the costs of Special Education, the cost of juvenile delinquency, the cost of welfare. This is a carefully thought out Bill, by a bipartisan public and private sector task force, chaired by Dr. Barbara Bowman, one of the leading...nation's leading experts on early childhood programs. This is an effort to see to it that we spend our education money wisely and well. These are voluntary programs, they require no one, no family, no child to participate, if that is not what they wish to do. Talk of government intrusion, is badly misplaced..."

Speaker Daniels: "Excuse me, Representative. Excuse me. Ladies and Gentlemen of the House. It's a very important piece of legislation, I'd like you to give all Representatives your attention. Thank you. Representative Currie."

Currie: "Thank you, Speaker. I appreciate that. There is no new government intrusion in this Bill, I mean I can't believe people use that language in respect to this measure. The state already provides support for free pre- kindergarten programs and we help foot the bill for day care for working Illinois families. There's nothing new in Senate Bill 377, except its commitment to improve the quality of the

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services we already provide on the continuing voluntary nature, and a commitment to making sure that our youngsters are ready for school when they hit their kindergarten year. Please support this measure, it's cost saving, it's economically efficient and it will improve the opportunities for our youngsters to compete in the world work force of the year 2015 and beyond."

Speaker Daniels: "The Gentleman from Grundy, Representative Spangler."

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

Speaker Daniels: "She indicates she will."

Spangler: "Yes, Representative...a...start up grants last up to three years. What kind of funding is expected to be available for the Ready to Learn Facilities after three years?"

Speaker Daniels: "Representative Clayton."

Clayton: "Funding for these programs were...are dependent upon the appropriation process. I would like to point out, when I was giving the list of people who endorse this program, I failed to mention a very important one, which is the Illinois Board of Education."

Speaker Daniels: "Representative Spangler."

Spangler: "Yes, I guess I'm still interesting in knowing where these funds are going to come from, after the start up grants run out. Where are these funds going to come from? Will programs that want to 'opt out' of the Ready to Learn Program be able to do so without any penalty?"

Speaker Daniels: "Representative Clayton."

Clayton: "Yes. That was one of the Amendments that we made in committee and you did serve on that committee because the concern had been expressed to me with regard to an 'opt out' provision, we added that. Obviously, if a program

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determines to 'opt out', the rules and regs of the Ready to Learn Council would have to make the determination with regard to getting the money back that had not been spent."

Speaker Daniels: "Representative Spangler."

Spangler: "Who sets up the guidelines for the parental involvement experiences in this program?"

Speaker Daniels: "Representative Clayton."

Clayton: "The Ready to Learn Council under the... working under the Illinois State Board of Education."

Speaker Daniels: "Representative Spangler."

Spangler: "How much cost for public health estimated to be in this piece of legislation? For example, what about costs for medical services that may be needed."

Speaker Daniels: "Representative Clayton."

Clayton: "There's no way to determine that, it would depend on the need that is out there. However, I would like to point out, that the need for medical services are there, with or without the Ready to Learn Program."

Speaker Daniels: "Representative Spangler."

Spangler: "Well, it's a well known fact, when you get kids and youngsters together like this, the incidences of disease travel much faster, in particular, diarrhea and that type of thing. And I'm just very concerned about the cost of this whole program. Going on to another question, though. Does accreditation of teachers guarantee quality or control or the love, the love needed for students?"

Speaker Daniels: "Representative Clayton."

Clayton: "The educational background of a teacher does help to provide quality education. Of course the personality of that teacher also is important. We all know there's good and bad teachers."

Speaker Daniels: "Representative Spangler."

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Spangler: "Where will the State Board of Education receive the funding to give grants to local school districts for the full-time pre-kindergarten demonstration project?"

Speaker Daniels: "Representative Clayton."

Clayton: "As I indicated to you before, that is dependant upon the appropriation process. Hopefully, it will be successful enough that the General Assembly will want to increase the funding each year."

Speaker Daniels: "Representative..."

Clayton: "As I said, these grants are modest. We're talking grants that are somewhere between 3,000 and 6,000 dollars. There's also been interest expressed on the part of the corporate community and also, the philanthropic community, of an interest in also contributing to this Ready to Learn Fund."

Speaker Daniels: "Representative Spangler."

Spangler: "This seems like a tremendous 'power grab' on the part of the State Board of Education. Where did the other agencies stand on this Bill, in particular, the Governor's office?"

Speaker Daniels: "Representative Clayton."

Clayton: "I... before I leave the State Board of Education I wanted to make note that the State Board of Education has committed themselves to a million dollars to the Pre-K demonstration grant for this year. The... this Bill did not originate with the Board of Education. It's the product of the 53 member work group which was appointed by the Governor and established by us, the..."

Speaker Daniels: "Representative Clayton, could you bring your answer to a close?"

Clayton: "...in fact the State Board initially had reservations about some of the legislation and that caused part of the



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Amendments that are included in the Bill. With regard to other state agencies, they all had a representative in this 53 member work group. They all deliberated long and hard over this last year and all of them voted in favor of the recommendations that are included in this legislation."

Speaker Daniels: "Okay. Representative Spangler, you're out of time, Sir. Okay. Any further discussion? The Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. There has been a lot of... there's been a lot of misinformation, I feel, about this legislation that needs to be clarified. Some Members received phone calls from constituents urging us to vote against it because they said quote, 'because I don't want to have to put my child into day care'. Would this Bill, in any way, compel anyone to put a child into day care, Representative?"

Speaker Daniels: "Representative Clayton."

Clayton: "Absolutely not. Any good early childhood program and day care program supports parents in their child rearing roles. We all know that good programs are family programs. They supplement family experience and do not substitute for them."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Representative, I recall in committee that an Amendment was offered to take into consideration some of the concerns of the opponents. That consent of parents wasn't part of this and involvement of parents wasn't enough part of it. Didn't we amend the Bill to assure parental involvement? And could you tell me about that Amendment?"

Speaker Daniels: "Representative Clayton."

Clayton: "You're... you're right, Representative. That was the

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Amendment that we put on in committee to insure parental involvement. We feel that it is extremely necessary to be part of a good program. And this was at the request of some of the people who were opposed... who are opposed to the Bill. It did not change their opposition."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "There have been words used like, 'government nanny and big mother' to describe this... this legislation. Is there any way, in any form that day care centers or families or anybody will be forced to participate in this program?"

Speaker Daniels: "Representative Clayton."

Clayton: "No. We were... we were extremely cautious to be sure that this was and is a voluntary program. Participation in any early childhood program in Illinois is and will continue to be totally voluntary. It's not until a child reaches seven years old that there is the requirement for education."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "One of the most disappointing aspects of this debate, again, had to do with misinformation and I think the worst of all, is that there were some allegations that in some way this legislation was racially motivated and that in some way it would impinge on the rights of African-Americans or other minorities. Is there anyway to construe this Bill, Representative that would be to the disadvantage of minorities?"

Speaker Daniels: "Representative Clayton."

Clayton: "I too heard that... that same concern expressed. If it weren't so important it would be funny but it is not funny at all. It is... if providing a good quality preschool education to children is racial then... I really wouldn't

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know how to respond to that."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "We've also heard a lot of talk about bureaucracy and regulatory snarls and that somehow this is going to create more bureaucracy. None of us are interested in that and I want your response to the charge that somehow this creates more bureaucracy."

Speaker Daniels: "Representative Clayton."

Clayton: "No. As a matter of fact, it should create less bureaucracy, because it does call for coordination and consolidation."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "To the Bill, Mr. Speaker. All of us, I think, when we leave here, want to feel that we've accomplished something. And I want to tell you, Representative Clayton, the Sponsor of this Bill, that I will owe a debt of gratitude. Because if this Bill becomes law, I will be able... I will be able to leave this Session feeling we accomplished something very important for the children of Illinois. Thank you."

Speaker Daniels: "The Gentleman from Macon, Representative Noland."

Noland: "Mr. Speaker. I'd like to yield my five minutes to Representative Spangler."

Speaker Daniels: "Representative Spangler."

Spangler: "Thank you, Mr. Speaker. I heard earlier in the debate, somebody lauding the goals and expectations that Head Start had made. Quite simply put, Head Start was suppose to help get families off of welfare. But the CRS study shows that it increased the use of education, health and social services, euphemisms for welfare. The Head Start program, like all welfare programs, teaches

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dependency. This is an extremely intrusive, expensive program. We need something of this type but this is not the answer. It is my opinion that this is incentive to get the mother out of the home. You know the fathers have to work, let's get all the mothers out of the home, put them all in preschool someplace, let somebody else raise our children and just completely forget about family values altogether. I rise in strong, strong opposition to this Bill for many reasons. Years ago I taught fifth grade science. The students I had, invariably, that came from day care centers, babysitters and other situations like that, were the ones that I had the most trouble with. The ones that had their mother home and the family values were still strong, those were the ones that were successful. Not in every case but in most cases. I think that we do have to work on this program. I'm not saying that there isn't a need for this concept, there is. But we have to do it with a little bit better way. Certainly, I didn't have my question answered with regards to where the Governor's office stood on this, I can tell you where he stands on it. It's a down arrow because it's too darn expensive and it's not going to impact the way we want it to impact. I would urge all of my colleagues to vote 'no'. Thank you."

Speaker Daniels: "Further discussion? I'm sorry, Representative Clayton."

Clayton: "I would like to respond to that. I think any mother would really like to be at home with her children and that's not what we're talking about, we're talking about mothers who cannot be home with their children. As I said, this goes hand in glove with the Welfare to Work Program that we have just enacted. And I think in referring to Head Start, I have an article here that was written by

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Irving Harris. It says 'I've been a businessman for the past half century, an advocate of early childhood education for 30 years. I have long crusaded for America to invest early in preparing children for later success. Despite some weaknesses in Head Start I cheer the results. Most of the critical reports concerning Head Start have recycled narrow analysis of cognitive efforts, such as the more than two decades old, Westinghouse evaluation of the first Head Start summer program that showed gains in IQ disappearing after a few years in elementary school. Later results, later studies, have showed the success of Head Start and early childhood education.'

Speaker Daniels: "Further discussion? The Lady from Cook, Representative Feigenholtz."

Feigenholtz: "Representative Spangler, I have to make some remarks to some of the comments that I've been hearing in this General Assembly about women in the work place. I was raised in a home with a mother who took me to work with her and she exercised all of her options and those are the choices she made. This Bill addresses all of the roll backs that we are about to experience in welfare reform. I don't know what is expected on the other side of this aisle, but mothers on this side of the aisle, don't want to glue their children to the wall when they go to work. This is a great Bill. Everybody in this chamber should support it."

Speaker Daniels: "Further discussion? The Lady from Cook, Representative Maureen Murphy."

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

Speaker Daniels: "She indicates she will."

Murphy, M.: "Yes, Representative, when we did the Voucher Bill, we heard all kinds of hue and cry, how it was only about a

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little, teeny, tiny pilot project. In as much as this calls for a pilot project, what area would be chosen for this demonstration project?"

Speaker Daniels: "Representative Clayton."

Clayton: "That has... that has not been determined. That would be determined by the Ready to Learn Council working with the State Board of Education."

Speaker Daniels: "Representative Murphy."

Clayton: "However, I do want to... the Bill does require that these grants be placed on a geographic and need basis."

Speaker Daniels: "Representative Murphy."

Murphy, M.: "Yes. Getting to that needs basis. When we're talking about the expenditure so much money across the board. What would be the best determinate? Could a geographic area, up in a wealthy area, get the funding because none was given up there at the expense of, let's say, a poor rural area?"

Speaker Daniels: "Representative Clayton."

Clayton: "As I said, the Ready to Learn Council working with the State Board of Education will determine the best places to put these grants."

Speaker Daniels: "Representative Murphy."

Murphy: "Another question regarding... I have several questions. One about mandated fees. There's a section in our analysis that says, parent fees shall be based on the same sliding fee scale. So we will have one set fees throughout the state? We're going to mandate fees that parents should pay and usurp local control, even if there are parental involvement groups?"

Speaker Daniels: "Representative Clayton."

Clayton: "I think that it is very clear. The sliding scale is based on family income. No matter where they live in the

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state."

Speaker Daniels: "Representative Murphy."

Murphy: "Along the lines of money, this is so costly, I see point number three on the analysis calls for recommending strategies for public awareness. Translation, we're going to spend thousands of dollars on public relations. How will we... how will we contract out for the public relations necessary, to get the trust of the public to give us their children?"

Speaker Daniels: "Representative Clayton."

Clayton: "I'd like to say again, that the amount of money that would be spent on this program is dependant upon the appropriation process that is determined by this General Assembly."

Speaker Daniels: "Representative Murphy."

Murphy: "The... yes..."

Speaker Daniels: "I'm sorry."

Murphy: "...Also another 'money grab', we can have training for teachers. If they're certified teachers, haven't they been trained enough? And how much money, what percent do you think, will go for teacher training instead of for the families or the children?"

Speaker Daniels: "Representative Clayton."

Clayton: "Again, that would be dependant upon the grant applications and the grants that are given by the Ready to Learn Council with the State Board of Education."

Speaker Daniels: "Representative Murphy."

Murphy: "Yes. Regarding the 'Big Brother' charge that we heard. What about this maintaining a data base for all this information and then having DCFS, who can hardly use... give up more of their money, to maintain what is described as waiting lists. We're going to have DCFS bear the burden

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of maintaining waiting lists?"

Speaker Daniels: "Excuse me. Ladies and Gentlemen of the House.  
Ladies and Gentlemen. Ladies and Gentlemen.  
Representative Clayton."

Clayton: "They already maintain waiting lists. As a matter of fact, there are 40,000 children in this state, that are waiting for a Pre-K program that they can attend. For day care, in Cook County alone, there are 10,000 children on a waiting list and in Springfield there are 300 and in the Quad Cities there are 300 on a waiting list."

Speaker Daniels: "Representative Murphy."

Murphy: "To the Bill, to the Bill, Ladies and Gentlemen, Mr. Speaker. We have to ask our simple questions once again. Can we afford this? No. Do we need it? No. Who does it help? Obviously, it's going to help the public relation firms, it's going to help teachers get more training, it's going to help the social babble. People that are going to judge what a Ready to Learn child with a quality mind is. Do we need this? Does it help families or taxpayers? And its own lit..."

Speaker Daniels: "Can you bring your remarks to a close, please?"

Murphy: "This will only supplant the family. Please vote for the children and the families. Vote 'no'."

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

Pugh: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield for a couple of sincere questions?"

Speaker Daniels: "She will."

Pugh: "Representative, I'd like you to know, first of all, I'm not opposed or a proponent of your legislation. I just would like to have some clarification, so that I could make an intelligent decision. When... when you determine the... who, first of all, appoints the board this, council?"



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Speaker Daniels: "Representative Clayton."

Clayton: "Okay. The council shall be composed of the Governor or his designee, the State Superintendent of Education or his designee, the director of the Department of Children and Family Services or his designee, the director of the Department of Public Aid or his designee, the director of the Department of Public Health or his designee..."

Speaker Daniels: "Excuse me."

Clayton: "...the regional Head Start administrator or his designee."

Speaker Daniels: "Excuse me. Ladies and Gentlemen of the House. Representative Clayton."

Clayton: "...and up to 12 public members, appointed by the Governor, who are parents using early childhood services. Professionals or practitioners in the field of early childhood education and care."

Speaker Daniels: "Representative Pugh."

Pugh: "These 12 public members, will they be solicited from these organizations that... that made up the task force, that participated in the task force?"

Speaker Daniels: "Representative Clayton."

Clayton: "They could be, they aren't necessarily the... there were 53 on the task force, so obviously they wouldn't all... that's not what the Bill says and that... they could be considered but that doesn't necessarily mean that they would be the ones appointed."

Speaker Daniels: "Representative Pugh."

Pugh: "And I'm moving to that, Representative, because my concern is that in order for the program to be effective, there needs to be as much public input of the constituency that the program is going to serve, as possible. Because it's clearly... there's clearly a need for this kind of program."

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Is it true that the Head Start Program has been phased out or is being phased out?"

Speaker Daniels: "Representative Clayton."

Clayton: "I'm not aware of that."

Speaker Daniels: "Representative Pugh."

Pugh: "In one portion of the Bill, it talks about the requirements for the teachers or the day care providers. And it requires these individuals to possess an Associate's Degree or two years of Math and English. How would this fit in with the home health care or day care providers that... that's currently being offered in the churches? That are being offered by some of the elderly senior citizens programs? Would these same requirements apply to them?"

Speaker Daniels: "Representative Clayton."

Clayton: "It would only apply to them if they applied for one of the grants. And again, I need to stress, applying for one of the grants is totally voluntary."

Speaker Daniels: "Representative Pugh."

Pugh: "So the structure is not... is not designed to go outside and license all day care providers? It's only for the individuals that's going to be part of this particular program?"

Speaker Daniels: "Representative Clayton."

Clayton: "That's right. That's right. Only, only those programs that apply to be a Ready to Learn facility would..."

Speaker Daniels: "Representative Pugh."

Clayton: "...have to have those requirements."

Pugh: "Why are... why nine hours? How did you come up with the nine hours a day figure for the children?"

Speaker Daniels: "Representative Clayton."

Clayton: "I think it was looking at an eight hour work day and

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then travel time, taking the children to and from."

Speaker Daniels: "Representative Pugh."

Clayton: "That all adds up to nine."

Pugh: "And the... what is currently... what's the current day care time, how much time is provided currently?"

Speaker Daniels: "Representative Clayton."

Clayton: "It varies, depending on the need of the parent and this one would also. Just because it would be available nine hours a day would not necessarily mean the child had to stay there nine hours a day."

Speaker Daniels: "Representative Pugh, you only have 15 seconds left."

Pugh: "One last question, Sir. Thank you. Will the appropriation for this program have to come back to the Legislators, there's another portion were we'll have to discuss this again?"

Speaker Daniels: "Representative Clayton."

Clayton: "The appropriation for this program will... would be every year, determined by the General Assembly."

Speaker Daniels: "Ladies and Gentlemen of the House. Ladies and Gentlemen. We're joined today by the Kindergarten through sixth grade classes from Calvary Baptist Christian Academy of Urbana. They are in the Speaker's Gallery and they are guests of Representative Rick Winkel. Please welcome them to Springfield. The Lady from McHenry, Representative Hughes."

Hughes: "Thank you, Mr. Speaker. Senate Bill 377 was before Health and Human Services and I voted against the Bill at that time. I do have concerns about this Bill and I am going to vote against it. My concerns about this Bill, aren't that there's been a conspiracy to take over the family. Aren't that the people who have worked diligently

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on this project, over a long period of time, have done so with the conspiracy to turn us into a Communist or Socialist nation. I think there are concerns about this Bill in several senses. One is, I think there are legitimate issues raised about the structure of the program. Once again we're setting up a state board, once again we're setting up a state managed program. I think we could turn this around with local incentives to network and provide the same types of services. I think the funding issue is a huge issue that we need to be cognizant of. I commend the people who worked on this for coming up with an approach that is positive. But I think the job that needs to be done, is to identify those programs that we have that aren't working, to eliminate those programs and put those resources into a comprehensive program such as this. I think Representative Clayton and all those that have worked with her, should be commended for the fine effort they've put into this. And I would encourage them, whatever the fate of this Bill is, is to strengthen those components for local input and to identify those areas where we have the bureaucracies of 25 revenue streams into day care and get those consolidated and free up those resources for programs such as networked day care and early childhood."

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

Flowers: "Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I too would like to take the opportunity to compliment the Sponsor of this Bill. As in committee, I had to state my conflict of interest, because my daughter Makeda, she's been in school every since she was a year old. And for those of you who've seen her, you know she's better for it. Unfortunately, there's a lot of Makeda's out there and they have not or probably will not

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be given the same equal opportunity, not unless this Bill becomes law. I think it's unfortunate that this Body, has seen fit, in the year of 1999, I think it is, that we're suppose to eliminate welfare and we're going to force a lot of women to go to work. Which is fine, no problem, we don't have any problems with that. Everybody wants a job, that's our preference. But in the meantime, Ladies and Gentlemen, I would like to ask you. What would you have us to do with the children? What's your choice here? We've built about as many prisons as we can build, DCFS is overcrowded. The juvenile justice system, we don't have enough space there. So, is that where we should turn our dollars to? To the prison as opposed to doing something positive for the children? Societies have shown us and we've known, because we've all heard that from the time that a child is in the womb, if you talk the child, if you read to the child, if you start the child off early, the child is better for it. The child will be a contributor, a positive contributor, to our society as opposed to being a burden. But yet, we have these lies, and I find it really ironic, that we, as adults, must lie on a program that is only going to be the best interest of a child. Now what type of role model are we? We're talking about children here. You say you don't want government involved. Well, name me one thing in our lives that government is not involved in. We pay our taxes, they say from the cradle to the grave, government is there. So why should it not be for day care? And what this Bill does simply, is that it gives the opportunity. This is not a free program, by the way. It's not a free program. It gives the opportunity for poor working women, who would not ordinarily be able to afford day care, to be given the same equal opportunity.

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What's wrong with that, what is wrong with that? What's wrong with helping a child? I would urge the passage of House Bill 377. Thank you."

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

Mulligan: "Thank you, Mr. Speaker. I rise in support of this measure. I'm proud to be a Sponsor of it and I fought to be appointed to the task force. I proudly served and listened to the discussion that was brought by many people to the table, who wrestled with this important issue and tried to get different groups of people together on a consensus of opinion. I congratulate the Chief Sponsor of this Bill who has taken pummeling on this unbelievably. I cannot understand why this is always, since I've been here, a most contentious issue, when we are here to serve public policy and to try and break a circle, that is formed by many things that we vote for. We rushed this year to vote for welfare reform. That includes telling women that we were mistaken when we asked them to stay home with their children and try and subsidize that and now, they will have to return to work. We're making parents responsible for truants. Truants occur because children do not like school. That starts in early childhood, not when the child is in fourth, fifth, sixth grade or high school. The people that voted for those measures and sponsored them ought to be rushing to support this Bill. We've worked on 'truth in sentencing' and we added greatly to the corrections system and the policemen who will supposedly keep us safe. Every person we keep in corrections, costs us \$16,000 a year and many of them there are there for the rest of their life. Or repeatedly go through the system again, cost us money in the courts and then are back in

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jail. How much will it cost to make a child, in early childhood, be part of this program? Certainly not what it costs to keep them repeatedly, repeatedly in prison and yet we sit here and vote for that, with no thought to breaking this circle and to look at the public policy that we are creating by not addressing an early childhood program. I don't think that many of the Members here who have received phone calls, with issues that are clouding what's really at issue here. And that is to change what we have as bad public policy should be afraid to vote for this Bill. Many of you may have received the NCSL booklet that was just sent to us on early childhood, which will certainly give you answers to any of the objections that have been brought before you by groups who are frightened and maybe misconceived notions of what this program will do. I urge you, how many times in this Body do we have the opportunity to come together on an issue that truly addresses something in public policy, that will change the shape of our state? How many policemen do we have to have to protect people from criminals, because they were abused as children or were not given an opportunity to have an education that would allow them to support themselves. This issue is so vital, that many of us are really, really concerned and have given of our time to work on this. How many times can we put together a task force to address this issue and then fall by the wayside because certain agencies decide it might be expensive? We put money into all kinds of programs. We put money into road funds, we put money into prisons, that we're trying to build new ones. Why can't we spend some money on the children?"

Speaker Daniels: "Excuse me. Ladies and Gentlemen of the House.  
Ladies and Gentlemen. Both sides of the aisle.

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Representative Mulligan."

Mulligan: "Day care was never intended to be mindless babysitting. It was meant to enhance the child and make their mind grow when they're young and you still have an opportunity to do that. We talk about parents being involved in the school system. Poor parents don't have the opportunity to have books in their homes, to do the things that people that have a little more money do. Not everyone will avail themselves of this program, but some people necessarily need to have this. Particularly the women we're asking to go back to work and support themselves. They want to do that, but they do not want to have to worry about where their children are and who's taking care of them. I urge you, this may be one of the most important votes you may make in this General Assembly. I urge you to have the courage to vote for this and to look at public policy and to make a change in Illinois and to break the cycle that leads us to poverty and corrections."

Speaker Daniels: "The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I say it's the right thing to do. I'd like to thank Heidi Beaderman for her hard work on this legislation. House Bill 377 could be considered the result of a meeting of Governors from across this country. The Governors met to establish some educational goals and House Bill 377 or Senate Bill 377 establishes one of those goals and that was to increase the number of children who enter school Ready to Learn and that's what this Bill does. Besides the other 25 or 26 supporters or proponents of this Bill, we have the Illinois PTA, the Parent Teacher Association, an association that is very, very old and established in its wisdom of how to help and



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support children today. Nationally, people are thinking, that if we don't invest in our children very, very early we're going to increase the dollars that we spend on incarceration. House Bill or Senate Bill 377 could be called the companion to the Welfare to Work Bill. Why? Why would we even consider this Bill as being a part of the Welfare to Work Bill? Well, we've passed legislation that demands that women do go to work, that women do get off of welfare. And because we demanded that, we should also provide safe, high standard child care. This is a Bill that will help young people, as they're being cared for, they will also learn. They won't just be housed in a basement, they won't just be taught to go to the washroom but they'll be taught a lot of things that will prepare them to be early learners when they enter school. Mothers, who are trying to get away from the cycle of welfare, mothers, who now may have to leave their children home alone, mothers who have been known to leave their children in abandoned cars. Mothers will have an opportunity to use this valuable resource provided by our very, very fortunate state. The State of Illinois is capable of providing a resource for young children to learn. Again, I'd like to thank Heidi Beaderman for working hard on this legislation. Because, as those Governors met and established priorities, one of the highest and most important priority, is what are we going to do about our children who are entering school, not prepared to learn? Well, this legislation says, they're going to get health care. Do the children in the State of Illinois deserve health care? I think so, at a very early age. They're going to be resources for parents, a computer network that will let people know where these services will be provided. Are our children that valuable

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to us? That would make us a phenomenon, wouldn't it? The children of Illinois at a very early age are considered important by these Legislators? Surely they are. This is the kind of Bill that provides opportunity for people who want to take advantage of it. It doesn't mandate that anybody take advantage of it. But after we say to women, get off your butts and go to work. After we say to people in Chicago and other rural areas, where people perhaps have had difficulty finding care for young children, we're saying to them, you can't use that for an excuse anymore. You can't make an excuse, because the service is being provided. Child care will be available with learning, Ready to Learn. This Bill has been established by Governor Edgar and a number of other Governors across this country. These women who are on the Bill, simply prepared the language. To Governor Edgar, I commend you, this is a big head start for all of us. Head Start is a successful program and we're going to increase and expand..."

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

Skinner: "This is not a year for a new program, that's what I heard. We can't pay for the new ones we had. That's what the Democrats said when Al Salvi had his \$5 million Voucher Bill and that was \$5 million and it was aimed at a system we know is a failure, the Chicago school system. I haven't heard anybody stand on the House Floor and say, the day care system in this state is a failure. If it's not a failure, why are we going to pump in \$11.2 million the first year? Now I did a very dangerous thing, that my seatmate encouraged me to do and that was, read the Bill. I bet you five people, well maybe ten people on the House Floor, have read the Bill. This is entitled early

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childhood education. It goes from zero to eight years, I thought school started at five years of age. Why are we providing subsidies for kindergarten, first grade and second graders? If you look at page 2, you'll see if you're a part-time day care mother, you can't participate. If you want to take the summer off, you're toast, folks. You have to participate on a year round basis and this is just one of the many biases in this Bill toward full-time corporate day care. There's absolutely no requirement in this Bill for any parental involvement. I mean that's what it says, take a look at line 110, 111. 'However, participation of parents shall not be required as a condition of any child's enrollment.' We all know that kids who do well in school have parental involvement. So here's this Bill 'kissing off' the one thing all of us on this House Floor can agree to and that is, you have to have parents involved for kids to become effective students. Well, you look at page 3 and what do you have? Another social service feeder system. Look at line 121 and 123, 124. The facility shall identify the social service needs of families enrolled and refer the parents to the appropriate social workers. Now, what about the overhead? There's not a lot of overhead in this system, now you take your money, you go to your day care provider. But, on page 3, you're going to have to have your day care provider be better educated. Now that's sure going to increase the cost. And even in a day care home, to participate in this you have to have something called a Child Development Associate Credential. I mean you know this state licenses and credentials more people than any other state in the United States. We are well on our way back to the Middle Ages where you can't get a job unless you are... unless you

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are in a feudal system, you have to be in a guild. Look at page 4, another bias toward big providers and more overhead. You have to have an effective management practices and be financially stable. God help the poor person who's trying to get off welfare and trying to start a day care home for her neighbors, she won't be able to qualify for this program because she probably will not have effective management practices and be financially stable. Well, let's just move down one paragraph. What on earth is the National Academy of Early Childhood Programs and the National Association for Family Child Care and the National Child Care Association to which these folks have to meet performance standards set by these organizations? Now if that's not overhead that is not necessary, I can't imagine what it is. It certainly is more bureaucracy. Every facility is going to have to develop a plan. You know the plans that we require state government to develop every year and update, that get tossed on our desks that we throw away? You know how the bureaucrats complain about the waste of time they have in preparing these plans? Well, now you're going to put it on every day care mother that wants to participate in this plan. And rules and regulations, if they're not more bureaucracy, how come there are more rules and regulations on page 4? Let's see, let's move to page 5, ah we have the State Board of Education, they're going to develop guidance materials, I suppose that's going to come out of the sky and some bureaucrat is not going to have to be hired to develop them? Oh, more rules and regulations, this time by the State Board of Education. They're going to develop a prioritization of who is going to get the available funds. And of course, the big corporate day care providers will be

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on top, because they have the good management systems and financial systems."

Speaker Daniels: "You just have a few seconds left, Sir."

Skinner: "You've just used three of them. More rules and regulations on page 6, that's by the State Board of Education too. On page 6 you also noticed that there is a full-time pre-kindergarten, nine hours a day. That's the only way you're going to get a demonstration project. Nine hours a day in kindergarten?"

Speaker Daniels: "Can you bring your remarks to a close, Sir?"

Skinner: "Yes. I'm waiting for the Democratic Leadership to bring a 'Grow Award' to each of the Sponsors of this Bill. This is an incredibly growing problem. Let me conclude this way. If we want to have more people have day care, let's give them vouchers, let's make... let's let them make their own choice. Let's not prejudge what the individual thinks is important. I just don't think this is the year for it. The problem is certainly there, but this is not the solution."

Speaker Daniels: "The Lady from Cook, Representative Lou Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. I rise in support of Senate Bill 377. I'm not... I don't have any questions for the Sponsor. I commend the Sponsor for even dealing with this legislation. I have no questions in regard to the appropriations. I have no questions about how much the program costs. I would like to first deal with the lies that have been told in regard to this legislation. Yesterday, members of my caucus was told that this was legislation perpetrated by 'rich white women to get black children'. I think it's terrible for you to take legislation and use... and play racial politics with legislation that you know it's a lie, it was a bold

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face lie. This legislation has nothing to do with black children, white children, polka dot children, rich children, poor children or middle class children. This legislation deals with children, early childhood development. It's the first time, one of the first times, since I've been in this House, and I've been in this House almost ten years, that a piece of legislation does not have any racial overtones. You can't even make racial overtones with this legislation. In my district, I... first, I was also told yesterday that the reason why this person opposed this legislation, because they oppose day care and they believe that all women should be taking care of their children. Well, my district is 63% woman head of household. I have more CHA development than any other State Rep in this state. My district also is 71% Public Aid. I cannot go out here and tell the women in my district to get off of Public Aid, go to work, get a job and be self-sufficient and also tell them, but I'm not going to help you or no one is going to help you with your early child development or your day care for your children. You cannot have it both ways. Now, if you want to go back and collect that \$30 million, that \$5 million that you gave to somebody in Virginia, Public Aid did, that might fund the program. But the bottom line is, when we get anything in this General Assembly that has to do... that has to deal with children, it does not deal with putting people in jail, it does not deal with building prisons, it does not deal with taking women off of public aid, it does not deal with anything that we've been dealing with tort reform and everything else. It deals with something simple, early child development. For the ones of you that can remember the little boy in Chicago named Yummy, the 11 year old,

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that everybody was talking around, talking about ain't it a shame, he killed a 12 year old girl, it's a shame the gangs killed him. The system failed Yummy. Yummy was failed from the day he came into the world, he never had child development. He was... he was tossed all the way across from his grandmother, to his aunt, to his mother, to DCFS. He was not born with a gun in his hand, he needed early childhood development, he did not get it. The people here that have these... where you live at, you are rich, your district. Don't think because you have a good district, you have a rich district, that your child does not need early childhood development. I live right in back of CHA development, I live at 39th and King Drive and my children in my district need early child development. If you in Schaumburg you need early child development. So this is not about black, white or polka dot, rich or poor. I urge an 'aye' vote."

Speaker Daniels: "Our guests out in the gallery are reminded there will be no demonstrations from our guests. Further discussion? The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. There's been a lot of discussion about... about this Bill and what it would do and what it won't do and I would invite anyone who wants to see a program, such as the one we're describing, to come to Peoria, Illinois and go to the Velesca Center and go and see what Ken Hinton does with these children. Because it's a very successful program, it's a program that people come and see from all over the United States, because it's a program whose time sadly, tragically, but it's a program whose time has come."

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Because every time we begin to talk about DCFS, everybody stands and rings their hands and says, 'Oh what a shame it is that the state has to be the parent for 47,000 or 50,000 kids, or pick a number. Oh what a shame that is.' Or when people begin to talk about the people in the prisons and those who can't read and they say, 'Oh my, my, my, isn't it interesting that the illiteracy of all of the people who are in prison, those rates are so high and that the recidivism is so high.' And that we go back and we track and we track and we determine that there was no opportunity for these young people. We always then wring our hands and say, 'Oh the educational system failed them.' Ladies and Gentlemen, it is a very sad fact that those 47,000 children don't have parents in the house and the state has to take over. It's a very sad fact that there are teenagers who are having children. That there are unwanted children who come into... come into this world without caring parents, without people who want to do the right thing by them. In fact, who ignore them and don't care about them and the very last thing on their mind is to prepare them to enter the educational system. And so it is that we have young people, hundreds of thousands of young people, who before they even get to kindergarten are doomed. And so it is that we have kids who before they even get to kindergarten, don't know their colors, they don't in many cases know their last names, they don't know their alphabet, they don't know how to spell, they don't know their shapes. They indeed are condemned then to become yet of another doomed generation, doomed to a life of dependency and often failure because they are not ready for school and have no ability to catch up with the other students and are then condemned by a system that can't adjust and treat them. There is not a more expensive problem that we have in our society. But beyond the money, it is only a reasonable and fair and a very urgent priority for our state. That if we truly wish to address these



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generational problems, that we address them in effective fashion..."

Speaker Daniels: "Excuse me, Representative. Ladies and Gentlemen. Ladies and Gentlemen. Our guests in the gallery. Representative Leitch."

Leitch: "Thank you, Mr. Speaker. So that these young people have at least a shot, at least a chance to work into society and become a part of society. And so it is for that reason, that I would urge the Members of this Body not to... not to be so worried about reports or other things but to concentrate on what the realities are in our society and to take a very hard look at this Bill, which I would recommend to you as a Bill that will help beginning to meaningfully address the very serious and critical generational problems that we have. Thank you."

Speaker Daniels: "The Gentleman from DuPage, Representative Roskam."

Roskam: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in reluctant opposition to Senate Bill 377. Reluctant, because of my respect for the Sponsor and her hard work and good intentions. My respect for the Senate Sponsor and my respect for other colleagues on the other side of the aisle with whom I have cosponsored legislation in other day care areas. But as I read the text of Senate Bill 377, one thing became very clear to me. There's no place in this Bill, where there is a definition of those who are to be the beneficiaries under this Bill. There's no prohibition against someone who earns \$500,000 a year and lives in a huge house in the south part of Wheaton, from benefiting from this. If this Bill were focused on those with serious financial need, if it were focused on those who somehow were defined as 'at risk', clearly

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defined in the Bill, I wouldn't be an opponent today. I think that this is one of those programs, Representatives, where we vote on something at a tiny, tiny level today and then tomorrow it's bigger and it's bigger and it's bigger. And in ten years from now, this won't be an \$11 million program, this will be a \$100 million program and we'll be scratching our heads wondering how this happened. There's no work requirement under this Bill, so that someone could drop their children off and go play tennis at the Country Club and then come back and pick their children up and the taxpayers of Illinois would be in a position to subsidize that. I find it ironic, that at a time when we hear from the proponents of public education, that their plate is full, that the State Board of Education's plate is full and there are so many challenges ahead, that we would put another assignment on the State Board of Education. So, Mr. Speaker, if this Bill does get the requisite number of votes, I would respectfully ask for a verification. And I would urge my colleagues to vote 'no'."

Speaker Daniels: "The Lady from DuPage, Representative Biggert."

Biggert: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. I rise in strong support of this Bill and commend the Sponsors. Thirty years ago I served as a volunteer in the first Head Start project in the City of Chicago. I know that it worked then, and I know that it works today, and I know that this will work. To me, this is an extension of things, such as the Head Start project and we need more in the area of early child development. We have found in the studies that this is the area that has been left out of the whole process. That if we can deal with the children in the early stages and help the families to... to provide them with the necessary

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skills and early childhood development and education. That this is where we're going to help to solve the problems of this state. The State of Illinois will be the cutting edge of developing a project where we put children first, in what we plan to do. Earlier this year we spent a lot of time on legislation, on welfare reform. This was the one component that we had serious doubts because, about that Bill, because this was not addressed. This is our opportunity to round out the proposal on welfare reform and have something that we can be very proud of in this Legislature. I urge your support."

Speaker Daniels: "The Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. First of all I would like to compliment you for allowing this debate to be full and complete. I think that there has been no subject on the Floor this year that we have had so much interchange. It's been an interesting debate, to listen to the various sides. We've had the question of government being able to do things and government not being able to do things, we have had the fiscal problem brought in, vouchers have been brought up, welfare, welfare reform, our previous efforts this year and how this integrates into it. We've had communism brought up, socialism brought up, racism has been discussed, prison overcrowding. We've virtually gone the gamut of our legislative agenda this year. I think this basically focuses on one and one subject only. We have a huge problem out there, with children who are not properly prepared for the educational system and also for life in general. We have mothers' children who are having children. We have single parent homes where the parent is having a difficult time with just keeping ahead on the day by day living. We have at least 40% of the students in

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this state, where there is a tragic need for other individuals to come in their lives and help in the educational process. We, either as a legislative Body can ignore that 40% or we can aggressively pursue a program to try and solve the problems. I think that if we ignore them the problem gets larger and larger, the welfare roles get larger and larger, the prison population gets larger and larger. Yes, we're going to make some errors, government always makes errors. But I think that we must, as a legislative Body, look for plans, look for solid ways of spending our money and aggressively pursue those plans. This is one of those, it has been an interesting debate. When we get it done, I would ask that we all come together as a Body and rally around the final decision. I appreciate, Mr. Speaker, you're allowing us all to discuss this very important topic."

Speaker Daniels: "The Gentleman from DuPage, Representative Biggins."

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

Speaker Daniels: "She indicates she will."

Biggins: "Representative, the debate has centered a lot on questions regarding women dropping their children off. Will this apply to men in Illinois that have children, as well as women?"

Speaker Daniels: "Representative Clayton. Representative Biggins, could you ask the question again?"

Biggins: "Does this Bill involve... entitle men to drop their children off if they want to drop their children off at these day care centers, as well as women. There's been much attention directed at women being eligible for this program."

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Speaker Daniels: "Representative Clayton."

Clayton: "Of course, of course, and there are many men. My son takes his child too and drops her off at day care. Takes her in and be sure she's properly cared for when he... when she arrives there."

Speaker Daniels: "Representative Biggins."

Biggins: "Does the Bill define Ready to Learn and would you please define Ready to Learn for me, as best you understand it in the Bill?"

Speaker Daniels: "Representative Clayton."

Clayton: "No. The Bill does not have a Ready to Learn. It's a terminology that one would assume everyone would recognize and know what it means. That when a child... when it's time for a child to report to school, that it has the ability to be able to keep up with the other children that arrive there."

Speaker Daniels: "Representative Biggins."

Biggins: "Well, then how do we know if the program is going to be successful, if we do not have a specific goal in mind, to crown it successful by saying that the child is Ready to Learn?"

Speaker Daniels: "Representative Clayton."

Clayton: "I don't think that you truly are asking a question with regard to this."

Speaker Daniels: "Representative Biggins."

Biggins: "My point, Mr. Speaker and Ladies and Gentlemen of the House, is that the Bill is vague. Ready to learn can mean something to me as a parent, as a teacher, different than it might mean to somebody else. And to have a goal that's ill defined and costly I find very unwise. But one of the reasons why I can't support the Bill is, it doesn't define what Ready to Learn is. We know we can't grade them A, B,

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C, D or E, because they've thrown that idea out. So, I don't think that the legislation to spend \$11 million the first or second year, whatever the schedule is in the fiscal note, defines what its mission is. And so I'm seriously asking what Ready to Learn means and I think we have a right as Members to vote on this Bill. We should all kind a have an idea of what the Bill intends, Ready to Learn."

Speaker Daniels: "Representative Clayton."

Clayton: "I would like to refer you to page 2 of the Bill. It states, 'an early childhood facility that elects to qualify as a Ready to Learn program shall meet or exceed the following performance standards for a high quality comprehensive program'. Then it goes through with the standards, if you'd like me to read them I'd be happy to."

Speaker Daniels: "Okay. Ladies and Gentlemen of the House. Ladies and Gentlemen. Representative Biggins."

Biggins: "Thank you, Representative. That was a good answer. And I guess we just disagree and I respect the effort the Sponsor made and those that have spoken in favor of because I truly believe that they believe in this Bill and I respect them for that. I do disagree with them. An earlier supporter said, we should intervene in children's lives at the earliest point we can. To those that believe that, we disagree. To an earlier mentioning this program is voluntary. A voluntary program that says, either you can have free day care of you can go pay for it. I don't consider that a voluntary program and to those that believe this is a voluntary program we disagree. To those that believe that it creates less bureaucracy, as it was stated earlier, it obviously does not, we disagree on that. And one supporter said, we must get them while we can, when

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they're young. To those believe that is what government is suppose to do, we disagree. To those that can't define Ready to Learn and no one's defined it yet. The Bill doesn't define it, it's subjective. So who's going to make that determination? We disagree. To those who support this Bill, what does the government do when they get these children? They create new programs. (Tribune) a week ago Sunday, 'New age teaching spells trouble in California. First page. 'They now guess how to spell'. 'It failed in California'. (Daily Herald), Chicago paper, first front page, a week ago Sunday. 'Educators put in the word for new spelling method'. We're all excited here in Illinois to have this. It doesn't work, it's a tremendous waste..."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Harold Murphy."

Murphy, H.: "Thank you, Mr. Speaker. I'd like to yield my time to Jay Hoffman."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. I, just like many of the previous speakers, have heard many things said on the floor, some that I believe are unconscionable and I can't believe actually were references made to. Now, if we want to talk about the merits of the Bill or we want to debate the Bill or we want to talk about why we think it's good or it's bad, well that's fine. But when you start comparing these types of programs, to communism and socialism, let's talk about some of these programs. A Ready to Learn program that's totally voluntary. Hey, that must have been Stalin's idea, huh? What about this one? You have performance standards in five areas, education care, access to health service, access to social service and parental involvement. Gorbachev' must have came up with that one.

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New Ready to Learn councils, must have been Lenin's idea. Full-time pre-kindergarten demonstration programs, oh my goodness, that comes from Brezhnev! Consolidated local planning, Khrushchev, Khrushchev came up with that one. Statewide computer systems, statewide computer systems, I think the Communists in China must have come up with that one. Unbelievable, unbelievable, we want a single toll free telephone number here in the state, that comes from North Korea, I know it does. Unbelievable, that we would sit on this House and make those types of statements. Now if we want to talk against, against or for the Bill, we want to talk about the merits of the Bill. If we want to talk about that, hey we don't live in a world where the Brady Bunch is a real life family. We don't live in a world where Leave It To Beaver really exists. We don't live in a world where there are Ozzie and Harriett's and we shouldn't be stuck in that time. We live in a world where we have to take care of our children, we have to do something for our children, we have to insure, that when mothers go to work that their children are going to learn. When mothers have to work, that their children are going to be safe. That we're not throwing our kids on the street. That we're not going, not to educate them, that we're not going not watch them, that we're not going, not care for them. It's absolutely unbelievable that we would get up on this floor and make some of those statements. I'm going to stand, I'm going to stand in support of this Bill and I'm going to stand with those great Communists, Senator Frank Watson, Representative Clayton, Representative Leitch, Representative Ronan, Communist Mulligan and Communist Flowers in support of this Bill."

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



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Lindner: "Thank you, Mr. Speaker. I rise in support of this Bill. And most everyone has already said the things I have to say. I certainly have to agree with the opponents to this Bill, that the government should not be making personal family decisions. As I have said many times before on this Floor, when we have been debating issues of a more personal nature than this. But I often wonder with the opponents, what kind of world do they think we're living in? There are many women who want to stay home with their children and who can. But we are talking about a population, mothers who have 12 children, who have no job skills, no education, no job, no husband, no child support. We need to help these people. We need to give these children a start. If we don't feel responsible for these people, then we can look at it from a point of our own self-interest. Because, believe me, we are going to pay as a society if we don't do something. Our children are not going to be able to learn in school, because there's going to be constant disruption in the classroom while this teacher tries to even help this child with manners or to help this child get accustomed to the classroom. Our children are going to be attacked by gangs. Building more prisons, supporting everybody. But we can do something about it. If what physiologists say are true that the first six years are the developmental years that's when we can help. Nobody certainly wants to go out and 'get' these children. It's not any question of any kind of indoctrination. It's a question of giving children their self-esteem, a chance to know that they can succeed. This is what Ready to Learn is. It's not telling them how to think, it's giving them the skills to think, to reason, to grow into contributing members of our society. I urge

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support of this Bill."

Speaker Daniels: "Representative Tenhouse."

Tenhouse: "Mr. Speaker, Ladies and Gentlemen of the House. I move the previous question."

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

Clayton: "Thank you, Mr. Speaker. For those of you who are considering a 'no' vote for reasons other than the merits of this Bill, I would like to quote from a Chicago Tribune editorial from November 13, 1994. 'When a five year old arrives for kindergarten at a Chicago Public School, without knowing his full name or how to count to five or even how to properly use a bathroom. Can the school system be expected to send him on to college 13 years later?' This is... this was... this is the season for the release of statewide testing scores and Chicago, once again has come up short. While some schools have shown progress during the five years of the city's experiment in education reform, others have backslid. And naturally, everyone looks to flaws in the system for an explanation. You can bet that there are plenty of flaws in the system but this mustn't be forgotten. When a child has been intellectually deprived for the first five years of his life, the best teachers in the world can't repair all the damage. For a perspective on the challenge for public schools, one had to look no further than the Tribune's recent series, 'It Begins At Birth' and it goes on a talks about that, and then it goes on. In the first year the communications network within the brain develops as a breath... at a breathtaking pace. But if the neural synapses, the bridges of that communications network aren't exercised they

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wither. That withering impoverishes the mind and ultimately nourishes the cycle of poverty. Babies who are not stimulated are more likely to have developmental delays and behavioral problems. They don't do well in school, they won't obtain the skills to hold a job, they may be more prone to violence and when they have children they are likely to subject them to same deficit of adult attention. A society can build jail cells and threaten to throw people off welfare but it won't break the cycle of poverty until it nourishes those infants who are at risk of being intellectually neglected. If done properly, the traditional preschool Head Start will take these children at age three and nurture them and their parents until they head off to kindergarten where they will receive enhanced instruction through the primary grades. It's a daunting proposition. The country spends 4 billion a year on Head Start and 7 billion on Chapter 1, that's the whole nation. The education program for disadvantaged school children and still those programs only meet part of the need. Yet anyone who talks about 'breaking the cycle of poverty' without starting at birth hasn't recognized the depth of the problem. By the time the school bells ring, it's most often too late. For those who are truly, truly concerned about children and families, a 'yes' vote is the right vote."

Speaker Daniels: "The Lady moves for the passage of Senate Bill 377. All those in favor will signify by voting 'aye'; opposed by voting '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 72 'aye', 45 'no', none voting 'present'. The Gentleman, Representative Roskam, withdraws his request for

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verification. This Bill, having received a Constitutional Majority, is hereby declared passed. Lady, Senate Bill on 1187, the Lady, Representative Davis, moves to reconsider the vote by which it passed. Representative Turner moves to lay that on the table. All in favor, signify by saying 'aye', opposed 'no'. The 'ayes' have it and the motion is tabled. Senate Bill 465, read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 465, a Bill for an Act in relation to state government. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This is a Vehicle Bill. It remains a Vehicle Bill. It is for the purpose of implementing the budget. When we get it back tomorrow, we believe that it will contain the language necessary to implement the budget. But as of this moment, it is void of content. So I would expect Republicans to vote 'yes', Democrats to vote 'no' and we'll move on with our business."

Speaker Daniels: "Any discussion? The Gentleman from Macoupin, Representative Hannig."

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

Speaker Daniels: "Indicates he will."

Hannig: "Could we have some idea Representative Ryder as to what ultimately might be in this package when we're faced with final passage?"

Speaker Daniels: "Representative Hoffman, for what purpose do you arise, Sir?"

Hoffman: "Thank you, Mr. Speaker. Just for the purpose of announcement. One of the best staffers here in Springfield is leaving. She's been my staff person for the Judiciary Committee, Jill Wineman. We have cake for everybody. I'd

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like to thank Missy Stutler from the Department of Corrections, who is joining us, in having cake for everybody. Good-bye Jill, we're going to miss you."

Speaker Daniels: "Good luck, Jill. Representative Ryder."

Ryder: "Representative Hannig, I expect that this Bill, when we see it next, will contain the language necessary to change the Medicaid system, the assessment system, the language necessary to eliminate programs and to make the necessary cuts to balance our state budget."

Speaker Biggert: "Representative Biggert in the Chair. Representative Hannig."

Hannig: "Madam Speaker, with that birthday announcement I... and all the noise I could not hear what Representative Ryder said. Could you ask him to repeat it and could we have a little order please?"

Speaker Biggert: "Ladies and Gentlemen. Please give your attention... Representative Ryder, could you repeat what you said?"

Ryder: "This Bill, as it currently stands, is without content. It is a Vehicle Bill. It is without content. The Gentleman asked me, what... when we see it again what we might expect it to contain and I would suggest to you that it will contain significant changes in the Medicaid system. Will contain language necessary to reduce old bills within the Medicaid system. Will contain language necessary to eliminate some programs within the State of Illinois. And to make other significant cuts in state government necessary to balance our budget."

Speaker Biggert: "Representative Hannig. Representative Hannig, are you finished?"

Hannig: "No. Representative, do you anticipate that there'll be language for some short term borrowing for the Governor in

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this proposal?"

Speaker Biggert: "Representative Ryder."

Ryder: "Representative, I'm... I don't know about that, I'm not aware. I haven't seen a complete list of what needs to be accomplished. Soon as you let me finish this Bill, I get to go back and continue negotiating."

Speaker Biggert: "Representative Hannig."

Hannig: "You have to understand that the Illinois Hospital Association has a plan that they're floating about and I'm not sure if you're familiar with it or not. But would that be something that would... that could be in this plan? I think the Governor's on board, are we going to see that show up here, Representative?"

Speaker Biggert: "Representative Ryder."

Ryder: "Representative, I am familiar with the plan, thank you. And, yes, we are taking a look at it. As of this point, if the Governor's fully in favor of it, I'm not aware of that. But I do believe that this Governor, as well as the Legislature, is examining every possible means necessary to be able to serve the needs of the State of Illinois. At the same time living within the revenues that we have, paying back the old bills and most importantly, providing services for the people."

Speaker Biggert: "Representative Hannig."

Hannig: "So we've... we've talked about some possibilities with Medicaid. Are there some other items that you believe we will have to address to implement the... the upcoming budget vote?"

Speaker Biggert: "Representative Ryder."

Ryder: "Absolutely, Representative. There will be significant changes in the way we do state government, including but not limited to, the outright elimination of some programs,

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curtailments of others."

Speaker Biggert: "Ladies and Gentlemen, would you give the Representative your attention, please? Proceed, Representative Hannig."

Hannig: "So if we were to, for example, reduce benefits under Medicaid, that's where that substantive Bill would probably be, Representative, in this... in this package?"

Speaker Biggert: "Representative Ryder."

Ryder: "Representative, I don't agree with your premise, but in the event that we make substantive changes in the... in the laws in order to balance the budget, those will be contained within this Bill."

Speaker Biggert: "Representative Hannig. We'll give you two extra minutes since you lost time because of the confusion."

Hannig: "Well, just... thank you, Madam Speaker, I appreciate that extra time. And I would just say to Members on this side of the aisle, that we have not been involved in any of the debate or discussions or considerations on this proposal. We certainly have been not... have not been consulted as to what our priorities might be as to what budget items we would prefer to see cut. And so I would urge the Members on this side of the aisle to oppose this proposal that Representative Ryder has. Apparently, we going to see an all Republican budget this year. And if that's the case, I think they should put the votes up. And so I would urge a 'no' vote."

Speaker Biggert: "Thank you. The Representative from Clinton, Representative Granberg."

Granberg: "Yes. To the Bill, Madam Speaker, and I appreciate the Sponsor's concern. To Members of this side of the aisle, as Representative Hannig indicated. The Democrats have not

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participated in the process, we have not been invited to the process, we have had no input in the process. When you see this come back, this will probably be the Bill that will have Medicaid line item freezes for pharmacies, for hospitals, all other health care and probably the Medicaid tax. The Medicaid tax will probably be on this Bill. So, since the Democrats have not been involved, have not been allowed to participate, I would urge all Members on this side of the aisle to vote 'no'."

Speaker Biggert: "Representative Ryder, to close."

Ryder: "It's amazing that for once Representative Granberg and I agree. We will pass this with Republican votes. If you want to join us to cut the budget, balance the budget, pay old bills, be our guest. If you don't want to do that, that's fine, we understand our obligations here, we're here to govern. This is a Vehicle Bill and ultimately when it comes back it will be a difficult vote and we'll make that vote. I move an 'aye' vote on this Bill."

Speaker Biggert: "Thank you. The question is, 'Shall Senate Bill 465 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 63 'ayes', 53 'noes', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, announcements."

Clerk McLennand: "The Executive Committee, which has been posted and distributed for one-thiry, will be called and will be delayed until the call of the Chair."

Speaker Biggert: "Thank you. Mr. Clerk, please read Senate Bill 484."



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Clerk McLennand: "Senate Bill #484, Bill for an Act making appropriations. Third Reading, this Senate Bill."

Speaker Biggert: "Representative Ryder, on Senate Bill 484."

Ryder: "Thank you, Speaker. This is a Vehicle Appropriation Bill, when we next see it, it 'll contain part, if not all of the budget. It is a Vehicle Bill at this moment. I'd be happy to answer any questions."

Speaker Biggert: "Is there discussion? The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, will the Sponsor yield?"

Speaker Biggert: "He indicates he will."

Hannig: "So in order to get this into a conference, you... you put at least one Amendment on, Representative Ryder. Could you explain that to us?"

Speaker Biggert: "Representative Ryder."

Ryder: "Representative, I believe the Amendment had the effect of removing the effective date."

Speaker Biggert: "Representative Hannig."

Hannig: "Yes, in the past, we 've sometimes did that on our side of the aisle. We were concerned what the Senate Republicans might have in mind for these proposals. And so, we'd remove the effective day. Oh, I'm sorry, we'd remove the enacting clause. Is that the concern with your side of the aisle?"

Speaker Biggert: "Representative Ryder."

Ryder: "First of all, Representative, obviously you were good teachers to us, so we've learned a lot from you. May be you've noticed that in recent months, days, and weeks. In addition, when you've cut a Vehicle Bill, there's not a whole lot you've got to deal with. If you have the enacting clause, maybe an effective date, and nothing in between, so you have a choice of one or the other. This is what we chose to do. It's a pure and simple Vehicle Bill, putting

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it into a posture, so we can pass a budget and go home."

Speaker Biggert: "Representative Hannig."

Hannig: "We used to invite you to the meetings, Representative Ryder. And I think that's where you learned a lot of this good stuff about budgets. But, I would just say to the members on our side of the aisle, once again, the issue is really an issue of who's going to draft the budget. And the Republicans and the Majority Party, have made a determination that this will be their budget. And all the priorities established in that budget, will be their priorities. And they have the votes to do that this year, Ladies and Gentlemen, and so they will. But I would suggest to members on this side of the aisle, who have not had opportunity through our leadership, to put anything into this budget, to even express our views as to the priorities, that we should vote 'no'. And I urge a 'no' vote."

Speaker Biggert: "Is there further discussion? See none, Representative Ryder to close."

Ryder: "I ask for an 'aye' vote."

Speaker Biggert: "The question is 'Shall Senate Bill 484 pass?' All those in favor vote 'aye', all those oppose 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 64 'ayes', 53 'nays', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read, Senate Bill 485."

Clerk McLennand: "Senate Bill #485, a Bill for an Act making appropriations. Third Reading, this Senate Bill."

Speaker Biggert: "The Representative from Jersey, Representative Ryder."

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Ryder: "Thank you, Speaker, again this is an Appropriation Vehicle Bill. The purpose of which, is for budget purposes. I'd be happy to answer any questions."

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

Granberg: "Thank you, Representative Ryder. This Bill is still a shell Bill. This is your intention to use this for the budget. We've had some questions over here. We are deciding whether to ask for a verification, cause we want to make sure that Representative Klingler is here on this Bill. But we'll... we'll withdraw that request. Thank you."

Speaker Biggert: "Further discussion, the Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, will the Gentleman yield?"

Speaker Biggert: "He indicates he will."

Hannig: "Representative, now you've got 925, we sent over to the Senate, I think earlier in the week. These days seem to run together. Two vehicles today. Apparently, I would hope that you'd have enough vehicles to move the budget forward, in the manner you'd like. Do you have any time frames for us, when we might see this document? And could you perhaps give us some thoughts on when you might be able to share this document with our staff?"

Speaker Biggert: "Representative Ryder."

Ryder: "Representative, we're working very hard on that. As far as a time frame, it will not be today. I don't think it's physically possible to get that done today. We're hopeful that we might start considerations tomorrow."

Speaker Biggert: "Representative Hannig."

Hannig: "I would just ask that out of courtesy to our side of the aisle, that you at least give us an opportunity to analyze

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the budget. And some reasonable time frames for our staff to take a look at this budget. So that we can debate it fairly and honestly, before we take a final vote. And if you could at least indicate that, Representative, I would appreciate it."

Speaker Biggert: "The Gentleman from Cook, Representative Schoenberg."

Schoenberg: "Thank you, Ms. Speaker. Question for the Sponsor. Will the Sponsor yield."

Speaker Biggert: "He indicates he will."

Schoenberg: "Mr. Ryder, what was on the menu in the hallway last night?"

Speaker Biggert: "Representative Ryder."

Ryder: "I apologize, I couldn't hear the Gentleman."

Speaker Biggert: "Representative Schoenberg, would you repeat your question?"

Schoenberg: "Yes, Mr. Ryder, could you please remind the Body and the general public, what was the main course for dinner last night?"

Speaker Biggert: "Representative Ryder."

Ryder: "Representative, I have to apologize. I went through that hall several times, last night. I know there was a very nice candelabra and some candles, but in truth, Sir, I didn't get to eat whatever it was, that was there, so I don't know."

Speaker Biggert: "Representative Schoenberg."

Schoenberg: "Mr. Ryder, I did not partake in the buffet, last night, either. But perhaps you wish to consult with someone immediately around you, everyone else seemed to enjoy dinner last night. Could you ask someone please, perhaps a staff member nearby, I don't want to single any particular House Members out by name. But could you ask

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someone what the main course was last night?"

Speaker Biggert: "Representative Ryder."

Ryder: "Representative, my first choice would be, Representative Spangler, for that inquiry. He is unfortunately occupied at the moment. But it's my understanding that you enjoyed salmon last night. Was that... was it a good meal?"

Speaker Biggert: "Representative Schoenberg."

Schoenberg: "That it was. And a, Mr. Ryder, though I didn't partake in last night's main course, I can tell you the meal of choice for most of the Body, was ham."

Speaker Biggert: "Do you have a further question, Representative Schoenberg?"

Schoenberg: "Yes, believe it or not, Madam Speaker, this is going to reach a somewhat logical conclusion."

Speaker Biggert: "Please proceed, then."

Schoenberg: "Mr. Ryder, last night, we had ham. The week before, Mr. Rutherford tried to give us pork. Last week was... last week, what we saw, it ain't kosher, and I'd like to tell the members here, that this ain't kosher either. Thank you very much."

Speaker Biggert: "Is there any further discussion? Seeing none. Representative Ryder to close."

Ryder: "Thank you, Speaker, Ladies and Gentlemen of the House. I clearly defer to my friend, who is far more aware of religious dietary law than I. The Bill is void of any meat, at this point. We hope to keep it at skin and bones and I would ask for your 'aye' vote."

Speaker Biggert: "The question is, 'Shall Senate Bill 485 pass?'. All those in favor vote 'aye', all those oppose 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

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are 64 voting 'aye', 52 voting 'nay', 0 voting 'present'.  
And this Bill having received a Constitutional Majority, is  
hereby declared passed. Mr. Clerk, what is the status of  
Senate Bill 284?"

Clerk McLennand: "Senate Bill #284 is on the order of Third  
Reading."

Speaker Biggert: "Mr. Clerk, please return Senate Bill 284 to  
Second Reading. The Lady from Cook, Representative Ronen.  
For what purpose do you rise?"

Ronen: "Thank you, Speaker. On the last vote, I pushed the  
button 'no' and it wasn't recorded on the board. So can  
you please so record me? And could somebody please check  
this, the electronics here?"

Speaker Biggert: "Okay. Representative Ronen, how would you like  
to be recorded in the transcript on Senate Bill 486."

Ronen: "Thank you for asking. I vote 'no'".

Speaker Biggert: "485. Excuse, Senate Bill 485. You will be  
noted in the transcript as voting 'no'. Thank you. And  
we will try and fix your switch. Mr. Clerk, please read  
Senate Bill 906."

Clerk McLennand: "Senate Bill 906, a Bill for an Act that amends  
the Department of Mental Health and Developmental  
Disabilities Act. Third Reading of this Senate Bill."

Speaker Biggert: "And on Senate Bill 906, the Majority Leader,  
Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the  
House. Senate Bill 906 is a very simple Bill. It simply  
allows people who hold an M.D. degree to be physicians'  
assistants. I'd be happy to answer any questions there  
might be."

Speaker Biggert: "Is there any discussion? And on that the  
Gentleman from Cook, Representative Lang."

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

Speaker Biggert: "He indicates he will."

Lang: "Representative, does your Bill...does your Bill define the term physician assistant?"

Speaker Biggert: "Representative Churchill."

Churchill: "There is language...it's basically the language that was in the statutes before. We have deleted about six or seven words here that say, 'nor a person holding an M.D. or equivalent degree'. That's the only thing that's taken out."

Speaker Biggert: "Representative Lang."

Lang: "Madam Speaker, I'm joined by the requisite number to remove this from Short Debate."

Speaker Biggert: "I see a lot of...two hands. Oh, there's enough there. Thank you. Proceed."

Lang: "Thank you. Representative, what is the 'crying need' in our society today for this Bill? What ill are you trying to resolve?"

Speaker Biggert: "Representative Churchill."

Churchill: "This arises out of a situation at St. Francis Hospital in Evanston. They have foreign medical school graduates who are...have an M.D. degree, but who have not qualified to act as physicians yet. They would like to use these people as physicians' assistants. In the statutes we have a specific thing called a physician's assistant under the auspices and control of the physician. Right now, people who have lesser degrees, can qualify to serve in this capacity, and the hospital thought that since they have these talented people around, if they could just put them to use as physicians' assistants that that might be of benefit to the hospital and to its patients."

Speaker Biggert: "Representative Lang."

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Lang: "Well, Sir, do these folks have to be...You said something about foreign licensees, so could these be doctors in foreign countries that have not yet passed the M.D. exam or not yet received their M.D. license here? Is that the kind of people you're talking about?"

Speaker Biggert: "Representative Churchill."

Churchill: "Well, they could be foreign or they could be from this country. It doesn't really matter, I guess, where they went to school. The fact is, that they do have an M.D. They have not yet qualified to act as a physician and if they could be used as a physician's assistant, that would give very well trained people an opportunity to learn from trained physicians who are licensed medically."

Speaker Biggert: "Representative Lang."

Lang: "If your Bill passes, who would be able to be a physician's assistant that could not be today?"

Speaker Biggert: "Representative Churchill."

Churchill: "People who have an M.D. degree or an equivalent degree."

Speaker Biggert: "Representative Lang."

Lang: "What about a doctor who has lost their license? They have an equivalent degree. Could they be a physician's assistant?"

Speaker Biggert: "Representative Churchill."

Churchill: "That...We haven't changed anything in that section of the statute. I believe that...that in that section and the other section of the statute which we haven't changed, there are provisions on who can and who can not be physicians' assistants. So, if they have bumped up against one of those exceptions, then they would not be able to be a physician's assistant. If they are qualified under that Act anyway, then they could go through the training and



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become a physician's assistant."

Speaker Biggert: "Representative Lang."

Lang: "Well, I think we ought to take a look at that section. Clearly, with the change you're making here, Sir, a...unless it's deleted somewhere else, a physician who got the penalty from DPR would perhaps lose their license, could come back in under this provision and become a physician's assistant unless there's something in the statutes somewhere that says that that's not permissible. I certainly don't see it in your Bill. Is it somewhere in the statute?"

Speaker Biggert: "Representative Churchill."

Churchill: "Yes. I...it is not my intention, and therefore for the purpose of legislative intent, it would not be my intention to allow someone who may have violated some other provision to become a physician's assistant. They need to comply with all the rest of the statute. Unfortunately, I just don't have it all in this Bill and I can't tell you what those other provisions are. We're not changing that other part of the statute. Whatever that is, whatever the Legislature has put into effect, that continues in effect."

Speaker Biggert: "Representative Lang."

Lang: "I thank you for that comment regarding legislative intent. However, you and I both no how to read statutes. I'm concerned that the plain language of your statute doesn't do what you want it to do. Want to take this back to Second Reading and correct it, so that this problem can be alleviated?"

Speaker Biggert: "Representative Churchill."

Churchill: "Yeah. I don't think there's a problem. I think it's okay. I think the language is correct and this does simply what I said it did."

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Speaker Biggert: "Representative Lang, I'm giving you one more minute."

Lang: "Bless your heart, Madam Speaker. Representative, based on what you know about this area today, how many new people would we be able to license in the first year as physicians' assistants, that we would not have been able to license had we not passed your legislation?"

Speaker Biggert: "Representative Churchill."

Churchill: "I don't know how many people there are out there, that would make application, but we're not talking about a lot of people."

Speaker Biggert: "Representative Lang."

Lang: "These people get licenses. So what would the cost be to the Department of Professional Regulations to regulate this new group of people?"

Speaker Biggert: "Representative Churchill."

Churchill: "Whatever it is today, that's the same thing. We haven't changed that in this Bill."

Speaker Biggert: "Representative Lang, your time is expiring. The Gentleman from Clinton, Representative Granberg."

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

Speaker Biggert: "He indicates he will."

Granberg: "Representative Churchill, is this at the request, or will this impact someone at Kiley Mental Health Center in your district?"

Speaker Biggert: "Representative Churchill."

Churchill: "I don't believe it would."

Speaker Biggert: "Representative Granberg."

Granberg: "Because I have a mental health center as well, so I thought it might have been someone's initiative from your district. Is this at the department's request?"

Speaker Biggert: "Representative Churchill."

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Churchill: "No. As I stated to Representative Lang, there are...this is a situation that arising out of...St. Francis Hospital in Evanston, is where this comes from. Not from my district."

Speaker Biggert: "Representative Granberg."

Granberg: "I did not hear that, Representative. I'm sorry. Does this impact anyone else or is there an estimate how many people this might impact if this legislation becomes law?"

Speaker Biggert: "Representative Churchill."

Churchill: "Well, the law would apply across the state, so it would impact anybody that wanted to do this. So, there may be other hospitals around. You may have a hospital in your district that might be able to use the expertise of these people as physicians' assistants. I think it's a good thing for...You know, this is a very regulated area. The physician has control over the whole area and if they want to bring somebody in that is more skilled than the other people who are there, they can use those skills. Perhaps they have surgical skills that regular physicians assistants might not have, or whatever it is. They are under the complete control of the physician and the physician would then be able to use those skills to help out. I don't know how many people there are that will do this. I know that in the particular case I'm talking about, they must have some people there that they think would serve in that capacity and it would be good for the hospital and good for the physicians."

Speaker Biggert: "Representative Granberg."

Granberg: "Is it possible, Representative, that someone who has lost their license as a physician, would then come back in and be as a physician's assistant in a mental hospital? That's what worries me."

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Speaker Biggert: "Representative Churchill."

Churchill: "Yes. Again, Representative Granberg, as I stated to Representative Lang, I don't have the whole statute here. I just have the Bill and I can't tell what all the other qualifications are. But whatever those other qualifications are, we're not changing them. And so, you know, I'm sure that when we initially passed this, those kinds of questions were probably asked and there were sufficient qualification requirements to get people into the licensure."

Speaker Biggert: "Representative Granberg."

Granberg: "One last question. Is Kiley back in the budget yet?"

Speaker Biggert: "Representative Churchill."

Churchill: "At this point, Representative Ryder is some place around this building working on that. I'm not sure what he is doing."

Speaker Biggert: "Representative Granberg."

Granberg: "Will Meyer and Reilly (sic-Kiley) be connected?"

Speaker Biggert: "Representative Churchill."

Churchill: "If so, it's a long passageway."

Speaker Biggert: "Representative Granberg."

Granberg: "To the Bill, Madam Speaker. I..."

Speaker Biggert: "To the Bill."

Granberg: "I was just concerned, Representative, that we might have someone who had lost their license or had their license revoked, who might end up in one of our mental hospitals and instead of actually raising the quality of care, it might be, in fact, a diminished quality of care because of the type of resident. So, I appreciate the Representative answering the questions."

Speaker Biggert: "Thank you. The Gentleman from Effingham, Representative Hartke."

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Hartke: "Thank you very much, Madam Speaker. Will the Sponsor yield?"

Speaker Biggert: "He indicates he will."

Hartke: "Representative Granberg's last comment raised a question in my mind. Did I hear you say that Kiley and Meyer are going to be reconnected in some piece of legislation here?"

Speaker Biggert: "Representative Churchill."

Churchill: "The...He referred to a connection legislatively. I think I was referring to a physical connection, of putting a passageway between them. I don't know what's happening on those issues. As of this moment, Representative Ryder's down in the bowels of the Capitol Building, trying to work on the budget items. So I guess I can't really give you an answer on that one."

Speaker Biggert: "Representative Hartke."

Hartke: "Well, not one of those facilities are in my district. However, I do have constituents that have friends or relatives or loved ones that were or are either in Meyer, Adolph Meyer Center, and are concerned, and then when they heard about Kiley, they were concerned about that as well. And I was just kind of curious what was in the works, in the budgetary process and this seems to be a piece of legislation that could effect that, one way or the other. And I...By the way, do you have any interest in the Kiley...Kiley Center at all?"

Speaker Biggert: "Representative Churchill."

Churchill: "It's been a hot issue. I've been following all year. But it doesn't have anything to do with this Bill, Representative Hartke."

Speaker Biggert: "Representative Hartke."

Hartke: "Okay. Thank you very much for those honest answers."

Speaker Biggert: "Thank you. No further discussion."

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Representative Churchill, to close."

Churchill: "It's a good Bill. I'd ask for help in passing it."

Speaker Biggert: "The question is, 'Shall Senate Bill 906 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', 0 voting 'nay', 0 voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 804."

Clerk McLennand: "Senate Bill 804, a Bill for an Act concerning health care. Third Reading of this Senate Bill."

Speaker Biggert: "And on Senate Bill 804, Representative Turner."

Turner, J.: "Thank you, Mr. Speaker. Senate Bill 804 amends the Insurance Code, the HMO Act, the Public Aid Code, the Marriage and Dissolution of Marriage Act, and the Voluntary Health Services Plans Act. It gives the state the right of payment from a third party payer, to the extent the state has paid for health services under the Medicaid Program. It makes other changes, as well, relative to medical support orders. When noncustodial parents are ordered to provide insurance, this Bill would require that employers and insurance carriers enroll the children of noncustodial parents as covered dependents. This Bill implements certain federally mandated provisions of the Federal Omnibus Reconciliation Act of 1993. I'd be glad to answer any questions."

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

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

Speaker Biggert: "He indicates he will."

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Granberg: "Representative Turner, I heard part of your explanation. But for a basic...a basis, anyway, can you tell us how this differs from current law? What changes your legislation would make?"

Speaker Biggert: "Representative Turner."

Turner, J.: "At this time, the current law, of course, allows the court to make an order and judges generally do, do that, and they'll certainly still have the authority to do that. And if they do that, what this law would do, is change so that...make a change so that an insurance company would be required to cover the dependents of noncustodial parents and that would be the gist of it."

Speaker Biggert: "Representative Granberg."

Granberg: "John, could you repeat the last part of that comment. I'm having difficulty understanding you over here."

Speaker Biggert: "Representative Turner."

Turner, J.: "The insurance companies and the employers would be required to include the children of noncustodial parents on the insurance contracts."

Speaker Biggert: "Representative Granberg."

Granberg: "So, we would mandate the insurance companies, include the children of noncustodial parents in the coverage?"

Speaker Biggert: "Representative Turner."

Turner, J.: "Yes, where a court has ordered that the noncustodial parent must provide that coverage."

Speaker Biggert: "Representative Granberg."

Granberg: "So, we would be mandating the insurance company to provide that coverage, pursuant to the judge's order, on the noncustodial parent."

Speaker Biggert: "Representative Turner."

Turner, J.: "Yes, that's correct."

Speaker Biggert: "Representative Granberg."

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Granberg: "And what is the insurance industry's comment on this?"

Speaker Biggert: "Representative Turner."

Turner, J.: "They have not registered any opposition."

Speaker Biggert: "Representative Granberg."

Granberg: "Will this cover the child if there is a preexisting injury?"

Speaker Biggert: "Representative Turner."

Turner, J.: "It depends on the provisions of the insurance."

Speaker Biggert: "Representative Granberg."

Granberg: "Could you explain what the...explain that a little bit further, Representative. As a matter of policy, most insurance companies, I don't think, will actually acknowledge preexisting injury. Would you say in your legislation, that you would prohibit an insurance company for a refusal if there was a preexisting injury?"

Speaker Biggert: "Representative Turner."

Turner, J.: "If the insurance company covers the preexisting injury, then that would be required. If it does not, then there would be no such requirement."

Speaker Biggert: "Representative Granberg."

Granberg: "So your legislation would not force the company to cover the child, regardless of a preexisting injury?"

Speaker Biggert: "Representative Turner."

Turner, J.: "That is correct."

Speaker Biggert: "Representative Granberg."

Granberg: "Representative, that issue has been debated in this Chamber, a number of times this Session and it seemed to be the consensus, that that would be good statewide policy. Why would we not do this in this particular instance?"

Speaker Biggert: "Representative Turner."

Turner, J.: "Well, this Bill is not designed to address that particular question. Should that, however, become the law,



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then certainly, if it became law under another Bill or piece of legislation, then it would be included within the scope of what we're proposing here today."

Speaker Biggert: "Representative Granberg."

Granberg: "Okay. Thank you, Representative. Respect to the issue of portability, then, cause that is also another major policy issue in this state. Would this apply to children who reside outside of the State of Illinois?"

Speaker Biggert: "Representative Turner."

Turner, J.: "I'm sorry, I couldn't hear your question."

Speaker Biggert: "Representative Granberg, could you repeat your question."

Granberg: "In regard to portability, John. That's also a major policy concern. We've dealt with portability in these types of policy questions. Would this apply to the issue of portability? Will a child be covered who actually legally resides outside of the state?"

Speaker Biggert: "Representative Turner."

Turner, J.: "Where the child lives would have no bearing on whether or not there is coverage. Again, it would depend upon what the employer has."

Speaker Biggert: "Representative Granberg, your time has expired. Do you want to close?"

Granberg: "Well, I'm looking at the clock, Madam Speaker..."

Speaker Biggert: "Well, I just gave you another minute to finish. Proceed."

Granberg: "All right, Representative. There are a lot of very important questions on this Bill, Madam Speaker. I would hope you would acknowledge other Members on this side of the aisle and your side of the aisle, Madam. Is that your intention? Madam Speaker, question of the Speaker. Will you acknowledge the other Members requests on this Bill?"

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Speaker Biggert: "Yes, if you'd like to remove this from Short Debate."

Granberg: "Right now. Thank you."

Speaker Biggert: "Very well."

Granberg: "Thank you. John, if you could discuss why we would not make the issue of portability apply to this case, as well, because if children need to be covered, they need to be covered all...no matter where they live. So, if we're going to tell the insurance companies they should cover them, why not make it out of state as well?"

Speaker Biggert: "Representative Turner."

Turner, J.: "Well, I certainly have no dispute with the concept of portability. It just so happens that this particular Bill does not address that question. And what it does do is say that when an employer has obtained insurance, that the type of insurance, whatever it may be that the employer has, it will be provided to the child of the noncustodial parent. And so, while your point is well taken as to portability being a good concept, it just simply isn't a part of this Bill and I really don't know how to respond other than that."

Speaker Biggert: "The Representative from Cook, Representative Pugh."

Pugh: "Thank you, Madam Speaker. I'd like to yield my time to Representative Granberg."

Speaker Biggert: "Representative Granberg, had you finished?"

Granberg: "Thank you, Representative Pugh. Representative Turner. So, when you crafted this Bill and it went through the legislative process, was the issue of portability or was the issue of preexisting injury, ever before the committee or before the Senate chamber?"

Speaker Biggert: "Representative Turner."

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Turner, J.: "I am advised that those issues never were discussed in the Senate committee."

Speaker Biggert: "Representative Granberg."

Granberg: "Were they raised in the committee in the House, Representative?"

Speaker Biggert: "Representative Turner."

Turner, J.: "No, Representative."

Speaker Biggert: "Representative Granberg."

Granberg: "I'm trying to determine, Representative, it would seem a logical extension if we're in for a protection of children. I think we're in for that here, right? Then why would we not do that? What groups were in favor of your legislation in committee?"

Speaker Biggert: "Representative Turner."

Turner, J.: "Department of Public Aid, the Department of Insurance, the Illinois Manufacturers' Association, and the Illinois State Bar Association."

Speaker Biggert: "Representative Granberg."

Granberg: "So, if I remember correctly, the Illinois Department of Public Aid was against portability in existing...preexisting injury. The Illinois Association...the Association of Illinois Managers was against expanding portability and coverage of preexisting injury, and I'm not sure about the Illinois State Bar Association. I thought they were actually in favor of portability and preexisting injury. That still concerns me, Representative, because the issue here, and I admire you for doing this, is the protection of our kids. I mean, that is the bottom line and I know you have a great interest in that. And it would just seem to me completely logical, that if we're going to protect kids, let's protect them...let's protect all the kids, who are there with

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noncustodial parents. If we can have coverage, let's make them cover the children no matter what the case, no matter what the scenario and no matter where they reside. John, I know it's...the indications are it's late in the Session, but you would...would you entertain the idea of bringing this back to Second Reading to add that Amendment?"

Speaker Biggert: "Representative Turner."

Turner, J.: "Representative, I hope that I have demonstrated to you in the past that I'm always willing to try to work with Members on your side of the aisle equally as with Members on this side of the aisle. But, I really feel like it's best to move this legislation along, because it does afford protection for the children. If we try to move it back, we may get bogged down. Let's get this passed and then address the questions that you're talking about with future legislation."

Speaker Biggert: "Representative Granberg."

Granberg: "Well, thank you, Representative. I know you, in fact, have shown good faith efforts in the past in doing that. I personally believe there might be time, but I respect your wishes and we will work on that measure together. Representative Turner, in respect to coverage, despite Medicaid eligibility, would you please address that issue as well?"

Speaker Biggert: "Representative Turner."

Turner, J.: "I think I need a little clarification. Just generally, though, to respond to you. There are certain federal requirements that have been mandated, which Illinois has in fact not complied with. And this Bill, frankly, taken as a whole, brings us in compliance without just, frankly, reading from it. I'm not sure if I can answer your question any better, unless you can address,

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maybe, it more specifically."

Speaker Biggert: "Okay. Representative Granberg."

Granberg: "You know, Representative, that would help because I don't have the Bill in front of me. So, if you would."

Speaker Biggert: "Representative Turner."

Turner, J.: "Well, it's a rather lengthy list, but I'll try to read it down to you. All right. The state...This is going to take the rest of your time. Must have laws which prohibit insurance...insurers or employers from denying enrollment of a child just because the child was born out of wedlock or is not claimed on the parents tax return or does not reside with the parent. Further, to permit enrollment of a child at any time, not just open enrollment times, and upon application by the custodian or a state Title XI or Title IV-D agency. I'll have to ask the experts what those are, if you have a question on that. Prohibit insurers or employers from stopping coverage for a child, unless the order is no longer in effect or the child will have other comparable coverage, or the employer has eliminated family coverage for all of its employees. Require employers to withhold money from a parent's pay for insurance premiums for a child. Require an insurer who is covering a noncustodial parent..."

Speaker Biggert: "One more minute, please. You can proceed."

Granberg: "Well, I want to thank the Representative for doing...This is an important issue because this is a very, very major policy issue because these kids can't be covered on numerous occasions. So, Representative, I know you may be taking my time, but I do appreciate it and I think it's going to help the Members on this side of the aisle. So, if you have no objection, please proceed."

Speaker Biggert: "Representative Turner."

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Turner, J.: "Thank you, Madam Speaker. The state law...the state must have laws, which continuing on, require an insurer who is covering a noncustodial parent's child to, (a) provide all information to the custodian necessary to obtain benefits and, (b) allow the custodian or provider to submit claims without the noncustodial parent's approval and, (c) make payments to whomever submitted the claim. The state must have laws which permit the agency..."

Speaker Biggert: "Proceed, Representative Turner."

Turner, J.: "...To permit the agency to garnish wages or withhold state income tax refunds from any person who is required to provide coverage for a child who is eligible for medical assistance. That essentially is what the federal law mandates and that is what this Bill addresses."

Speaker Biggert: "Representative Granberg."

Granberg: "Thank you, Madam Speaker. There are a number of important issues I believe Representative Mautino, Representative Lang and some others want to ask about, since my time has expired. But I appreciate Representative Turner's good faith in this effort. This is a major policy issue. So, thank you, Representative."

Speaker Biggert: "The Lady from St. Clair, Representative Younge."

Younge: "Yes. I wanted to yield my time to Representative Granberg."

Speaker Biggert: "Representative Lang...Would you like me to go on to Representative Lang? Thank you. The Gentleman from Cook, Representative Lang."

Lang: "You are such a fair and honorable Speaker. It is wonderful to have you in the Chair. Before you start my clock, however, I...Inquiry of the Clerk."

Speaker Biggert: "State your inquiry, Representative Lang."

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Lang: "Thank you. Two separate inquiries. The first is relative to what purports to be a State Mandates Act Fiscal Note, filed by DCCA on May 17th at about 8:30 a.m. Has this...It was not signed. Is it now signed?"

Speaker Biggert: "Mr. Clerk."

Clerk McLennand: "The State Mandates? The State Mandates Act Fiscal Note that was filed on the 17th, the Department came back in and verified that it was their note on the evening of the 18th."

Speaker Biggert: "Representative Lang."

Lang: "And so, was it signed?"

Clerk McLennand: "Yes. Dennis Whetstone."

Speaker Biggert: "Representative Lang."

Lang: "And so, Madam Speaker, since this note was signed after it was filed, I think you'll agree that the public record has been tampered with and if we don't preserve the documents as they're filed, how will Speaker Daniels complete his ongoing investigation into 'Notegate'?"

Speaker Biggert: "Representative Lang, we've been through this several times and if you wish to challenge the Chair, why please do so. Representative Lang."

Lang: "Let me just go on to a matter I think of more importance."

Speaker Biggert: "Proceed."

Lang: "The Fiscal Note filed by Public Aid, May 17th, which is signed, says the following. Failure to comply with this proposal, could mean the loss of federal medicaid matching funds. Once enacted, SB804 will save the state medicaid dollars. The language in this Fiscal Note, Madam Speaker, does not comply with the statute. The statute requires some information. This has no information. It simply says that if the Bill is enacted, the Bill will save the state medicaid dollars. It doesn't say by what formula that will

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be determined. It doesn't say how much it will save the state. Accordingly, even though this is signed, it's an improper Fiscal Note and I would ask the Chair to so rule."

Speaker Biggert: "Representative Lang, it's the ruling of the Chair that this is an unamended Senate Bill and we are not required to have the Fiscal Notes filed, but as a courtesy we have done so, and I so rule that the Fiscal Note is valid. Representative Lang."

Lang: "Well, Madam Speaker, you can either say that it's unnecessary or that it's valid, but you can't say that since it's unamended, it's automatically valid. If you don't need it because it's unamended, if that's your ruling, then don't tell me it's valid, because it isn't valid. So, we need one ruling or the other please."

Speaker Biggert: "Representative Lang, the Chair has ruled and we intend to proceed. Representative Lang."

Lang: "I would move to overrule the Chair and ask for a roll call vote."

Speaker Biggert: "The Motion is, 'Shall the Chair be sustained?' 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 Motion there are 64 voting 'aye', 53 voting 'nay' and 0 voting 'present' and the Chair is sustained. Representative Lang."

Lang: "Thank you, and now I'm ready to debate the Bill. Will the Sponsor yield?"

Speaker Biggert: "He indicates he will."

Lang: "Thank you. Representative, we debated a Bill yesterday or the day before, I've lost track of the days, that only dealt with insurance policies that were issued within the State of Illinois. This Bill deals with insurance



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companies and insurance policies that are outside the State of Illinois. Why do you have a different set of policy determinations here, than what we had in the prior Bill?"

Speaker Biggert: "Representative Turner."

Turner, J.: "Representative, I'm not sure what policy determinations you're speaking about, so I'm afraid I can't quite address that question."

Speaker Biggert: "Representative Lang."

Lang: "We had another Bill that we passed a couple of days ago, dealing with insurance policies and that dealt with pooling and portability, and that Bill exempted policies that were issued outside the State of Illinois. This Bill includes policies issued outside of the State of Illinois, and so I'm wondering why the Majority Party has differing philosophies, differing public policy considerations for these two Bills?"

Speaker Biggert: "Representative Turner."

Turner, J.: "Representative, I don't believe that we're inconsistent on this side of the aisle. We're trying to pass legislation to help the people in the State of Illinois with their insurance needs, and we're also, by this legislation, trying to help out children and I don't see anything inconsistent with that policy."

Speaker Biggert: "Representative Lang."

Lang: "Representative, on page one of the Bill, lines 28 through 30. If you were being consistent on your side of the aisle, this...Section (d) would be limited to policies issued, in line 29, within the State of Illinois. The previous Bill, relative to pooling and portability that we passed whatever day that was, had such language. This Bill does not have such language and I don't understand the reason for the inconsistency. Can you explain it to us?"

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Speaker Biggert: "Representative Turner."

Turner, J.: "I thought I just indicated to you, Representative, that I don't think we are being inconsistent. I'm not sure if you're advocating that, we limit the language that you've just cited, to only in-state policies. What we're trying to do is cover children and fam...children who need protection and where a court has made an order for the noncustodial parent to provide medical assistance, and so I really don't see why you believe this is inconsistent with any other policy that we may have set at an earlier time."

Speaker Biggert: "Representative Lang."

Lang: "Well, actually I support the language in your Bill. What I'm telling you is that the other Bill that went out of here is inconsistent. As I said, when we debated that Bill, that Bill had a loophole. It said, 'only policies issued inside the state'. So an employer that wanted to do an end run around pooling and portability, need only get a pol...an insurance company to issue their policy from Pennsylvania or Delaware or Florida or anywhere but Illinois. So, that's what I was trying to point out. Let me ask you this. This allows the Department of Public Aid to institute legal proceedings to collect insurance costs from a noncustodial parent. Doesn't this set up an inconsistency with the law? Don't our civil courts allow the custodial parent to go into court now and get an order from the post-decree judge to get these costs reimbursed?"

Speaker Biggert: "Representative Turner."

Turner, J.: "Yes. That would be allowed under existing law. It would be allowed even after this Bill is passed, if indeed it is passed. It just provides a mechanism for the state to recoup losses and I don't see anything inconsistent about that, Representative."

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Speaker Biggert: "Representative Lang."

Lang: "Well, as much as I want to collect these funds, and I think we should, is it fair to this noncustodial parent to perhaps have him or her litigating in two different forums at the same time, the very same issue?"

Speaker Biggert: "Representative Turner."

Turner, J. "My guess is, that if there were two separate actions brought, that those would be consolidated. They would probably be brought under the original dissolution case and I don't think that your scenario where there would be two forums or two cases going on at the same time would be the actual practice. I would be surprised, in fact, if that were the case."

Speaker Biggert: "Any further discussion? The Gentleman from DeKalb, Representative Wirsing."

Wirsing: "Madam Speaker, I move the previous question."

Speaker Biggert: "The previous question has been put. All those in favor say 'aye'. All those opposed say 'no'. The 'ayes' have it. The Motion is carried. Representative Turner, to close."

Turner, J.: "Thank you, Madam Speaker. I'd like to apologize to Representative Lang. I know he chastises freshmen who have staff people around to help them answer questions, but you caught me a little out of my bailiwick and I did need some assistance. I do urge that Representative Lang and all Members of that side of the aisle and this side of the aisle to vote favorably for this piece of legislation. It's for the protection of children. Thank you."

Speaker Biggert: "The question is, 'Shall Senate Bill 804 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Mr. Clerk, take the record. On this question there are 117 'ayes', 0 'nays' and 0 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 1123."

Clerk McLennand: "Senate Bill 1123, a Bill for an Act creating the Metropolitan Airport Authority. Third Reading of this Senate Bill."

Speaker Biggert: "And on this Bill, Representative Balthis."

Balthis: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 123, as amended, makes a change in the Bill that we passed, 276, this week. It simply says that the fund that was created for alternate fuel development, would include all alternate fuels and not just ethanol, and I would be happy to answer any questions."

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

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

Speaker Biggert: "He indicates he will."

Granberg: "Representative Balthis, could you explain for the purposes of the newer Members of the Body what actually transpired with this basic...the basis of the legislation and the need for the Amendment, in your view."

Speaker Biggert: "Representative Balthis."

Balthis: "Representative, under Senate Bill 276, we created the Alternate Fuels Act, and in that language, we also created the...a fund that would be for alternate fuels research. The definition of alternate fuel, actually says, natural gas, 80 percent ethanol, propane, electricity, biomass, methanol, and fuels derived from biomass. This language would simply say that all of those would be eligible for alternate fuels development, under Senate Bill 276."

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Speaker Biggert: "Representative Granberg."

Granberg: "And a number of us in the Chamber and on this side of the aisle, in particular, supported the alternate fuels measure, because we felt as a matter of policy, that was the way for this state to go, to expand the markets, to increase demand for our farm goods, and look for alternate renewable sources of energy. Now, on the basic Bill, Representative, the corn growers and other associations were in favor of that legislation. Isn't that correct?"

Speaker Biggert: "Representative Balthis."

Balthis: "Yes."

Speaker Biggert: "Representative Granberg."

Granberg: "What other groups were in favor of the legislation prior to Senate Bill 1123, that you're seeking to expand?"

Speaker Biggert: "Representative Balthis."

Balthis: "Representative, the list of individuals that negotiated that Bill, as I understand it, was the Illinois Corn Growers Association, Central Illinois Public Service Company, Central Illinois Light Company, Northern Illinois Gas Company, Natural Gas Pipeline Company, Illinois Farm Bureau, Illinois Secretary of State, Illinois Propane Gas Association, Mid-Con Development Corp, Amoco Oil and Peoples Gas, Light and Coke."

Speaker Biggert: "Representative Granberg."

Granberg: "And, Representative, have those groups changed their position with your legislation?"

Speaker Biggert: "Representative Balthis."

Balthis: "Representative, I have not had any indication from those individual groups, that they have changed their position, as to this simple change in the law."

Speaker Biggert: "Representative Granberg."

Granberg: "Haven't the Corn Growers Association and others now

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risen to oppose...to oppose this Bill?"

Speaker Biggert: "Representative Balthis."

Balthis: "Representative, I...as anyone might imagine, the corn growers are, to say...to say it mildly, opposed to this Bill."

Speaker Biggert: "Representative Granberg."

Granberg: "To say it mildly, they're opposed to this Bill. Is that right, Representative? And, Representative, what other associations have taken a position on Senate Bill 1123?"

Speaker Biggert: "Representative Balthis."

Balthis: "Representative, the petroleum marketers, as I understand it, have an interest in this language change. I think there are some of the others, that although they have not indicated such, share the feeling that this should be across-the-board. It does not say that all the money can't go to ethanol. It simply says, that if there is some other fuel out there, that deserves an opportunity, that this would give them that chance at the table."

Speaker Biggert: "Representative Granberg."

Granberg: "Representative, why would the Illinois Petroleum Marketers be in favor of this, besides the apparent uniformity of provision? They were not in favor of the original alternative fuels legislation, I do not believe. So, what would they benefit or how would they benefit, if your legislation passes?"

Speaker Biggert: "Representative Balthis."

Balthis: "Representative, as I understand it, they did not file an opposition to Senate Bill 276, nor work against it."

Speaker Biggert: "Representative Granberg."

Granberg: "And they are now in favor of Senate Bill 1123? And is there any other reason besides uniformity of policy?"

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Speaker Biggert: "Representative Balthis."

Balthis: "That is my understanding that they and others feel that all of the bio...the alternate fuels listed in 276 should have the opportunity, if there is a viable development program, to at least test that and use some of this funds to do that."

Speaker Biggert: "Representative Granberg."

Granberg: "Representative, I'm running out of time. But what is the size of the fund now or the moneys available for this, and how would this impact it with the passage of Senate Bill 1123? Would that greatly diminish the opportunity for the corn growers and others to access those funds, and how would this impact the groups that would now have access to those dollars?"

Speaker Biggert: "Representative Balthis."

Balthis: "Representative, currently the only group that has access to it is the corn growers. This would not change their access to it. It would not reduce any amount that they could get out of it. It simply would say that..."

Speaker Biggert: "Continue, Representative Balthis."

Balthis: "...If there are other viable alternate fuels that should be developed or at least looked at, that there would be the opportunity to do that."

Speaker Biggert: "The Representative from Macon, Representative Noland."

Noland: "Thank you, Speaker. Ladies and Gentlemen, this Bill has just horrible ramifications for corn farmers. And on the surface you might think it's not a big change, but for 100,000 corn producers it has horrible ramifications. It changes it from ethanol, to all alternate fuels. This just flies in the face of the agreement that was made between the Corn Association and the Natural Gas Coalition. So,

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folks, please remember this agreement...this is a horrible Bill. Please vote 'no' and let's defeat it. Thank you."

Speaker Biggert: "Thank you. The Representative from Kankakee, Representative Novak."

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

Speaker Biggert: "He indicates he will."

Novak: "Representative Balthis, I know on...was it Senate Bill 276 here, yesterday, that you were the Sponsor of? How much money is this fund suppose to generate? Do you have any idea?"

Speaker Biggert: "Representative Balthis."

Balthis: "As I understand it, it was approximately \$4,000,000."

Speaker Biggert: "Representative Novak."

Novak: "So, I gather by the...proponents of this Bill would want, by changing the definition, I believe, of alternate fuels, they would give them a level playing field to access this fund. Is that correct?"

Speaker Biggert: "Representative Balthis."

Balthis: "Yes."

Speaker Biggert: "Representative Novak."

Novak: "And groups such as the Petroleum Marketers and the Petroleum Council and I guess the petroleum industry for that matter, they've indicated they want to have access to this fund for alternative fuel research. Can you give me any idea of what type of alternative fuels they may be in the process of manufacturing? Could you give me an idea?"

Speaker Biggert: "Ladies and Gentlemen, could we have some order in the House, please, and let the Representative be heard. Representative Balthis."

Balthis: "Representative, in Senate Bill 276 there was a definition of an alternate fuel and that definition included natural gas, ethanol, propane, electricity,



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biomass, methanol, and fuels derived from biomass. So, all of those would have access to that fund, should this Bill pass."

Speaker Biggert: "Representative Novak."

Novak: "I understand that, Representative Balthis, but what would the Petroleum Marketers...the Petroleum Marketers obviously wouldn't be manufacturing ethanol. Would they?"

Speaker Biggert: "Representative Balthis."

Balthis: "Representative, I understand they are one of the largest users of ethanol."

Speaker Biggert: "Representative Novak."

Novak: "You know, that may be correct. They may use ethanol, but I don't know if they are in the production process. ADM is the largest manufacturer of ethanol, I think, probably in the United States, as well as Pekin Energy. But I'm just trying to figure out what type of alternative fuels that the traditional petroleum industry would get involved in. We know this MTBE, which is a reformulated gasoline, is not an alternative fuel. It's a cleaner gasoline, pursuant to the mandates of the Clean Air Act, for those vehicles that have to be used in the nonattainment areas. I'm just trying to get some information on what type of alternate fuels the traditional petroleum industry would be involved in, in the manufacturing process so they could access money in this fund."

Speaker Biggert: "Representative Balthis."

Balthis: "Representative, I'm not aware of a specific alternate fuel. It was just simply...this would just expand to allow those that are defined in 276, to have access to this fund should something come up that would be usable under that fund."

Speaker Biggert: "Representative Novak."

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Novak: "Yes. I have no further questions."

Speaker Biggert: "Thank you. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I rise in opposition to Senate Bill 1123. I have the greatest respect for the Sponsor and I'm sure he's well-intentioned. But, you know, this is one of those 'merely' Bills. It just 'merely' changes the word ethanol to the word alternate and I would suppose...Now, I don't know the genesis of this 'merely' Bill that wants to change the word ethanol to alternate, but I have a hunch it might be on behalf of big oil. Now, granted, the corn producers of this state are working diligently to get out of the subsidization that they're in. Even...even putting their own research money into the ethanol question. I think it's time we deliver a message to the status quo. Four and a half years after Desert Storm, we're back up importing more than 55 percent of each barrel of oil that we consume in this country. We've talked about alternative fuel for 20 years in Washington and they've piddled and fiddled and done everything but address the problem. So, I think we have legislation pending in Illinois that will help Illinois become a renewable energy producing state. The number one energy...renewable energy producing state in the country. We can't compete with Louisiana and Texas and Oklahoma on crude oil. Don't want to. And I'll guarantee you this. If it were as simple as just simply poking a pipe in the ground and bringing up ethanol, we'd all be better off. But it's not that simple, not that simple at all. But it's time, once and for all, to send a message to big oil. I don't want my grandchildren to be talking about renewable energy in the year 2020. I want it done. The

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time to do it is now and the best way to start that process and wean ourselves from the oil sheikdoms is to defeat this Bill by a veto-proof majority. Tell big oil either get in the cart or get out and move to Saudi Arabia. It's time for ethanol. Vote 'no'."

Speaker Biggert: "The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Madam Chairman (sic-Speaker). It's always great, two times in a row, following Reverend Black. I rise on a point of personal privilege today. It's very appropriate that we talk about energy sources today, because today happens to be the birthday of the youngest Member of this Legislature. Today shall go in infamy. It is the 29th birthday of Representative Smith. And further, Mr. Speaker, when I questioned his energy levels today, he said he was going to begin the first annual trek to the dome on his birthday and he has returned from trekking to the top of the Capitol dome and he barely made it. I will tell you that. There will be a fruit plate at the back of the hall here in a minute as a surprise for Mr. Smith, and I thank you."

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

Hartke: "Well, thank you very much, Madam Speaker. I'm sure that Representative Smith will probably indulge in some corn alcohol this evening as well. Only through research, have we been able to do that. You know, I've been here a long time and I hear about subsidies for agriculture. Well, let me tell you something, I think that Representative Black hit it right on the head. You know, we in this world and this nation, depend upon oil and we do. But right here in Illinois we have one of the renewable energy resources and

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that's Illinois corn, and we can use that so we don't have subsidize the oil industry. You know, what did it cost us to go to Saudi Arabia, to go to Iran and to go to Iraq, to finance that war? I think that was something like a \$2 billion subsidy. We don't need that anymore. We didn't go over there because we have a shortage of sand in this nation, we went over there to subsidize the oil industry. Let's stop that. Let's stop this silliness. Let's vote 'no' on this legislation."

Speaker Biggert: "Thank you. Mr. Clerk, announcements."

Clerk McLennand: "Rules Committee will meet on Tuesday, May 23rd at 3:00 p.m. Rules Committee, 3:00 p.m."

Speaker Biggert: "The Gentleman from Williamson, Representative Woolard."

Woolard: "Thank you, Madam Speaker. I rise to support this issue as well. I think that Reverend Black did say it very well and I won't try and repeat all of the eloquent phrases that he used. But it's us against them, and the us should represent everyone in the great State of Illinois because, we're talking about the agri-business industry of this state. I think that each and every one of you recognize that this is an industry that has provided much to the history and the future, as well, of this state. I know that you're very supportive of our farm friends, but this is the kind of thing that can make a difference for us for generations to come. Not just those who are farmers, but all of us who are partaking of the utilization of transportation, that when we find those alternatives, and we believe that ethanol is a very major part of that decision-making process and the direction that we should be headed, that at that time when we have it perfected to the point that it makes a difference in this state, our

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neighbors all across this nation will be utilizing that same source of energy and it's something that we can produce right here in Illinois, the greatest state in this nation. To all of those farmers across the state, let's stand with them. Let's do make it a super majority, so that the Governor has no question, that this is the intent of this Legislative Body. I encourage you to join us in defeating this piece of legislation, because the right thing, is to stand with the farmers. Vote 'no'."

Speaker Biggert: "The Lady from Cook, Representative Wojcik."

Wojcik: "Madam Speaker, I move the previous question."

Speaker Biggert: "The Motion is, 'Put the previous question.'

All those in favor say 'aye'. All those opposed say 'nay'. The question is put. The 'ayes' have it. The question is put. Representative Lang, for what purpose do you rise?"

Lang: "Thank you. I rise to a point of order, Madam Speaker."

Speaker Biggert: "State your point of order."

Lang: "Thank you very much. I've taken a good look at the Bill and a good look at the Amendment. The Bill deals with airports, the Amendment deals with alternative fuels. The Amendment is not germane and I would ask the Chair to so rule."

Speaker Biggert: "Representative Lang, that Amendment was in committee and the question should have been raised in committee. Therefore, it is germane. Representative Lang."

Lang: "Madam Speaker, that question can be raised any time. It could have been raised in committee and they could have moved to overrule the Chair and defeat it. I could raise it again. This can be raised any time before a 'vote' and as a matter of fact, we did this similar thing yesterday and there was a ruling. We ask for a ruling as to whether

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or not this Amendment is germane. It either is or is not."

Speaker Biggert: "The ruling of the Chair, Mr. Lang, is that the issue should have been raised in committee. Representative Balthis, to close. Representative Balthis, to close."

Balthis: "Thank you, Madam Speaker. I think you all know the issue and I would ask for a favorable vote."

Speaker Biggert: "The question is, 'Shall Senate Bill 1123 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. Okay. On this question there are 56 'ayes', 56 'nays', 4 voting 'present'. Representative Balthis."

Balthis: "Madam Chair (sic-Speaker), I would ask this be put on Postponed Consideration."

Speaker Biggert: "Okay. This Bill will be placed on Postponed Consideration. Committee Announcement."

Clerk McLennand: "Rules Committee posted for 3:00 p.m. will be delayed until 3:15. Rules, 3:15, Speaker's Conference Room."

Speaker Biggert: "Mr. Clerk, please read Senate Bill 1133."

Clerk McLennand: "Senate Bill 1133, a Bill for an Act concerning nursing home facilities. Third Reading of this Senate Bill."

Speaker Biggert: "Representative Rutherford."

Rutherford: "Thank you, Madam Speaker. Senate Bill 1133 would amend the Nursing Home Care Act, such that the various agencies of state government, such as Public Health, Public Aid, Department of Aging, and the State Fire Marshal, all would be a part of a single survey process for our long term care facilities here in the State of Illinois. I'd be glad to answer any questions."

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Speaker Biggert: "Is there any discussion. The Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Representative. A number of organizations and state agencies are opposed to this Bill. I'm wondering if you could tell me why the Department of Public Aid is opposed to this legislation?"

Speaker Biggert: "Representative Rutherford."

Rutherford: "Representative, I've read the materials that they have handed out and I've also visited with some of the state paid employees as they are lobbying against this piece of legislation. I think that they believe that there may be a concern for their jobs. Somewhat of a self-serving reason, to be concerned that they are not going to have their positions. But we've already gone through some of this before, in state government, in trying to consolidate our survey process like we did with DMHDD. And I believe that their position is erroneous, because we are not necessarily, albeit would be nice if we could cut some head counts in doing this, what we're looking to do is to put all of the survey processes for our long-term care facilities to be administered by our Department of Public Health. I believe that those that...folks that are involved with the Department of Public Aid have also expressed some concerns in regards to the rate setting, and I want to answer this for you now, cause I'm sure it's an important part of the questioning which you have for us, Representative. But in regards to the rate setting for our facilities, that will still be vested with the responsibility to the Department of Public Aid. What we're talking about, is actually going into the facilities and conducting these surveys. And what it is, it simply states that the Department of Public Health will be responsible to

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set up the surveys for all of these agencies of state government, that are typically involved with it."

Speaker Biggert: "Could I take a moment to introduce the graduating class of St. Jude Catholic School in New Lenox. They are the guests of Representative Wennlund. Please give them a warm welcome. Representative Schakowsky, please continue. I'll give you an extra minute."

Schakowsky: "Representative, if this were simply a matter of consolidating inspections, of single survey, of streamlining, that would be...that would be one thing, but this Bill, it seems to me, has serious cost implications. And I was wondering if you felt, given the tight Medicaid Budget, considering the amount of money that we owe to providers, considering the deficit, if Illinois can really afford to implement a new long-term care rate system?"

Speaker Biggert: "Representative Rutherford."

Rutherford: "Representative, I realize I'm the one that's suppose to be answering the questions and I'm going to do that. But I'm going to come back to you in just a moment, to have you tell me where this cost increase is going to come from the State of Illinois, and I realize you've got the talking points from the Department of Public Aid, but let's cut through some of this fallacy. What we're talking about here is for the long-term care facilities in the State of Illinois, who on the average have someone in their facility, doing some type of a survey 318 days out of the year. What we are saying, is that one agency of state government will be responsible to coordinate the surveys inside these facilities. If there is anything out there, this is a no growth, no increase. I understand the Department of Public Aid is telling you that Vermont, Texas and Kansas have experienced this...experienced rate



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increases, but, Representative, let's go beyond what the internal lobbying people of their own staff are saying. There are reasons those three states have those rate increases and they are not telling you everything. We are not comparing apples to oranges, and if you'd like to, I'd be glad to respond to each state by case. But I'll go ahead and leave that to you to decide if we want that on the record."

Speaker Biggert: "Representative Schakowsky."

Schakowsky: "You might be interested to know, Representative, that the Illinois Nurses Association, which opposes this legislation, was being lobbied by a representative of the nursing home industry, who tried to persuade the association to support the Bill or to go neutral on it, by saying that rates would go up and that this would be good for nurses who are employed at nursing homes, because there would be more money. If the nursing home industry thinks that it's going to be more money and the Department of Public Aid thinks it might cost more money, why shouldn't I believe that?"

Speaker Biggert: "Representative Rutherford."

Rutherford: "Well, Representative, let's get down to what this is. We're not talking about necessarily the money on the side of the state, which obviously is very important if we can become more efficient in our service. That's imperative. But what we're talking about is a hassle factor. I mean, these nursing homes are out there and today they are having people from the Department of Agriculture coming in and inspecting their egg. They're having people from the Department of Public Aid coming in."

Speaker Biggert: "Representative Schakowsky. Oh! Continue Representative Rutherford."

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Rutherford: "...People from the Department of Public Health coming in. They're having people from the Department of Aging coming in. They're having people from the State Fire Marshal coming in. I mean, these people are getting the hassle factor, highlight, supreme, from the State of Illinois, and what we're looking to do is, have one single survey process, coordinated by the Department of Public Health. This is anything...I mean, of all the talk on the other side, in regards to a grow factor, Representative, this is a 'no grow'. This is an anti-grow. This is consolidation. Let's bring it under one process, so that our nursing homes do not, do not, have to go through what they go through. I'm going to repeat to you what I said earlier, Representative. Three hundred and eighteen days out of the complete number of days in a year, a nursing home has someone in their facility doing inspections and surveys. Absolutely, we want them to be correct and right, but it can be cut down so that it is coordinated by one agency of state government."

Speaker Biggert: "Representative Schakowsky, your time has expired. The Lady from Cook, Representative Kaszak."

Kaszak: "Thank you, Ms. Speaker. I'm rising in support of this Bill. In strong support of this Bill. I can tell you that my district includes uptown, which has one of the largest concentrations of nursing homes anywhere in the state, and I...The first year that I was here I went around and talked to the operators of the nursing homes to ask their opinions about what is going on and what assistance they needed, and uniformly, I can tell you that one of the greatest hassles that they have had, is the fact that they have at least five to ten agencies conducting the same duplicative survey. There are variations dealing with different

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clientele, but I can tell you that it is a major problem requiring hiring additional staff and it really is bureaucracy gone wild. And so, I really urge your support for this. I think that this is a very good Bill and I really look forward to it's passage, and I know that the people who are working in the nursing homes need this kind of assistance. Thank you."

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

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

Speaker Biggert: "He indicates he will."

Lang: "Hi, Representative. Representative, does the Governor have a position on this legislation?"

Speaker Biggert: "Representative Rutherford."

Rutherford: "Well, the Governor and I haven't personally spoken recently about this specific piece of legislation. Members of his staff have not presented anything to me directly, but I know that some of his agencies are opposed to it."

Speaker Biggert: "Representative Lang."

Lang: "So, Public Aid is opposed. Does that mean that the Governor is opposed?"

Speaker Black: "Representative Black in the Chair. Representative Rutherford to respond."

Rutherford: "Thank you, Mr. Speaker. I'm not...I would not want to represent the Governor's position on it. Obviously, if one of the Governor's agencies is opposed to something, one may lead to believe that it could be. But let me tell you something more about that. There's times when we in the Legislature need to stand up, particularly and I'm a member and I'm a strong supporter of my Governor, and if his agencies are opposed to it, at times we, in the legislative process, need to stand forward. We need to go forward and look them square in the eye, Representative, just look them

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square in the eye, and if it takes time to do that, to convince them that we've got to do the things that are right, for the people of the State of Illinois, if it deals with the Department of Public Aid who is saying, 'No, we're not for this', then it's time, Representative. We still need to go forward and do the things that are right for the people of Illinois. The Department of Public Health, the Department of Aging, the State Fire Marshal, all of these agencies that are out there, taking up the time of the people that are serving the elderly and those in need of care, need to have the opportunity to be efficient in providing the time to serve those people in the nursing homes the best that they can. If my Governor's for it, I'm not sure. If my Governor's against it, I'm confident that when we pass it out of here and it gets to his desk, if he's opposed to it, Representative, usually he vetoes these things. And when the time comes, when the time comes, if he's going to be opposed to it, we'll find out."

Speaker Black: "Representative Lang."

Lang: "Great answer. I have no idea what the hell he said. Representative, if the Governor can't determine which agency should take the lead on this issue, why should the General Assembly get caught in the middle of this turf battle between two agencies that your Governor and mine controls? Why doesn't he just solve the problem by executive order?"

Speaker Black: "Representative Rutherford."

Rutherford: "Well, Representative, I've not had the chance to discuss this personally with the Governor, but there are times when the General Assembly needs to go and look at the state agencies of government, particularly those that deal in the large constituency areas, like the Department of

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Public Aid, and just say, you know it's right. We've got to do what's right for the elderly that are in our nursing homes. We've got to go out and say it...I can't see you, Representative. We've got to go out and say it's right because we're going to put it together, to be more efficient to serve the constituencies in our nursing homes. You know, I listened to Representative Kaszak. Representative Kaszak's district is different than mine. The constituency...constituency she serves is different than mine, but, you know, I'm hearing the same thing. Representative, I can't see you. Representative, this...the people in her nursing homes have the same needs that the people in my nursing homes have. The administrators in those nursing homes have the same hassles that my administrators have. The time that it takes, I'll repeat, 318 days out of a year are taken to respond to surveys of bureaucrats of state government. You know, when they're out there lobbying on state time, telling us why it's wrong that they shouldn't be the ones to do this, then I am suspect. When they start doing that, Representative, it tells me that there is more of a reason, there's more of a reason for us to go out and pass this legislation. I'm going to tell you, there's only one other, there's only one other group of facilities...Representative, I can't see you. Representative, there's only one other group of facilities in the entire State of Illinois that has more inspection and survey regulations put upon them. Do you know what that is, Representative. That's not a question. The answer is, the answer, Representative, is our nuclear facilities. Now, I can not imagine that we are having such a dichotomy, in regards to the survey and inspection process in our nursing homes that we find them equated to

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the nuclear facilities in our state. That, Representative, is wrong. This legislation very simply, very simply, Representative, takes and provides for the Department of Public Health and it shall enter into cooperative arrangements. So we're all going to work together, Representative, for the Department of Public Aid, the Department of Aging. We're also going to include the State Fire Marshal and any other, as we can read into this, any other entities, any other entities that would be involved with administration and supervision, to coordinate this with the Department of Public Health. Representative Lang, do you have any other questions?"

Speaker Black: "Representative Lang."

Lang: "Mr. Speaker, during my five minutes I've said about 18 seconds worth of words, Representative Rutherford, the rest. Can I have some additional time, Sir?"

Speaker Black: "Well, Representative, you're asking leading questions and I...It's just a sign that you're tired, I know. But your time is expired. Son of a gun. The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. I rise in opposition to Senate Bill 1133. I think no one disagrees that we don't need four to six surveys a year in nursing homes, but I think that Senate Bill 1133 very much jumps the gun. As the Sponsor knows, the Department of Public Aid was more than willing to work toward a cooperative single survey. But the Department of Public Aid, the piper who pays the tune...who pays the money, ought to have something to say about what's going on, in those inspections. The promoters of this legislation want to cut out the Department of Public Aid and I would urge the Members of this Assembly to recognize that it is the participation of the Department of Public

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Aid, that has helped us to control rates for nursing home care in the State of Illinois. I am one who thinks that perhaps we should increase the rates. But I'm here to tell you, that we ought not do that by the back door and that's exactly what Senate Bill 1133 seeks to do. We are told by the Department of Public Aid that every one percent increase in nursing home rates will cost us \$14 million a year. In Vermont, when this legislation went into effect, the rates increased 21 percent. You're talking about \$294 million. We had a lot of discussion on this Floor earlier, about a Bill that would cost somewhere between 2 and \$11 million, and many Members said, we can't afford it. We don't have \$2 million extra. Well, this Bill is asking you for \$294 million extra. \$294 million you are not spending today. I am fearful that this Bill will leave so little surveyed, the nursing homes in our state, that we will risk the life and safety and the health of our residents. Let's go to a single survey. Let's go to a coordinated program. Let's look at a different way of setting rates in the State of Illinois, but let us not throw out DPA inspections, which work to protect safety and health, which work to protect rates. It's the only place where we are controlling rates in Medicaid. Let's not throw it out today, with passage of Senate Bill 1133. I urge your 'no' vote."

Speaker Black: "Further discussion? The Gentleman from Whiteside, Representative Mitchell."

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

Speaker Black: "He indicates he will."

Mitchell: "Representative Rutherford, is there any...Rutherford, is there anything in this Bill that would stop these agencies from working together? Is there anything in this

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Bill whatsoever that would stop these agencies from talking to each other and working together when it comes to the questions or the areas that are looked at when they go...when the Department of Public Health goes into the nursing home for their survey?"

Speaker Black: "Representative Rutherford."

Rutherford: "No, Representative, there's nothing in this that would preclude these state agencies from talking with each other."

Speaker Black: "Representative Mitchell."

Mitchell: "And so, then, the Department of Public Aid could list those needed questions that they have, in order to determine rates, and the Department of Public Health would probably be very capable of answering those questions and working with them, even to the point, probably I would have guessed, that your legislation has nothing that would stop someone from that department even tagging along if they would so desire."

Speaker Black: "Representative Rutherford."

Rutherford: "Representative, you're absolutely right, and if I could just highlight to you and I know you've read this legislation, the one piece in here that specifically says, 'that the Department of Public Health shall enter into cooperative arrangements', and cooperation just like in this General Assembly on both sides of the aisle, means working together. I mean, it's getting to the final conclusion of what we need to have best for the people of Illinois."

Speaker Black: "Representative Mitchell."

Mitchell: "Well, Representative, I was on pretty sound ground, until you made that comparison. That worries me just a little. But I understand exactly where you're coming from."



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Mr. Speaker, to the Bill."

Speaker Black: "To the Bill."

Mitchell: "I rise in strong support of this legislation. As other Representatives have stated on the House Floor, the redundancy that goes on in these surveys, is absolutely ridiculous. This information can be quoted time after time after time and it's like one agency never talks to another and the information cannot be shared. Now, I think we have a Freedom of Information Act. If all comes...if worse comes to worse, we can even impose that to get the information from agency to agency, but the responsibility and the burden should not fall on the nursing homes. I, like other Representatives, have talked to nursing home directors that have had agencies tripping over each other, in order to get their surveys done, even getting into fights as to who gets to go the 'exit' conference first. It's time that we streamline the process, get some agencies to work together, forget the 'turf wars', get the job done, get it done cheaper and faster. I strongly urge a 'yes' vote on this Bill."

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

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I too, would rise in support of this and I think Representative Mitchell made some very good points. Let me also suggest, that whether or not this Bill passes, that the Department of Public Aid will still control the quality care of nursing homes, and for that reason, we can be assured that the quality should not be a factor, regardless of which agency ultimately, will oversee the process. But I can say that it just makes so much sense to me, that here in state government, that we should do something to

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streamline the process, and I think it makes so much sense to the people that we represent that, that...that it's difficult to argue why we haven't already done this. And in fact, in the area that I sometimes work in, in financial areas and in accounting, we've seen the State of Illinois work with the federal government and they signed the Single Audit Act, where we don't have to audit every bank, where we can share the audits with the federal government and we'll do an audit, perhaps, every other year with them. And the point is, that we can save money, we can save time, and quality does not suffer, and that's exactly what I think we see here with this opportunity, to streamline the way we do government in the State of Illinois. You know, we did something like this not too long ago when we went to a single survey process for the developmental disability people, and that process has been very successful and it has eliminated a lot of duplication in the gathering of the evidence and in documents, and it has been generally received by all parties to...as a very positive step forward. I think that we should forget about the turf battles that unfortunately do exist between these state agencies and look at what's best for the people of the State of Illinois and what's best for the residents of the nursing homes in Illinois, and I think that we can make a step forward here today, without hurting any quality. And I would urge all Members on both sides of the aisle to vote 'yes' on this important Bill."

Clerk McLennand: "Rules will meet immediately, Speaker's conference room. Rules Committee, immediately. Speaker's conference room."

Speaker Black: "Further discussion on the Bill? The Lady from St. Clair, Representative Younge."

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Younger: "I yield my time to Representative Lang."

Speaker Black: "The Gentleman from Cook, Representative Lang. Do you wish additional time? Proceed."

Lang: "Thank you. Representative, I would appreciate it if you could answer all these questions 'yes' or 'no'. That would be very helpful to me, if you could do that. Are there any other states that do a single survey? Are there any other states that do a single survey?"

Speaker Black: "Representative Rutherford."

Rutherford: "I would assume there are, Representative, and because of the enlightening debate that Representative Currie brought forward to us, we can assume immediately, Vermont, Texas and Kansas are. Now of course I would assume you are going to go ahead and talk about the costs involved with that. Let me explain that to you before you get into that. One of the things that was of concern to some of these states like Vermont, Texas and Kansas, which had the single survey, was that the Department of Public Aid is saying that their rates have gone up. Well, let me give you some...let me just give you some comparisons here. This Fiscal Note the Department of Public Aid talked about, really had not compared where they are immediately following that. So for...Representative, for example, Vermont. No rates were set below what that facility would have been paid under the new system. The second point to that, in Vermont, was in 1992 a three year lawsuit was settled, resulting in a six dollar per day increase in their rates. Also, another point in Vermont was a Medicaid provider tax of two dollars per day, was implemented, which resulted in a four dollar and forty cent per day rate increase and that included, with the federal matching funds. The other portion to that was that the annual

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fluctuations in the Medicaid daily rate, had steadily declined. Representative Lang, for example. Representative Lang, for example. In fiscal year '92 it was 12.2 percent. In fiscal '93 it was 7.5 percent. In fiscal '94 it was 7.7 percent, and Representative Lang, in fiscal '95 it was 6 percent. Another state, to further answer your question, another state in regards to...You want me to go ahead with this, Representative Lang, or do you have some other question? I'd be glad to go ahead with these. That's enough for now."

Speaker Black: "Representative Lang."

Lang: "According to the Fiscal Note filed by Public Aid, Sir, states that have implemented this rate setting methodology - Kansas, the rates went up 7 percent the first year. Texas rates went up 10 percent each year, since implementation, and in Vermont rates went up 21 percent since 1992. And there's not even any field monitoring in Vermont, only the annual licensure and certification survey. The Department of Public Aid estimates that for every one percent long-term care rates rise, the cost to the State of Illinois will increase by \$14 million. It's a lot of money, Sir. Where are we going to get \$14 million?"

Speaker Black: "Representative Rutherford."

Rutherford: "Well, Representative Lang, I know that you were listening to me when I went through the whole reasoning with Vermont, as opposed to...I mean, I know you were cause you were reading profusely to follow along. But in Vermont, like I explained to you earlier, I went through all those 'bullet' points. But I'll go through with all the rest of the 'bullet' points to make sure that we got them covered for you. Kansas. You gave the example in Kansas. Yes, the state did experience a 7 percent increase

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in rates. But what you didn't...what we may not have clarified in the department's Fiscal Note on this, was that it was a direct result of a lawsuit. This is rather than a change in the reimbursement system. So, Representative, you and I both know that that was not an apple and an orange comparison. An apple's to apple...A bunch of fruit out there comparison. Going ahead with Kansas. The other thing was, Kansas, which has not adjusted to reimbursement rates for inflation, for an 18 month period adjusted those rates to reflect this unrecognized inflation. So, I mean that goes on even further on the Kansas example that you, of course, rightfully noted the increase there. Let me give you another reason that Kansas...Let me give you another reason that Kansas's rates went up the way that they did. Is because that state changed the inflation index and used from the Urban Consumer Price Index to the DRI inflation index. So, Representative, you and I...Representative, you and I both know...you and I both know that those differences will cause that percentage increase for Kansas. While I've just got a little bit of time left, I want to tell you about Texas, too. You talked about Texas being the other state involved with this. The reason Texas had that increase, there was substantial changes in resident acuity, and the changes implemented as a result of a lawsuit. Another lawsuit, Representative, was filed against the state. This required the minimum wage adjustments in 1990 of 93 cents and in '91 a dollar forty. So, Representative, it's real clear why those states have those increases. I'll be glad to answer any other questions you have."

Speaker Black: "Yes, thank you. Representative Lang, time is about to expire."

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Lang: "Thank you, thank you. Representative, aren't we going to have layoffs at Public Aid when... your Bill passes? We're going to have people out of work, aren't we? Aren't people at Public Aid going to be out of work?"

Speaker Black: "Representative Rutherford."

Rutherford: "If we are bringing more efficiency to state government and it requires adjusting and moving head counts from one agency to another, I'm behind that. That's a 'no grow'. That's a 'no grow', Representative. But what's going to happen here, as we experience with DMHDD, is not necessarily a decrease. There will be reassignments from one agency, potentially to another agency. That's the type of thing we'll experience."

Speaker Black: "Further discussion? The Gentleman from Will, Representative Meyer."

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

Speaker Black: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?'. All those in favor signify by saying 'aye', oppose 'nay'. Appearing to the Chair, the 'ayes' have it. Representative Rutherford to close."

Rutherford: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill passed out of the Senate, 57 to 0. There's no other entity or facilities regulated more than our nursing homes in the nuclear facilities. I ask for a favorable Roll Call."

Speaker Black: "The question is, 'Shall Senate Bill 1133, pass?'. All in favor vote 'aye', oppose vote 'nay'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 89 voting 'yes', 24 voting 'no', 3 voting 'present'. This Bill having received

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a Constitutional Majority, is hereby declared passed. Mr. Clerk, committee reports."

Clerk McLennand: "Committee report from Representative Churchill, Chairman for Committee on Rules. To which find, Amendments were referred actually on May 23, 1995. Reported same back, filed recommendations. Do approved for considerations. Floor Amendment #2, to Senate Bill 323. Committee report from Representative Tom Johnson, Chairman for Committee on Judiciary for Criminal Law, to which find joint action motions were referred, action taken on May 23, 1995. Reported same back do approved for consideration. Concurrence; House Bill 686, Senate Amendment #1, House Bill 1069, Senate Amendment #1, House Bill 1237, Senate Amendment #1. Do not approve for consideration. These motions are tabled; House Bill 160 to Senate Amendment #1, House Bill 314 to Senate Amendments #1 and 2. Committee report from Representative Stevens, Chairman for Committee on Executive, to which filing, joint action motions were referred. Action taken on May 23, 1995. Reported the same back, do approved for consideration. Senate Bill... Do approved for consideration, Floor Amendments #1 to Senate Bill 100, Floor Amendment #2 to Senate Bill 662, Floor Amendment #2 to Senate Bill 949. On the Order of Concurrence, House Bill 1270 and Sen... was Senate Amendment #1. Committee report from Representative Hughes, Chairman for Committee on Counties and Townships. To which the following joint action motions were referred, action taken on May 23, 1995. Reported same back, do approved for consideration. Concurrence, House Bill 270, Senate Amendment #2; House Bill 340 with Senate Amendment #1; House Bill 505 together with Senate Amendment #1; House Bill 859, Concurrence Senate Amendment #1 and 2; House

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Bill 939 with Senate Amendment #1; House Bill 1093 with Senate Amendment #1. Do not approve for Concurrence. This motion is tabled. The House Bill 505, Senate Amendment #2. Committee report from Representative Cowlshaw, Chairman for Committee on Elementary and Secondary Education. To which following, joint action motions were referred. Action taken on May 23, 1995, reported same back, do approved for consideration. Concurrence; House Bill 731 of Senate Amendment #1; House Bill 2076, together Senate Amendments #1, 2, 3, 4, and 5. Committee report from Representative Tom Cross, Chairman for Committee on Judiciary for Civil Law. To which following, joint action motions were referred, action taken on May 23, 1995. Reported same back, do approved for consideration. Concurrence; House Bill #2346 together with Senate Amendment #1, House Bill #1816 together with Senate Amendment #1, House Bill #1116 together with Senate Amendment #1."

Speaker Black: "Mr. Clerk, messages from the Senate."

Clerk McLennand: "Messages from the Senate, from Jim Harry, Secretary to Senate. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives. In a passage of the following Bills, together with the attached Amendments and as to concurrence of the House on said Amendments. House Bill 544, together with Senate Amendment #1; House Bill #652, together with Senate Amendment #1; House Bill 1248, together with Senate Amendment #1; House Bill #1523, together with Senate Amendment #1; House Bill 1587, together with Senate Amendments #1 and 2; House Bill #1654, together with Senate Amendment #1; House Bill #2108, together with Senate Amendments #1, 2, 5, 6, and 8; House Bill #2226, together with Senate Amendments #1 and 2; House



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Bill #2230, together with Senate Amendments #1, 2, 3, and 4; and House Bill #2429, together with Senate Amendment #1, passed the Senate as Amended, May 23rd. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their Amendments to Bills of the following titles; Senate Bill #50, House Amendment #1 and House Amendment #2; that the Senate has refused to concur with the House in the adoption of the following Amendments. House Amendment #4 and House Amendment #7 to Senate Bill #50. Action taken May 23rd.' 'Messages from the Senate. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the passage of a Bill of the following title, to wit; House Bill 32, a Bill for an Act to Amend the Illinois Plumbing License, altogether with the attached Amendments; Senate Amendment #1, Senate Amendment #2, and Senate Amendment #3. Mr. Speaker, I'm also directed to inform you that the Senate has concurred with the House in the passage of a Bill, of the following title to wit; House Bill 41, a Bill for an Act to Amend the Public Utilities Act, together with the attached Amendments, Senate Amendment #1 and Senate Amendment #3. I'm also directed to inform the House that the Senate has concurred with the House of Representatives in the passage of a Bill of the following title, to wit; House Bill 90, a Bill for an Act to Amend the Airport Authorities Act, together with the attached Amendments, Senate Amendment #1. Mr. Speaker, I am directed to inform the House that the Senate has concurred with the House of Representatives in the passage of a Bill of the following title, to wit; House Bill 301, a Bill for an Act Concerning Corrections, together with the attached Amendments, Senate

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Amendment #1, passed the Senate as Amended, May 23, 1995."

Speaker Black: "Mr. Clerk, could you please tell me the status of Senate Bill 100?"

Clerk Rossi: "Senate Bill 100, has been read a 2nd time, previously. No Committee Amendments, Floor Amendment #1 has been approved for consideration."

Speaker Black: "And on the Amendment, the Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Yes, thank you, Mr. Speaker. Floor Amendment #1, makes... effects the Chicago Municipal Employees' Pension Fund and the Chicago Laborers' Pension Fund. They're both supported by Mayor Daley and the City Pension Board. I know of no opposition."

Speaker Black: "Discussion on the Gentleman's motion? The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. First of all, a Parliamentary Inquiry."

Speaker Black: "State your inquiry."

Granberg: "Two Bills previous to this, the Parliamentarian ruled, the Chair, I'm sorry, the Speaker ruled, that the question of whether an Amendment is germane, should be brought up in committee. Yesterday, the Speaker ruled through the Parliamentarian, on four separate Amendments, on whether Amendments were germane. They made that ruling from the Chair. So will the Parliamentarian, please rule on whether he was right today or he was right yesterday?"

Speaker Black: "Mr. Granberg, in all due respect to you, I was taught in the last four years, the Minority of the Chair is always correct. Gentleman from Madison, Representative Stephens."

Stephens: "Well, I believe it's a little different if we're discussing Ammm... represent our Amendment by Amendment in

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a vote. But it's one thing when a Bill presents itself before the... before the Chamber. The Amendments have been adopted, to then go back and question whether those Amendments are germane, seems to me to be a little bit too little, a little bit too late. And I think the Chair's decision was very clear, proper, and I'd be glad to stand in support of it."

Speaker Black: "Anyone seeking recognition on the question of Floor Amendment #1. Gentleman from Cook, Representative Dart."

Dart: "Will the Sponsor yield?"

Speaker Black: "He indicates he will."

Dart: "Representative, this is a Bill that's been in my district, at least, was... is being rather contentious with a lot of the firemen sending me letters. Quite a few of them, as a matter of fact. On the Bill, I think, as is originally was in the Senate. Can you explain to me how this is being changed by this Amendment? And also, then I have another question after that. But my really, my real concern was that I gotten hundreds of letters from firemen. In my district, I probably have more than anyone other than maybe yourself. That they had a lot of problems with this. Could you give me some information as to how their concerns have been addressed so that I don't... so that I can go back to my district?"

Speaker Black: "Representative McAuliffe."

McAuliffe: "Yes, this will not change the firemen's benefits. This will not change the firemen's benefits at all. I ask the lobbyist for the Chicago Firefighters' Union, if they objected to these Amendments being put on their Bill, and they said, 'no'. And if they had objected, I would not have put these Amendments on. Further more, the Chicago

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Firefighters' Pension and Benefits has already been concurred in a separate Bill in the Senate. The same Bill, Senate Bill 100, all the benefits for the firefighters' has been concurred in today, in the Senate. So that's on its way to the Governor's desk. But this Bill was still active and the lobbyist for the Municipal Employees' Pension Fund and Chicago Laborers' Pension Fund, asked me..."

Speaker Black: " Representative Dart. Excuse me, I'm sorry, proceed Representative McAuliffe."

McAuliffe: "Asked these lobbyists asked me if we could put, their Amendments, their Bill on... this Bill as an Amendment form. And after checking with the firefighters to make sure they had no objections, I said, 'yes'."

Speaker Black: "Representative Dart."

Dart: "My inclination is, I...this Amendment has been agreed to and it seems that if everything is fair, but I... Roger, you might have gotten the same letters. They were form letters. If those concerns in those letters been addressed by this Amendment?"

Speaker Black: "Representative McAuliffe."

McAuliffe" "They're not addressed by this Amendment. They're addressed by the underlying Bill. Senate Bill 100 is the same Bill that we... that Senate Bill 99 was for the Chicago Police Officers. It has everything in it that the police officers already have and that Bill has already been sent to the Governor, today when the Senate approved the... I think... I forget the number of the Bill, but it's already... it's already gone over there. It's been sent to the Governor's desk. But this just is merely a back up. Just in case something would happen to that. But everything the that fire fighters wanted and everything that the police officers got, is in this Bill. So all the

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form letters you have, cause I got them myself, I have probably as many firefighters as you have, and I wouldn't do anything to jeopardize their pension Bill. I asked their lobbyist and the president of their union, if they objected to these... to these Amendments being put on and they said, 'no'."

Speaker Black: "Representative Dart."

Dart: "One of the major contentions in those letters was that they felt as if, I believe the paramedics were getting a unjust ability to buy into the pension system, which would be at their expense. Has that been either deleted or that has been answered?"

Speaker Black: "Representative McAuliffe."

McAuliffe: "To my knowledge, everybody is satisfied with the way it is. The paramedics did not get everything that they wanted, but they got included in the Bill, but they have to pay some of the money. They wanted to get in and not pay apparently, their fair share and that part has been taken out, to my knowledge."

Speaker Black: "Representative Dart."

Dart: "Yeah, Representative, that was my major concern. Because of the heart of all their letters, was the fact, they felt as if their pension fund was being jeopardized, so these individuals could buy in at... And it would be jeopardizing those. And that part is out. One other question I want to ask you is, I also received, and a lot of this literature and the letters that I received, were from when the Bill was originally introduced. And so, I'm really just trying to clarify all this now. I also received letters from the Firemen's' Annuity and Benefit Fund, which opposed this Bill. What is there position now in regards to this Bill?"

Speaker Black: "Representative McAuliffe."

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McAuliffe: "To my knowledge, they're no longer opposed to it.

Although I did not speak to them and they did not express their view to me. I relied on the... on the lobbyist for the Chicago Fire fighters' Union, to express what I thought would be the majority opinion. With the police officers, there was no dissent at all, cause we didn't have this kind of controversy. I did get some letters from individual fire fighters, who didn't like the Bill in its original form. And I told... I answered them back and said, 'Well, I have probably 800 fire fighters in my district. I can't call everyone on the phone to ask if you agree with this. I have to talk to your... to your representative in Springfield and I feel they do a good job of representing you. And it's probably impossible to satisfy everybody 100%. But to my knowledge, this 99% of the people are satisfied with this'."

Speaker Black: 'Representative Dart."

Dart: "Just one final question. In the letter that they did send me, the thrust of their disagreement, dealt with the language that establishes special class of participants to entit... entitled to withhold contributions without paying interest. Once again, that is a provision that has been pulled out of this, correct?"

Speaker Black: "Representative McAuliffe."

McAuliffe: "To my knowledge, its been modified so they have to pay something now. And the objections from the overwhelming majority of people has been removed. There may be individual firefighters who still are opposed to the Bill, but I think you'd find it 95 or 98% of them, now support the Bill. To the best of my knowledge."

Speaker Black: "Yes, Representative Dart, do you have a further question? Further discussion on the Amendment, the

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Gentleman from Cook, Representative Morrow."

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

Speaker Black: "He indicates he will."

Morrow: "Representative McAuliffe, I'm sorry, I didn't hear a lot of the conversation you had with Representative Dart, concerning the paramedics. Are they included in this Floor Amendment #1?"

Speaker Black: "Representative McAuliffe."

McAuliffe: "No, paramedics are not in Floor Amendment #1. It has nothing to do with them. Floor Amendment #1 covers the municipal employees of the City of Chicago and the Municipal Laborers Union. And it's an agreed Amendment that was worked out with the Mayor of Chicago and has the support of the Mayor and the City of Chicago."

Speaker Black: "Representative Morrow."

Morrow: "Thank you, Mr... not Mr., but Representative McAuliffe. I will with hold further comment on this Bill, until we get to Third Reading, because that is an issue that has been raised to me, by fire fighters in my district. And I'll with hold my comment on that until we get to Third Reading. With leave of the Chair, can I yield my time to... the rest of my time to someone else, Representative..."

Speaker Black: "Certainly."

Morrow: "Mr. Speaker, I yield my time to Representative Granberg."

Speaker Black: " Yes, the Gentleman from Chicago, Representative Granberg." Excuse me, the Gentleman from... excuse me... excuse me, the Gentleman from Clinton, the Gentleman from Clinton, Representative Granberg, I'm sorry."

Granberg: "Thank you, the Speaker from Chicago... the Speaker from DuPage, Representative Black. The Speaker from

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DuPage, I'm sorry, too. Would the Gentleman yield?"

Speaker Black: "He indicates he will."

Granberg: "Roger, just a couple of quick questions. I think, as you know, last fall during the Veto Session, we conducted negotiations on a great pension benefits, pension plans, pension legislation. If my memory serves me correctly, during the course of the fall, we reached an agreement, I believe, with the municipals, the firefighters, and the laborers on similar provisions to this. Are you familiar with that, Representative?"

Speaker Black: "Representative McAuliffe."

McAuliffe: "I'm sorry, I can't say that I am, I don't recall."

Speaker Black: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Representative McAuliffe, if we... we had an agreement, I think, with 12 different pension groups last fall. But the administration did not want to deal with any pension legislation, so we were not able to call that legislation in the Veto Session. But we've reached agreements with all these groups and other groups as well, but unfortunately that was not being able to be called until now. So I rise in support of the legislation, it's better... better to have now, then not at all. So, thank you very much, Mr. McAuliffe."

Speaker Black: "With no one else seeking recognition, the... Representative McAuliffe to close."

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

Speaker Black: "The Gentleman has moved passage of Floor Amendment #1, to Senate Bill 100 and on question, all those in favor signify by saying 'aye', oppose 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk."



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Clerk Rossi: "No further Amendments have been approved for consideration. The Pension Impact Note that was requested on the Bill has been filed."

Speaker Black: "Third Reading. Mr. Clerk, on the order of Senate Bills... on the order of Senate Bills, Third Reading will now appear, Senate Bill 100. Read the Bill."

Clerk Rossi: "Senate Bill 100, the Bill for an Act Amending the Illinois Pension Code State Mandates Act. Third Reading of this Senate Bill."

Speaker Black: "And on the Bill, the Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. I think we answered most of the questions when we debated the Amendment. Representative Morrow had a question, if he would like to ask me the question, I'd be happy to try to answer it."

Speaker Black: "And on the discussion, the Gentleman from Cook, Representative Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies of the House. Could I have a show of hands on my side of the aisle, we can take this Bill off of short debate?"

Speaker Black: "Representative McAuliffe. I'm sorry, Representative Morrow, excuse me."

Morrow: "Yes, this Bill is now taken off of short debate. Mr. Speaker..."

Speaker Black: "I see three hands, but I'll grant you that. Go ahead, all right, it's off short debate."

Morrow: "Will the Gentleman yield?"

Speaker Black: "He indicates he will."

Morrow: "Representative McAuliffe, I received a lot of calls, I won't say a lot of calls, but I've received some calls from firefighters in my district, that oppose the language that allows paramedics to... to purchase credit for service."

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What is... Are you aware of that language being opposed by the firefighters?"

Speaker Black: "Representative McAuliffe."

McAuliffe: "I'm aware of it and I think the question has been answered. I received a couple of letters about it and I think that the problem has been worked out. Senator Raica wanted to put a form in there, that offended many of the firefighters, and that has not been included in this Bill."

Speaker Black: "Representative Morrow."

Morrow: "Well, the reason that I'm just asking that, because that the call that I got from one fire fighter wasn't a very pleasant call. And I tried to let him understand the process that we go down here, that we abide by down here. I said, 'Well, you're one of the few fire fighters that has called me on this issue.'. And I said, 'What if I get a lot of calls from paramedics in favor of the Bill?'. You know, what... but... but that's my own concern. But I wanted to bring that out in debate, because I think the fire fighters need to understand that, those guys also work with them, to save many peoples lives. And if they had not been included in this Bill, or had not been included previously, they should have been included all along. And that fire fighters need to understand, that they are brothers, locked in step with paramedics."

Speaker Black: "Representative McAuliffe."

McAuliffe: "Representative Morrow, I believe that... that everybody is satisfied with the way the Bill is drafted now. And I really don't think there's any opposition."

Speaker Black: "Representative Morrow."

Morrow: "Thank you, Representative McAuliffe, for your time. I would like to yield the rest of my time to Representative Granberg."

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Speaker Black: "Well, let me proceed to the Gentleman from Ha...  
let me proceed with the person whose light is on. The  
Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. To the Bill."

Speaker Black: "To the Bill."

Hartke: "I've received no letters on it and I'm for the Bill.  
Thank you."

Speaker Black: "Thank you for sharing that. Anyone else seeking  
recognition? The Gentleman from Clinton, Representative  
Granberg, has not indicates... indicates he's not seeking  
recognition. With no one seeking recognition,  
Representative McAuliffe, to close."

McAuliffe: "I'll very briefly say, this is what the fire fighters  
have been fighting for, for the last three or four years.  
It takes care of their widows. It raises their... it takes  
care of the widows, it gives them 700 dollars a month,  
minimum. If... for a widow of a fire fighter who retires  
at age 50, with 20 years of service. There's some other  
benefits in there for the fire fighters. It's all been  
agreed to by the City of Chicago. It duplicates what  
we've... what we've passed in Senate Bill 99 for the  
Chicago police officers. In order to be fair to the to the  
firefighters, I would move for your favorable consideration  
of this Bill."

Speaker Black: "The question is, 'Shall Senate Bill 100 pass?'.  
All in favor vote 'aye', oppose vote 'nay'. Voting is  
open. This is final action. Have all voted who wish? Have  
all voted who wish? Have all voted who wish? Mr. Clerk,  
Mr. Clerk, take the record. On this question there are 117  
voting 'yes', none voting 'no', none voting 'present'.  
This Bill having received a Constitutional Majority, is  
hereby declared passed. Mr. Clerk, what is the status of

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Senate Bill 109?"

Clerk Rossi: "Senate Bill 109 has been read a second time, previously. No Committee Amendments, no Floor Amendments approved for consideration. A Fiscal Note and a State Mandates Note have been requested on the Bill. And... as well as a Home Rule Note and those notes have been filed."

Speaker Black: "Third Reading. Mr. Clerk, what's the status of Senate Bill 181?"

Clerk Rossi: "Senate Bill 181 has been read a second time, previously. No Committee Amendments, no Floor Amendments have been approved for consideration. The State Mandates Note that was requested on the Bill, has been filed. A Fiscal Note has been requested on the Bill and has not been filed."

Speaker Black: "I'm sorry, Mr. Clerk, did you say that there's a note that has not been filed?"

Clerk Rossi: "The Fiscal Note and the State Mandates Note that were requested on the the Bill, have been filed."

Speaker Black: "Third Reading. Order of Senate Bills, Third Reading, appears Senate Bill 181, Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 181, a Bill for an Act Amending the Illinois Public Aid Code, Third Reading of this Senate Bill."

Speaker Black: "And on the Bill, the Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 181 is a response..."

Speaker Black: "Proceed, Mr. Novak."

Novak: "Thank you, Mr. Speaker. Senate Bill 181 is an alternative that was supported by many public welfare and public social service agencies. To provide some type of an

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alternative to the Family CAP provision, that we put into the Welfare Reform Law, that was subsequently signed by Governor Edgar, during this spring legislative session. What this provides, it provides the opportunity, on a permissive basis, and I want to underscore permissive, that the Department of Public Aid can issue vouchers, to recipients of AFDC that have children in excess of the two children that they already have. Under the fami... as you know under the Family CAP Law, any AFDC recipient that has more children, will not receive the additional cash benefits. I think is a reasonable alternative. This is an approach that, I think, the Department of Public Aid should take. We shouldn't penalize children for the irresponsible behavior of adults. This is in... this is the essence of this Bill. It simply provides that the Department of Public Aid, may provide for vouchers, for those children that will dis... be disqualified under the Family CAP Law. That is in effect, to allow for vouchers, such as diapers and other necessities, and items for young children. I certainly be available for questions."

Speaker Black: "And on that, the Gentleman from Kendall, Representative Cross."

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

Speaker Black:: "He indicates he will."

Cross: "Representative, just have a few questions about this Bill. This is a voucher Bill? Is that my understanding?"

Speaker Black: "Representative Novak."

Novak: "Representative, you could call it that, it doesn't have anything to do with private schools, however."

Speaker Black: "Representative Cross."

Cross: "So, we're talking... there's not pilot program or a pilot project with the vouchers, this is used in a different

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context?"

Speaker Black: "Representative Novak."

Novak: "Representative Cross, you're correct, there is no pilot program. No pilot program exists of this nature."

Speaker Black: "Representative Cross."

Cross: "Alright Representative, I must have had a different Bill. This doesn't appear to have any... this Bill doesn't have opposition, does it? That you know of?"

Speaker Black: "Representative Novak."

Novak: "I believe not. It passed out of the Senate, 57 to nothing."

Speaker Black: "Representative Cross."

Cross: "Looks like a great Bill, Representative. I hope everyone on our side of the aisle vote for it. Thank you very much."

Speaker Black: "Bill is on short debate. Representative Novak to close."

Novak: "Yes, Mr. Speaker, thank you, Ladies and Gentlemen of the General Assembly. I certainly ask for my colleagues to support this. I think this a reasonable approach. Again, its not a mandate, its an alternative, that we want the Department of Public Aid to consider, for those individuals that will... clients under AFDC, that will not be receiving additional cash benefits. If a young child, who is born into this world, needs diapers or other necessities, to maintain their livelihood, I believe the Department of Public Aid, should at least provide monies, through the money we save by denying the extra cash benefits. I ask my colleagues for your support."

Speaker Black: "Question is, 'Shall Senate Bill 181 pass?' All those in favor vote 'aye', opposed vote 'nay'. Voting is open. This is final action. Have all voted who wish?"

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Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', none voting 'no', 1 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen of the House, if I could have your attention. There are some students visiting with us today, from Mount Carmel Academy in Chicago. They are the guests of Representative Sara Feigenholtz and I believe they are in the Speaker's Gallery. I wish to welcome the students from Mount Carmel Academy. Also in the Gallery, would you welcome, Mrs. Grant's fourth grade class, from St. Michael's School, in Orland Park. Guests of Representative Larry Wennlund. Welcome to Springfield. Mr. Clerk, what is the status of Senate Bill 387?"

Clerk Rossi: "Senate Bill 387, has been read a second time, previously. Amendments 1, 2, and 3, were adopted in committee. No motions have been filed. Floor Amendment #7 has been approved for consideration."

Speaker Black: "And on the Amendment, the Lady from Dupage, Representative Biggert. Oh, I'm sorry. Excuse me, the Gentle... Mr. Clerk?"

Clerk Rossi: "Representative Lang has filed a motion to table Amendment #3."

Speaker Black: "Mr. Clerk, take the Bill out of record. Mr. Clerk, what is the status of Senate Bill 109?"

Clerk Rossi: "Senate Bill 109 has been moved to the Order of Third Reading. I said Senate Bill 109, the Bill for an Act Amending the Probate Act of 1975, Third Reading of this Senate Bill."

Speaker Black: "On that issue, the Gentleman from Cook, Representative Durkin."

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Durkin: "Thank you, Mr. Speaker. Senate Bill 109, increases the annual salary of the public administrator in counties over one million. I take it back, it doesn't make an increase in the salary, it sets as a base, 20 thousand dollars as the salary of the public administrator and as is... in a county over one million with any type of increase, left to the discretion of the county board. Which would be paid out of the funds, in which a public administrator brings in."

Speaker Black: "And on the Bill, the Gentleman from Effingham, Representative Hartke."

Hartke: "Well, Mr. Speaker, wasn't that Bill just on Second Reading?"

Speaker Black: "It was on Second and now it's on Third. To the Bill."

Hartke: "Well, I know I had my light on and I had an inquiry on..."

Speaker Black: "Your light was not on, Sir. You want to speak to the Bill?"

Hartke: "Well, okay."

Speaker Black: "This Bill moved from Second to Third, probably more than fifteen minutes ago."

Hartke: "Will the Sponsor yield?"

Speaker Black: "He indicates he will."

Hartke: "This sets a base salary. What is that base salary?"

Speaker Black: "Representative Durkin."

Durkin: "Twenty thousand."

Speaker Black: "Representative Hartke."

Hartke: "Is there a limit on the top of this salary as well?"

Speaker Black: "Representative Durkin."

Durkin: "Under this legislation, it would be left at the discretion of the county, of the county board."

Speaker Black: "Representative Hartke."



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Hartke: "What is the salary now for this post?"

Speaker Black: "Representative Durkin."

Durkin: "Twenty thousand dollars."

Speaker Black: "Representative Hartke, to you."

Hartke: "Yes, is this a mandate on local government?"

Speaker Black: "Representative Durkin."

Durkin: "No."

Speaker Black: "Representative Hartke."

Hartke: "It's permissive then, to raise the salary to any figure that they'd like to set it. Is that correct?"

Speaker Black: "Representative Durkin."

Durkin: "That's correct."

Speaker Black: "Representative Durkin."

Hartke: "Why is this necessary at all? Is there a limit set now on the salary by the... any statute and so forth, that they can not raise it on their own?"

Speaker Black: "Representative Durkin."

Durkin: "Presently, on a state-wide base, it is set at twenty thousand. Cook County, which would be one of the counties effected by this... one that is effected by this, the public administrator handles approximately 50 to 100 times more cases on an annual basis, than any other public administrator in the state. And the legislation would provide that through the fees which are earned through the administration of the estates. That money would go into the Cook County... would go into the county treasury. And would be at the discretion of the county board to make a... to give any type of increase in the salary from those funds. So, this is not money that's coming out of any type of... it's money that's being brought in from the public administrator. And money would be going back, if they so choose to, give an increase in the salary."

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Speaker Black: "Representative Hartke."

Hartke: "Yes, before I get my time expired, I'd like to remove this from short debate, if it's circumvent."

Speaker Black: "That's fine. Proceed."

Hartke: "Representative Durkin, in the... I'm not familiar with the probate office in Chicago or Cook County. How many people work in that office?"

Speaker Black: "Representative Durkin."

Durkin: "I don't know. I know there's one public administrator and he does have a staff that works with him or her, I don't know."

Speaker Black: "Representative Hartke."

Hartke: "Yes, does... do they have any assistant probate officers that make more money or less money than the probate officer?"

Speaker Black: "Representative Durkin."

Durkin: "I believe that the assistants are county employees that they work off of county payroll. This is a separate salary that we're dealing... talking about."

Speaker Black: "Representative Hartke."

Hartke: "Are you having a problem finding a public administrator for the probate office?"

Speaker Black: "Representative Durkin."

Durkin: "I don't believe so."

Speaker Black: "Representative Hartke."

Hartke: "Yes, is that an appointed position?"

Speaker Black: "Representative Durkin."

Durkin: "Yes."

Speaker Black: "Representative Hartke."

Hartke: "Is that a political position that is appointed?"

Speaker Black: "Representative Durkin."

Durkin: "I couldn't answer that."

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Speaker Black: "To Representative Hartke."

Hartke: "What... who brought you this legislation?"

Speaker Black: "To Representative Durkin."

Durkin: "Senator Peterson."

Speaker Black: "To Representative Hartke."

Hartke: "Does he have an interest in this position or he just felt that it was necessary to increase the quality of the officeholder, to find more qualified people that... that might be able to do the job, that you seek, a possible salary increase for this position?"

Speaker Black: "Representative Durkin."

Durkin: "That last answer is what I believe that, Senator Peterson's aim was."

Speaker Black: "Representative Hartke."

Hartke: "Yes, I'm sorry, I failed to hear the answer to that question."

Speaker Black: "Representative Durkin."

Durkin: "I believe the intent of Senator Peterson was to bring  
....

Speaker Black: "Representative Durkin."

Representative Durkin: "for the services and provide a better, more stable working environment public administrator and to keep them competitive, at least, compensating for the work provided."

Speaker Black: "Representative Hartke."

Hartke: "How many cases does the Cook County office handle every year?"

Speaker Black: "Representative Durkin."

Durkin: "It's difficult to determine..."

Speaker Black: "Yes, Rep... proceed with your answer, Representative Durkin."

Durkin: "I don't have a... an exact figure, but probably in

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excess of 500 cases a year."

Speaker Black: "Representative Hartke, your time has expired. Further discussion, the Lady from Cook, Representative Davis."

Davis, M.: "Mr. Speaker, tell these people to move, please. I'm sorry. Will the Sponsor yield?"

Speaker Black: "He indicates he will."

Davis, M.: "I understand according to the Bill, that some people will have a salary of, is it 20 thousand dollars or less? A minimum of 20 thousand, may I ask why?"

Speaker Black: "Representative Durkin."

Durkin: "Under this Bill, the base salary would be the minimum, the base would be 20 thousand dollars."

Speaker Black: "Representative Davis."

Davis, M.: "Is there a maximum? And if not, why not?"

Speaker Black: "Representative Durkin."

Durkin: "There's no maximum, we're leaving it at the discretion of the county board."

Speaker Black: "Representative Davis."

Davis, M.: "Currently, the maximum salary for that group, is 20 thousand."

Speaker Black: "Representative Durkin."

Durkin: "That's correct."

Speaker Black: "Representative Davis."

Davis, M.: "Why are we now making it a minimum? Why are we doing that?"

Speaker Black: "Representative... Representative Durkin."

Durkin: "That has been the pay rate since 1975 and it was the... cause that public administrator is the executor of... as I said, probably up to 50 times more cases, than any of your public administrator around the state. This is a way of compensating that individual for the work which they

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provide for the county. If it... if the county board does feel it's appropriate."

Speaker Black: "Representative Davis."

Davis, M.: "So, now, at first we thought it would be \$20,000 and now their salary could go as high as \$200,000."

Speaker Black: "Representative Durkin."

Durkin: "That's salary would be left at any type of increases excessive of 20, would be left at the discretion of the county board, in excess of one million."

Speaker Black: "Representative Davis."

Davis, M.: "In excess of one million?"

Speaker Black: "Representative Durkin."

Durkin: "A county that has a population of an excess of one million. Those are the only counties which we're talking about."

Speaker Black: "Representative Davis."

Davis, M.: "I don't understand, Representative, is why we feel it is necessary or incumbent upon us to establish a minimum salary, for salaries that are set by our county board? Why must we set these salaries?"

Speaker Black: "Representative Durkin."

Durkin: "Because we... we're the ones who set the salary back in 1975 and all we're doing right now, is providing a floor for the county to operate with in its own operations."

Speaker Black: "Representative Davis."

Davis, M.: "Well, the revenue for that office, can go as high as 400, over 455 thousand dollars. And based upon that, do you think that the 20 thousand dollar salary would be reasonable? Based upon the fact that this... the revenue that's generated could be over 455 thousand dollars?"

Speaker Black: "Representative Durkin."

Durkin: "I'm not one to judge if... if a county believes anything

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excess of 20 is reasonable or unreasonable, but all we're trying to do is, setting a floor for this particular county, which is Cook County and leave it up to their... their board to provide additional compensation as they deem necessary."

Speaker Black: "Representative Davis."

Davis, M.: "Well, I know we're setting a minimum, Representative, but shouldn't we also set a maximum, as long as we're setting a minimum? And why are we doing it at this time? Why have we not had this in policy or in law before? Why this time?"

Speaker Black: "Representative Durkin."

Durkin: "Well, I've been here for four months, I couldn't answer for anything prior to that."

Speaker Black: "Representative Davis."

Davis, M.: "Well, originally the law stated, I'm sorry, the Senate Amendment stated that the salary could be an increase of up to 60 thousand? And could max out at 60 thousand dollars and now over in the House we want to change that to a minimum of... unlimited maximum, but a limited minimum. Why do we want to do that?"

Speaker Black: "Representative Durkin. Time is about to expire, complete the answer, please."

Durkin: "This would give flexibility to the county board to determine if... the 60 was eliminated. Like I said, it would be... the salary would be, compensation would involve how much work that administrators provided for the county. It could go, if they... it could go up to 21 thousand. We're not putting a mandate if we moved it up to 60 and set it at 60, that would be a mandate, we're not doing that at this time."

Speaker Black: "Representative Davis, your time has expired."

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Further discussion, the Gentleman from Cook, Representative Turner. Representative Art Turner."

Turner, A.: "Thank you, Mr. Speaker, I want to yield my time to Representative Monique Davis. If you don't mind."

Speaker Black: "Yes. Representative Davis, do you wish additional time?"

Davis, M.: "Yes. Representative would you explain the duties of this particular office?"

Speaker Black: "Representative Durkin."

Durkin: "Public administrator acts to protect estate of persons who have died, where there is no living person having a right to administer the estate."

Speaker Black: "Representative Davis."

Davis, M.: "In other words, they're going to administer the estate of a person who is deceased, who obviously has no one to do that for them."

Speaker Black: "Representative Durkin."

Durkin: "That's correct."

Speaker Black: "Representative Davis."

Davis, M.: "We're going to establish the fact that \$20,000 dollars would be the minimum salary, that they can receive."

Speaker Black: "Representative Durkin."

Durkin: "That's correct."

Speaker Black: "Representative Davis."

Davis, M.: "What is the salary for the same job in other counties?"

Speaker Black: "Representative Durkin."

Durkin: "It's 20 thousand."

Speaker Black: "Representative Davis."

Davis, M.: "What is the increase, in what these people handle, as opposed to the other counties?"

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Speaker Black: "Representative Durkin."

Durkin: "It would be impossible to... to compare each county with Cook County."

Speaker Black: "Representative Davis."

Davis, M.: "Representative Durkin, could you give me an estimate or an approximation?"

Speaker Black: "Representative Durkin."

Durkin: "The only way you'd be able to do it, is just by comparing the populations from the individual counties. And asset that against Cook County's population. And if you want to look at the mortality... look in the deceased roles of every year of each county, that's the only way you'd be able to come up with any figure."

Speaker Black: "Representative Davis."

Davis, M.: "Well, it is possible, Representative, that this \$455,000 dollar figure, could be double or more what the other county... it's probably a great deal more, than what others are mandated to... to handle. And perhaps that may be why, a salary of above or way above \$20,000, might be necessary. I'm still concerned, about why you felt it was necessary to remove the \$60,000 dollar maximum and instead, replace it with a \$20,000 dollar minimum."

Speaker Black: "Representative Durkin."

Durkin: "Because we're leaving in the hand of the... of the county board to determine what the appropriate compensation should be for this individual. If we set it at 60, we're placing a mandate on it, on that county. This time, we're leaving it in their discretion, in which time, they could raise it anywhere from 21 thousand to 22 thousand. It would be at the discretion based on what this individual... the work he provides through a fiscal year."

Speaker Black: "Representative Davis."



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Davis, M.: "Representative Durgin... Durkin, I'm from Cook County. What... are you from Cook County, too? Are you a long way from the administrator's offices? Are you a long way from these offices? No?"

Speaker Black: "Representative Durkin, it's a question of location."

Durkin: "I live in the western portion of Cook County. I believe the Cook County Administrator is located somewhere in the Loop area."

Speaker Black: "Representative Davis."

Davis, M.: "Well, why do... why don't we revise this salary structure for other counties as well? This one has not been revised since 1962. And if we feel there's a need to revise this, in Illinois, I'm sorry, in Cook County, why don't we do it for Lake and a lot of the other counties in the state? What is there 101 other counties?"

Speaker Black: "Representative Durkin."

Durkin: "I'd be more than happy to do that in the future."

Speaker Black: "Representative Davis."

Davis, M.: "Perhaps all of them are underpaid. And perhaps all across the state, we should look at the administrators, in each county. And perhaps set minimum salaries for them. I think it's a bit presumptuous, on our part, to just pick out Cook County, as the one that we're going to be 'godfather' over or the 'big brother' for. Is there something rather peculiar about Cook County now, that makes people decide that the decisions have to be made here in Springfield? If so, tell me, Sir, now."

Speaker Black: "Representative Durkin."

Durkin: "I would be more than happy for you to come on as a cosponsor for a Bill, which we can provide at a later date. Which we could assess each one of the counties and

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determine what the appropriate salary range should be, for every public administrator."

Speaker Black: "Yes, Representative Davis, bring your questions to a close. Yes, Representative Dav..., please turn on Representative Davis' light."

Davis, M.: "Thank you, Mr. Speaker. I believe perhaps we should do that and I think we should perhaps let this Bill be a part of that group. When we go in and look at the structure of this salary administrators' for all of the counties and maybe we should do all of them at the same time. So it won't look like we're doing something different with Cook County. Thank you."

Speaker Black: "Further discussion, the Gentleman from Cook, Representative Dart."

Dart: "Thank you, Mr. Speaker. I just have a few questions of the Sponsor. Representative, has the Cook County... Cook County Commissioner's Stroger's office, proposed this or in favor of it? Been talked to in regards to this?"

Speaker Black: "Representative Durkin."

Durkin: "I have no information, one way or the other, what... whether, as to that question."

Speaker Black: "Representative Dart."

Dart: "I... My point was though, the thrust of this Bill though, is that we're going to allow for them to increase the salary of the public administrator. Where is the money going to be coming from to do in... to do this especially seeing as we don't know if the Cook County Commissioner is in favor of this or not?"

Speaker Black: "Representative Durkin."

Durkin: "Presently, their salary is... through the fees which they earn, through administrating the estates. It goes into the county fund and they are paid out of it, that same

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fund. So, every dollar they bring in, suffice to say that the money they bring in, goes toward their salaries. So, this is a... so, we're setting, as I said, we're setting a basement on salary in Cook County of 20, leaving it up to the Cook County Board, at their discretion to determine whether or not a salary increase would be appropriate at anytime. Depending on how much work the individual does and over a fiscal year."

Speaker Black: "Representative Dart."

Dart: "How much money has been brought in, through the fees, for this office?"

Speaker Black: "Representative Durkin."

Durkin: "I couldn't tell you right now."

Speaker Black: "Representative Dart."

Dart: "I guess, what I'm getting at is, that we are not going to have it in a situation where we are depleting the treasury of Cook County board by requiring them to pay a salary to this individual, that may be in excess of the fees that this individual has brought in. My point is, that if this individual has been funded so far by the fees that they have brought in. If they set a salary for this individual, the fees are not sufficient, where... the... will the difference not be made up with county funds that they may have appropriated for other projects?"

Speaker Black: "Representative Durkin."

Durkin: "I don't believe that will be a situation. As I said, if it is permissive on behalf of the board and the money... all the fees which are brought up by the administrator going to the county fund and it would be up to the county board to make that determination whether or not... whether or not an increase, if at all, is warranted."

Speaker Black: "Representative Dart."

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Dart: "I guess may... you maybe can answer the question for me, then. It may be a question of timing. If they set the salary of this administrator at the beginning of the fiscal year, based on what they project the fees to be, and there's a shortfall, do you know where the money would come from? If they set the salary, say at 40 thousand, only brings in fees of nature of 25 thousand, what would the 15 thousand be made up from?"

Speaker Black: "Representative Durkin?"

Durkin: "Is it... under the current statute, fees are always going to be paid out of the amount, which is paid from the pub... the fees that are brought in from the public administrator. We're not changing that in anyway, which is for purpose of legislative intent. It's coming, the money, any type of fee increase would have to come out from the fees, which were generated through that individual."

Speaker Black: "Representative Dart."

Dart: "Thank you. Finally, my concern on this is just that we... I don't where the Cook County Board is on this Bill. We are requiring them to do something different, although, it is discretionary, how high they want to raise this. But with your assurance, that you don't see this as being taken out of other county funds, I think that this is something that may be okay then. But can you give me the assurance, that this is not going to deplete the county treasury, in any way, and that this pay is just going purely based on the fees?"

Whether or not they bring in one dollar or they bring in 100 thousand dollars, it won't come out of the county treasury?"

Speaker Black: "Yes, go ahead and answer the question, Representative."

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Durkin: "Absolutely."

Speaker Black: "Representative Dart, your time has expired. Further discussion, the Gentleman from McHenry, Representative Skinner."

Skinner: "Is there a difference between a public administrator and a public guardian in Cook County?"

Speaker Black: "Representative Durkin."

Durkin: "Well, public administrator, administers a deceased estate, public guardian oversees a variety of issues. They'll oversee, you know, children and also people who are... people who are not able to manage their own affairs."

Speaker Black: "Representative Skinner."

Skinner: "In Cook County are they the same person?"

Speaker Black: "Representative Durkin."

Durkin: "No."

Speaker Black: "Representative Skinner."

Skinner: "Is there any type of a maximum range of salary, that you're looking at here? I understand the public guardian of Cook County is the highest paid public official... the highest paid county official in Cook County. Are you trying to give this guy upwards of 200 thousand dollars a year?"

Speaker Black: "Representative Durkin."

Durkin: "No, all we're trying to do is give the Cook County Board some flexibility, to determine what they think their pay should be for this individual. Since it has been at the same rate since 1975."

Speaker Black: "Representative Skinner."

Skinner: "Thank you."

Speaker Black: "With no one seeking recognition, Representative Durkin, to close."

Durkin: "I ask for a favorable vote."

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Speaker Black: "The question is, 'Shall Senate Bill 109 pass?'

All in favor vote 'aye', oppose vote 'nay'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 97, excuse me 98 voting 'yes', 14 voting 'no', 3 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. For purpose of announcements, Mr. Clerk."

Clerk McLennand: "Executive... The Executive Committee will meet, Tuesday, May 23rd, at six p.m., room 114. Executive, six p.m., room 114."

Speaker Black: "Yes, the Gentleman from Rock Island, Representative Brunsvold. Are you seeking recognition?"

Brunsvold: "Yes, Mr. Speaker, the Democrats request a conference immediately, in 118."

Speaker Black: "Yes, and the Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker. The Republicans would request a conference immediately in room 114."

Speaker Black: "Ladies and Gentlemen of the House, well if I could have your attention, while the respective parties are in caucus, let me remind you that committees start at six p.m.. The House will stand in recess until seven p.m.. Yes, the Gentleman from Clinton, Representative Granberg."

Granberg: "Question of the Speaker. It was indicated to us that the Republicans requested the caucus, that we were going to caucus to assist Republicans. Because they were the ones that initially requested it. We did not request this caucus. We were going to do it at the same time as Republican..."

Speaker Black: "As a courtesy, we went to you first. If you don't want to caucus, that's fine. Stay up here."

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Clerk McLennand: "Messages from the Senate by Jim Harry, Secretary to the Senate. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House, in the adoption of these Amendments, to the Bills of the following title; Senate Bill #164, together with House Amendment #3, Senate Bill #388, together with House Amendments #1 and 2'. Messages from the Senate from Jim Harry, Secretary to the Senate. 'Mr. Speaker, I am directed to inform the House of Representatives, that the Senate has refused to concur with House, in the adoption of these Amendments to the Bills of the following title; Senate Bill #509, House Amendments #1 and 2, Senate Bill #587, together with House Amendment #1, and Senate Bill #5... Senate Bill #265, with House Amendment #4, Senate Bill #1140, House Amendments #1 and 2. Further directed to inform the House that the Senate has refused to concur with the House in the adoption of the following Amendments; House Amendment #3 to Senate Bill 1140.' Attention members. Members are encouraged... Members go eat. Attention members of the House of Representatives, the House will reconvene in five minutes. A message from the Senate by Jim Harry, Secretary to the Senate. 'I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the following Bills, together with the attached Amendments and that is a concurrence of the House in said Amendments; House Bill #1465, together with Senate Amendments #1 and 2, House Bill #385, together with Senate Amendment #1, House Bill #1470, together with Senate Amendment #2, passed the Senate as Amended, May 23, 1995.' Committee report, Representative Stephens, Chair for Committee on Executive, to which

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following joint action motions were referred. Action taken on May 23, 1995. Reported the same back, 'do approve for consideration'. Floor Amendment #3, to Senate Bill 274, and Conference Committee Report #1, to House Bill 206."

Speaker Johnson, Tim: "House will be in order. Members will be in their seats. All unauthorized personnel, please remove themselves from the House Floor. Representative Johnson, in the Chair. Just a moment, just a moment, Representative Lang. Chair recognizes the Gentleman from Cook, Representative Lang."

Lane: "Well, thank you, Mr. Speaker. Could we have a little quiet in here? On a very important..."

Speaker Johnson, Tim: "Yes, we certainly could. If we could have some order! Direct your attention to Representative Lang for his, I'm sure, cogent comments. Representative Lang, proceed."

Lang: "Thank you. Thank you. This is on a point of personal privilege and... and when something like this happens in the Illinois House of Representatives, it of course, needs to be addressed. And accordingly, I plan to address it. And I look across the aisle and I see these signs; 'dump Lou, it's time'. And it really hurts. And I'll tell you why it hurts, because I don't know what Lou Jones did to deserve it. But we do intend to get to the bottom of it. Now the TEC Review staff, that when Speaker Daniels was Minority Leader, you may recall, Mr. Speaker, last year, that Leader Daniels indicated that our TEC Review staff, spent some time in the 'dungeon', making up laws and statutes. I sent them to that 'dungeon' to check the copyright laws. Each of those copied bumper stickers, is a violation of a copyright law. What we have decided to do, on behalf of Lou Jones, to pay her for her aggrievement.



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We are going to sell... we're going to sell autographed pictures of myself and Lou Jones, all the Lou's. And for five dollars each, to pay for the lawyer fees and I thank you very much."

Speaker Johnson, Tim: "We'll refer that to the U.S. Attorney, Rep... Myerscough, and while Representative Winkel and I, and others are strong supporters of both Lou's, the coaches at the University of Illinois. I've seen those signs around too. And of course, we object to those, but who knows what makes reference to these signs, so I appreciate your point of personal privilege. Mr. Clerk, on the order of Senate Bills, Second Reading, read Senate Bill 274."

Clerk McLennand: "Senate Bill #274, Bill's been read a second time, previously. Committee Amendment #1 was adopted, Floor Amendment #2, is referred to Rules. Floor Amendment #3, offered by Representative Brady, is approved for consideration."

Speaker Johnson, Tim: "We'll take this Bill out of the record, for now, and return to it at a later point. Representative Brady is on his way, I believe and we'll return to that later. Mr. Clerk, again on the order of Senate Bills, Second Reading. Could we have some order in the Chamber? Mr. Clerk, read Senate Bill 764."

Clerk McLennand: "Senate Bill #764, Bill's been read a second time, previously. No Committee Amendments, no Floor Amendments. Fiscal Note, State Mandates Note, requested and filed."

Speaker Johnson, Tim: "Third Reading. The Bill is now on the order of Third Reading. Chair recognizes the Gentleman... Mr. Clerk, please read Senate Bill 764."

Clerk McLennand: "Senate Bill #764, Bill for an Act that Amends the River Conservancy Districts Act. Third Reading this

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Senate Bill."

Speaker Johnson, Tim: "If you could have it, I'd be more than happy to recognize you. Representative Hoffman, the Gentleman from St. Clair."

Hoffman: "If you were more than happy, Mr. Speaker, then why didn't you recognize me when it was on Second Reading? Now, I had some questions regarding the Fiscal Note, Mr. Speaker, particularly regarding the one, that was filed falsely. And I would ask that we have those answered and you move it back to second, so I can ask questions regarding the Fiscal Note and the propriety of the Fiscal Note."

Speaker Johnson, Tim: "This is an unamended Senate Bill. The Clerk has indicated that the Fiscal Notes have been filed. Representative Hoffman."

Hoffman: "Well, the question is, is if you're going to stand by the statement made by Speaker Daniels, when he came out and explained the forgeries in the Fiscal Notes and whether you're going to provide proper Fiscal Notes, as he indicated. He said specifically, that he would not vote on a Bill in this House, if we were not aware of the fiscal impact. And I just have a couple of questions regarding the Fiscal Note and what has been filed, where the old one is, and where... what position we're in with regard to the fake and fraudulent fiscal note. That's all I need to ask. If you move it back to second, we'll do that."

Speaker Johnson, Tim: "We'll be glad to accord you this courtesy of returning the Bill to Second Reading. Mr. Clerk, return this Bill to Second Reading, so that you can make your inquiry, Representative Hoffman. We want to accommodate you."

Hoffman: "It's an inquiry of the Clerk."

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Speaker Johnson, Tim: "Proceed."

Hoffman: "Yes, Mr. Clerk..." Speaker Johnson, Tim: " Would you give the Gentleman your attention? I'm sure Representative Hoffman has some very important questions of the Clerk, that the membership would like to listen to. Give Representative Hoffman your attention."

Hoffman: "Yes, in my... in my file, it shows that one of the... this is a Bill... one of the Bills that Rep... that Speaker Daniels listed as having forged Fiscal Notes and, specifically, we only have a copy at this point, of a forged note that was filed, May 18, 1995. Was there, subsequently, another Fiscal Note filed?"

Speaker Johnson, Tim: "Mr. Clerk."

Clerk McLennand: "There is a Fiscal Note filed for Senate Bill 764. Filed by DCCA, signed by Dennis Whetstone. Prepared on the 22nd, filed on the 22nd. This Fiscal Note replaces the other one. And a Fiscal Note request was never made on the Bill."

Speaker Johnson, Tim: "Further inquiries, Representative Hoffman."

Hoffman: "Mr. Speaker, I... that's all I wanted to do. I think we could have done it a lot... in a lot easier fashion. I thank you."

Speaker Johnson, Tim: "Thank you very much, Representative Hoffman. Third Reading, Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill #764 has been read a third time, previously."

Speaker Johnson, Tim: "The Chair recognizes Representative Bost, on the Bill."

Bost: "Thank you, Mr. Speaker, Members of the House. Senate Bill 764 Amends the River Conservancy District Act. Provides that River Conservancy District in single counties, between

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60,500 and 70,000 population, with only one municipality of 5,000 or more population, in the district, shall have a board of trustees, consisting of three trustees from that municipality; two from the county, outside the municipality; two at large. The municipal... Municipal Corporate Authorities have three appointees, and the County Board has four appointees. No more than two appointees for each appointing authority may be from the same political party, increasing the total membership from five to seven trustees. I 'll be glad to answer any questions."

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

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

Speaker Johnson, Tim: "Sponsor indicates he'll yield."

Deering: "Yes, Representative, it's kind of noisy in here and this side of the aisle really couldn't hear a lot of your explanation about what you're wanting to do with this Bill. Can you go through that again, please?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Yes, Representative Deering. It Amends the River Conservancy District Act. It provides that a river conservancy district in a single county, between 60,500 and 70,000 population, may only... with only one municipality of 5,000 or more population, in the district, shall have a board of trustees consisting of..."

Speaker Johnson, Tim: "Give the Gentleman your attention. So that we can hear the answer to Representative Deering's question. I 'm sure that we can conclude our dinners at our tables and desks and still listen to Representative Bost and Representative Deering. Representative Bost, proceed with your answer."

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Bost: "Consisting of three trustees from that municipality. Two from the county outside the municipality and two at large. The Municipal Corporate Authority have three appointees and the County Board has four appointees. No more than two appointees from each appointing authority, may be from the same Political Party. It increases the total membership from five to seven on the board."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Representative, this is for Jackson County, is that not correct? Mr. Speaker, can you mak..."

Speaker Johnson, Tim: "Yes, yes we can. For the third time, if the members of the chamber could address their attention to Representative Deering and Representative Bost, so that we can hear the questions and the answers. We can proceed expeditiously, and conclude this legislation and this line of questioning. So, Representative Deering, the Gentleman from Washington, proceed."

Deering: "Thank you, Mr. Speaker. Representative is this for the Kincaid Lake, Reed's Creek Conservancy District?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Representative Deering, that does fall with in these parameters."

Speaker Johnson, Tim: "Representative Deering."

Deering: "How are these members placed on... How many members on the board right now, and how are these individuals placed on the board?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Representative, right now there are five members on that board. Two of those members are appointed from the city, or municipality, in the county. And then three, are from county at large. What this does is, it creates two more positions. One more for the city and one more for the

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Speaker Johnson, Tim: "Representative Deering."

Deering: "So what could the potential political makeup be as far as membership? Four and three?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Four/three, because no one Political Party could have more than four members on the board."

Speaker Johnson, Tim: "Representative Deering."

Deering: "What's the current makeup of this board, politically?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Currently, of that particular board, they're all of one party."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Are they... have they been found in any audits where they have misappropriating any funds or misspending any money? Why do we need to go in and local control again and try to make these changes?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Representative, it is my understanding, that Senator Dunn, presented this legislation at the request of several of the constituents from the area, after some problems that have developed with this board and some concerns that he had."

Speaker Johnson, Tim: "Representative Deering."

Deering: "So, these are appointees, correct? That it's not, that's not an election at large in the county. They're strictly appointees, right?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "They are appointees."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Is the Conservancy District, does it have the authority to levy and increase property taxes?"

Speaker Johnson, Tim: "Representative Bost. You have 30 seconds."

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Bost: "No, I do not believe so, as far as property taxes. They may levy property taxes, they may issue bonds."

Speaker Johnson, Tim: "Representative Deering. You want to bring your comments and questions to a close."

Deering: "Thank you, Mr. Speaker. So, just nod your head, Representative, they can issue bonds, you said? Okay, now, if they issue these bonds, do they have to go through a 'front door or back door' referendum, to get the individual's to pay them off?"

Speaker Johnson, Tim: "Go ahead. Just conclude your... conclude your answer."

Bost: "I don't know the answer to that question, on that."

Speaker Johnson, Tim: "Chair recognizes the Gentleman from Williamson, Representative Woolard. Representative Woolard, proceed."

Woolard: "Will the gentleman yield?"

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

Woolard: "Representative, let's make sure that we don't leave a wrong impression here. You said, maybe the Senator had proposed this Bill, had identified that there may have been some things wrong, or less than desirable. Would you like to address that?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Yes, there was some questions and some... some members of a county, apparently, got upset because there were some land transfers that were possible... were going to take place. There were many concerns around the county. When they went to the board, there were several problems that came from the board. And so, that's why he was pro... why he was asked for this legislation."

Speaker Johnson, Tim: "Representative Woolard."

Woolard: "In the distribution of this 4/3 balance that you're

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seeking, in the election process, let's say that in the first election, if there's going to be four members elected from that area, and let's say in the... not elected, appointed, I'm sorry. And let's say the makeup of the county board and the city government is of one Party and all four of those appointees then are of the same Party. Does that preclude anyone from that Party being considered in the next election or the next appointing process?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "No more, whenever the city appoints, no more than two can be of the same Political Party. And when the county appoints, no more than three of any Pol... can be of the same Political Party."

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

Deering: "So, there could be five of the same party, rather than four, is that what you're saying?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "You're correct. I was incorrect a while ago. The... no more than five, because each one of those are appointed by the individual municipality and the county."

Speaker Johnson, Tim: "Representative Woolard."

Woolard: "Have you reason to believe that a seven member board will be more efficient than a five member board?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "I believe it'll be better representation for the whole district. More people to communicate with and hopefully that people can get their views across to."

Speaker Johnson, Tim: "Representative Woolard."

Woolard: "Let's go back to the distribution of where these people would live geographically in the district. I think I understood something about a certain number would have to come from the unincorporated areas of the county?"



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Speaker Johnson, Tim: "Representative Bost."

Bost: "Yes, Representative, three would come, just a moment. Three from the municipality, two from the county, and two at large. So, two can come from even inside the municipality."

Speaker Johnson, Tim: "Representative Woolard."

Woolard: "Would there be any cha... is there any compensation for these board members at the present time and would there be any change in that under this proposal?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "It's our understanding the fiscal impact will be none. So, I'm... would say that they're probably not."

Speaker Johnson, Tim: "Representative Woolard."

Woolard: "To be more specific, Representative, is there any compensation? Is there any per diem or expenses paid to these members for their meetings?"

Speaker Johnson, Tim: "Representative Bost."

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

Speaker Johnson, Tim: "Representative Woolard."

Woolard: "To the Bill."

Speaker Johnson, Tim: "To the Bill."

Woolard: "You know I'm familiar with this area, it's in Representative Bost's region and I think that most of us are aware of the fact, especially those that were here before, that there is a major economic opportunity for this district, in this area. And we're very excited about some of those things that are taking place. I don't really see, Representative, that seven members is going to be better than five. I understand that you're trying to accomplish something to insure that there will be some minority representation and that's something that we can understand. Mr. Speaker, I'd like a verification of this, if it

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receives a requisite number."

Speaker Johnson, Tim: "You're request for a verification is acknowledged. The Chair recognizes the Gentleman from Madison, Representative Steve Davis. Proceed, Representative Davis, your light's on."

Davis, S.: "Yes, thank you, Mr. Speaker, I'd like to yield my time to Representative Woolard."

Speaker Johnson, Tim: "The candidate for Minority Leader, Representative Woolard. Proceed."

Woolard: "I'd like to yield the time to Representative Lang, if I may?"

Speaker Johnson, Tim: "Well, I was going to recognize Representative Lang, in any event. So, you've yielded your time to Representative Lang, so the Gentleman from Cook, Representative Lang, proceed."

Lang: "Thank you very much, and I'm speaking for all the Lou's on this side of the aisle, as we proceed tonight. Will the Sponsor yield?"

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

Lang: "Thank you, oh, I'm told I'm not speaking for the other Lou, she'll have to speak for herself. Representative, I noticed in the Bill that you've narrowed this down, pretty well, to a small population range. And you didn't pick 50,000 to 75,000, you didn't even pick 60,000 to 70,000, you picked 60,500 to 70,000. Why did you do that?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "That's the way the Bill was drafted in the Senate."

Speaker Johnson, Tim: "Representative Lang."

Lang: "The answer was, 'that is the way the Bill was drafted in the Senate'? Representative, it's your Bill! What's it for? Why is it written this way? Maybe there's some other municipalities that should get in on this, what's the Bill

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do, Sir?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Representative Lang, it amends the River Conservancy District Act. Provides that a River Conservative District in a single county, between 60,500 and 70,000 population, with only one municipality of 5,000 or more population in the district, shall have a board of trustees; consisting of three trustees, from that municipality, two from the county outside of the municipality, and two at large. The Municipality Corporate Authorities and three appointees and the county board and four appointees, no more than two appointees from each appointed authority may be from the same political party. Increasing the total membership from five to seven."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, I think I'm going to have get Representative Deering, over here to interpret your English. I have no idea, what you said, Sir. But beings though, I don't know what you said, let me just... let me just proceed, let me just proceed. So, Sir..."

Speaker Johnson, Tim: "Give the Gentleman you attention."

Lang: "Thank you, so much. Sir, does this only effect Jackson County?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "It will effect any county that falls in those parameters."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, I know you've checked your atlas, today. How many counties in Illinois, fall between this population range? Have no idea, do you? Alright, well, beings that you have no idea, let's go on. Representative, you've set up these... these new members of this board. Have you put anything in here, regarding the potential conflict of

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interest or ethical considerations? Have you said in here that these people can't own a river boat? Have you said in here that these people can't own any of the land around the River Conservancy District? Have you indicated anything regarding that, Sir?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "They'll fall under the same ethnics laws as the previous board."

Speaker Johnson, Tim: "Representative Lang"

Lang: "What ethnics rules of the previous board? What are they, Sir?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "I don't have that information in front of me."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, is the only information you have in front of you, your analysis of the Bill, is that it? If that's it, maybe you want to just xerox it and pass it out. We thought maybe, that since you're running this Bill, and since this is the end of May, and you've been here, representing this district since January, that you might know who this Bill applies to and what the heck it's for. You want to tell us what you know about this Bill, other than what you've read to us? Other than what you've read to us, Edgar Bergen? Other than that?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Was that a question on the Bill?"

Speaker Johnson, Tim: "Representative Lang."

Lang: "We'll try a better question, because I've even stumped your Mr. Clark, who's scratching his head. Apparently he never heard of Edgar Bergen. At any rate, you refer to a municipality in here, of 5,000 or more. What municipality is that, Sir?"

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Speaker Johnson, Tim: "Representative Bost."

Bost: "Well, in... I don't know which municipality it would deal with in the other counties, but in this particular... but in the county that I know it will effect, that would be the City of Murphysboro."

Speaker Johnson, Tim: "Representative Lang. Could you bring your comments and questions to a close."

Lang: "And... well don't forget I have my five minutes, Sir. And do you live in the City of Murphysboro, Sir?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Up until the last two weeks, I was going home every weekend, but now the last two weeks..."

Speaker Johnson, Tim: "Representative Lang, I did indicate that I would give you five minutes of your own. So, proceed."

Lang: "Thank you, so much, and I appreciate it. Representative, but the home that you will visit when we leave here, hopefully at the end of this week, is in Murphysboro, is it not?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Yes, I do live in Murphysboro."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, it's a fine community and I hope to come down there and visit you this summer. But let me ask you, if you feel you're slighting the rest of your district, Sir? How many people live in Murphysboro?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Representative Lang, this is not just... this legislation the way it's written, does not just affect Murphysboro. It affects any one of those districts that are described by this. And, if... and with this that will affect Murphysboro, it also affects all of Jackson County."

Speaker Johnson, Tim: "Representative Lang."

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Lang: "So, do I take that to mean that you don't know how many people live in Murphysboro? Or you do? Or, I know it's one less than it was a couple of weeks ago, cause you're not there. How many people live in Murphysboro?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "The population of Murphysboro, is 9,900."

Speaker Johnson, Tim: "Representative Lang."

Lang: "So, that's not... it's about 10 % of your district. Are... is the other 90% of your district, that you don't live in, going to get some benefit from this very important piece of legislation, that we're spending this kind of time on?"

Speaker Johnson, Tim: "Representative Bost, in regard to the question."

Bost: "As a legislator from the 115 district, if anyone from my district comes with me, comes to me with a concern, I'll work on it, just as hard as I will for anybody else."

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

Lang: "Well, did anybody else in your district, come to you for a piece of legislation for their community that they live in? Or is Murphysboro the only community you're helping with your legislation this year?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "This this conservative dis..."

Speaker Johnson, Tim: "Representative Lang, are you concluded?"

Bost: "This district, this district, not only affects Murphysboro. It affects, Ava, it affects Campbell Hill. It affects all of Jackson County, or over half of Jackson County. This is an important area in our district. And a major, that the main water source for that entire side of the county. It is... it does affect a lot more than just Murphysboro."

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Speaker Johnson, Tim: "Representative Lang."

Lang: "What communities do the current trustees of this conservancy district live in."

Speaker Johnson, Tim: "Representative Bost."

Bost: "The... Two live in the City of Murphysboro. Three live in Jackson County, outside the city limits of Murphysboro."

Speaker Johnson, Tim: "Representative Lang."

Lang: "So they live in unincorporated Jackson County. Is their post office..."

Do they get their mail in Murphysboro?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "I believe, I believe that a few of them get theirs in Ava and other districts...other areas around."

Speaker Johnson, Tim: "Representative Lang."

Lang: "So, not all five of these people get their mail in Murphysboro, just the two, and the two you want to add and of course, yourself. You get your mail in Murphysboro, now don't you?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Actually, not the two I want to add, will live in Murphysboro. It will be the one I want to add to Murphysboro, according to this legislation..."

Speaker Johnson, Tim: "Representative..."

Bost: "And myself who lives in Murphysboro. I receive some mail there. I receive some at my district office in Carbondale, and I receive some up here."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Have you already determined who you want the new people on this board to be?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "That is not for me to decide. It leaves it strictly up to

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the Mayor of the city of Murphysboro and his people that he puts on to...that work together with the city council to make those appointments and the county board and the people that work with the county board and the people that work with that county board to make those appointments."

Speaker Johnson, Tim: "Representative Lang, if you could bring you comments to a close..."

Lang: "Yes, a couple more. Sir, the Mayor of Murphysboro, under your legislation will choose this person. Is the Mayor of Murphysboro a member of your political campaign staff?"

Speaker Johnson, Tim: "If you could just answer the question..."

Bost: "Representative Lang, the Mayor of Murphysboro is a fine man, but he is...and he is from the Democrat Party. He is not from the Republican Party."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Effingham, Representative Hartke."

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

Speaker Johnson, Tim: "Indicates that he will."

Hartke: "This has been a very interesting debate. The River Conservatory District...how large an area does it contain?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "I'm sorry, Representative Hartke, I didn't hear your question. Could you repeat your question, please?"

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "How large an area does it contain?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "This particular conservative district is described, that would be in Jackson County, that falls under this legislation, is just a little bigger than half the county. It does not include the city of Carbondale, which is the major city in Jackson County."



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Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Let me ask you some 'yes' or 'no' questions. Does any of this River Conservancy District involve Williamson County? Yes or no?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "No."

Speaker Johnson, Tim: "Proceed."

Hartke: "Does any of the River Conservancy District involve Franklin County?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "No, just Jackson County."

Speaker Johnson, Tim: "Representative Hartke, do you have further questions?"

Hartke: "Yes, I do. Does any of the River Conservancy District involve Jefferson County?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "No."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Is this River Conservancy District involve an economic development project for one particular community?"

Speaker Johnson, Tim: "Representative."

Bost: "This legislation doesn't deal with economic development. This legislation deals with the restructuring of the board, of any municipi...or any conservative districts that falls within these parameters."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Will this piece of legislation up the possibility of an economic development project, which is part of the River Conservancy District?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "And which project would that be?"

Speaker Johnson, Tim: "Representative Hartke."

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Hartke: "Representative Bost, I think this dang thing is going to pass. Just tell us what it does."

Speaker Johnson, Tim: "Representative Bost."

Bost: "Senate Bill 764 amends the River Conservative District Act, provides that a river conservative district in a single county, between 60,500 and 70,000 conserve...70,000 population, with only one municipality of 5000 or more population in the district, shall have a board of trustees consisting of three trustees from that municipality: two from the county outside the municipality and two at large. The municipality and corporate authorities have three appointees with the county board and has four appointees, no more than two appointees for each appointee authority may be from the same political party, increasing the total membership from 5 to 7."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "Boy, Representative, you are sticking to that line like a turtle sucks up to Bud, let me tell you. That is pretty good. I really wish I knew what this Bill did. I don't think it's doing any harm at all, but.. Has there been a Fiscal Note filed on this piece of legislation?"

Speaker Johnson, Tim: "This Bill is on the order of Third Reading, Representative."

Hartke: "I'm just asking the Clerk if it has been. Oh, let me ask another question. This doesn't have anything to do with Fayette County, does it?"

Speaker Johnson, Tim: "Representative Bost."

Bost: "Not unless it falls in these parameters, and I don't know Fayette County well enough to know whether it does do that or not."

Speaker Johnson, Tim: "Representative Hartke."

Hartke: "I know that the river runs, you know, sort of winds

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through in... How about Union County?"

Speaker Johnson, Tim: "Representative Bost, you have twenty-five seconds."

Bost: "Union County doesn't meet the qualifications under this, no, Representative Hartke, it doesn't."

Speaker Johnson, Tim: "Representative Hartke, could you bring your comments and questions to a close?"

Hartke: "Could you explain why it doesn't meet the qualifications. Are you absolutely sure that it doesn't fit the parameters within the population? Is there no community in that county that meets the population requirements of that municipality?"

Speaker Johnson, Tim: "Simply answer the question, Representative, and we'll conclude."

Bost: "I'm pretty sure, knowing the district as well as I do, that Union County does not fall into these parameters."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Coles, Representative Weaver. For what purpose do you rise?"

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

Speaker Johnson, Tim: "The question is, 'Shall the main question be put?' All in favor signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The main question is put. The question is, 'Shall Senate Bill 764 pass?' Those in favor signify by saying 'aye', those opposed by voting 'no'. This is final action. 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 75 'yes' votes, 30 'no' votes, 5 'present' votes, and I did acknowledge earlier for one of the Representative's request for a verification. Who made the request? Representative

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Woolard, you made the request? You are now withdrawing the request? Representative Morrow."

Morrow: "Yes, thank you, Mr. Speaker. Ladies and Gentlemen of the House, for some reason, Representative Pugh's and mine buttons weren't working at the time and Gene Moore, our buttons weren't working at the time and...it's hard to pronounce your name, Representative Rod Blagojevich. Our buttons did not work at the time. That is why we're not recorded... We've got to... My key is working because I am able to speak. So I'd like to be recorded as voting 'present' even though it doesn't affect the Bill, but I would like to be recorded as voting on that Bill."

Speaker Johnson, Tim: "You will be so recorded. Representative Pugh."

Pugh: "Same thing."

Speaker Johnson, Tim: "Representative Pugh, you will be so recorded. Representative Moore, same request. You will be so recorded. Any further? Representative Blagojevich, is that your request as well?"

Blagojevich: "With all due respect to the Sponsor, my request would be recorded 'no'."

Speaker Johnson, Tim: "You will be so recorded. On this question, there are 75 voting 'yes', 30 voting 'no', 5 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. On the order of Senate Bills, Second Reading. Mr. Clerk, what is the status of Senate Bill 387?"

Clerk Rossi: "Senate Bill 387 has been read a second time previously. Amendments #1, 2, and 3 were adopted in Committee. A Motion has been filed by Representative Lang to table Amendment #3."

Speaker Johnson, Tim: "Representative Lang, the Gentleman from

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Cook."

Lang: "Thank you. I would..."

Speaker Johnson, Tim: "No, Representative Lang, we're simply going to call the question. It is not a debatable issue. You rise for a different purpose?"

Lang: "Well, actually, I move to table Amendment #3 because it's out of order, but if you wish, I'll make a Parliamentary Inquiry. I would ask the Chair to rule that Amendment #3 is out of order because Amendment 1 and Amendment 3 both refer to Section 13. No Bill can have two Section 13's, and accordingly, Amendment 3 must be out of order."

Speaker Johnson, Tim: "If you could be at ease for a moment, we will respond to your inquiry, Representative. This Bill will be taken out of the record. Return to the Bill at a later point. Thank you, Representative Lang. Now proceed to the order of Senate Bills, Third Reading. Mr. Clerk, read Senate Bill 907."

Clerk Rossi: "Senate Bill 907, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Third Reading of this Senate Bill."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Kubik, on the Bill."

Kubik: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the title of this Bill is extremely misleading. Let me tell you that this Bill, as amended, does nothing...has nothing to do with the Water Reclamation District Act. So, for those of you who might be a little excited about that, don't worry about it. The Bill would amend the Condominium Property Act, to permit creation of condominium units on leased property. Number one, when the lessor is in an organization, tax exempt, under Section 501 C3 of the Internal Revenue Code, and two, when the expiration or

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termination of the lease, would terminate the condominium. What this Bill essentially does, is allow for tax exempt organizations such as colleges, et cetera, to allow condominiums to be placed on leased land. There are protection built in the Bill that would notify those people who are in condominiums of this situation and what it does is, many universities or colleges have property around them, that they like to build buffer zones around their...around their universities and they...so they buy property around the university. And what they want to do is create these situations, so that they have investment property. So, the proponents of this Bill are the Catholic Conference of Illinois and various others. I'd be happy to try to respond to your questions and would appreciate your support."

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

Lang: "Thank you. Before you start the timer, Sir, I have various inquiries of the Chair. May I proceed, Sir?"

Speaker Johnson, Tim: "You may proceed."

Lang: "The first inquiry is, as to the Fiscal Note. I see a Fiscal Note that looks like one of the phony notes, Sir, filed by DCCA on May 18th at about 10:00 a.m. That was on Mr. Daniels' own list. Has... What happened with that Fiscal Note, Sir?"

Speaker Johnson, Tim: "Mr. Clerk."

Clerk Rossi: "That Note is still on the Bill file and will be retained as part of the official record on that Bill."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Is there a new Fiscal Note filed?"

Clerk Rossi: "A new Fiscal Note has been filed. It was filed on May 21st and is signed by the Director of DCCA, Dennis

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Whetstone."

Speaker Johnson, Tim: "Representative Lang."

Lang: "The next inquiry would be this. Why is it on some Bills that fall under Mr. Daniels' list, we have held the original document intact and required new documents and on other Bills on Mr. Daniels' list, people have been allowed to tamper with the evidence and sign the original Note that was filed? Why do we have this inconsistency?"

Speaker Johnson, Tim: "We've responded as you have made your inquiries, periodically, Representative Lang. Further inquiry?"

Lang: "Oh..."

Speaker Johnson, Tim: "Do you want to... Do you want to address the Bill now?"

Lang: "Well, no. I have one more inquiry, Sir. It's a Parliamentary Inquiry as to whether the Amendment is germane."

Speaker Johnson, Tim: "If we could just be at ease for a moment. You might state the basis for your apparent belief that the Amendment is not germane, even though we are on Third Reading. Proceed."

Lang: "Thank you. I'd be happy to, Sir. The Bill amends the Metropolitan Water Reclamation District Act. The Amendment is an Act to amend the Condominium Property Act. I don't see how they relate to each other. It can't possibly be germane."

Speaker Johnson, Tim: "That question could have, but was not raised in Committee, Mr. Lang, and accordingly, your point is not well-taken. Representative Lang."

Lang: "Sir, by what rule of the House or Robert's rules of order, even Nemo's rules of order, if he can cite it, is there a requirement that this be raised at any particular time?. I

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can raise this at any time, Sir?"

Speaker Johnson, Tim: "It's the ruling of the Chair. If you wish to overrule the Chair, you may proceed."

Lang: "Well, this is pretty disingenuous ruling, Sir, even by your standards, but I will move to overrule the Chair and ask for a Roll Call Vote."

Speaker Johnson, Tim: "The question is, 'Shall this Chair be sustained?' Those in favor of sustaining the Chair vote 'yes'; those opposed 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 63 voting 'yes', 52 voting 'no', and the Chair is sustained. Further discussion on the Bill, Representative Lang? Proceed."

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

Speaker Johnson, Tim: "The Sponsor indicates he will yield."

Lang: "Representative, the Chicago Bar Association seems to be very much opposed to your legislation. Can you tell me why?"

Speaker Johnson, Tim: "Representative Kubik."

Kubik: "No, I don't know why."

Speaker Johnson, Tim: "Representative Lang."

Lang: "They have never expressed anything to you in any way? Are you shocked and appalled to know that...and outraged to know that they are opposed to your legislation?"

Speaker Johnson, Tim: "Representative Kubik, are you shocked and outraged and appalled?"

Kubik: "Well, not only, have they not expressed 'shocked and appalled', they haven't expressed any opinion to me about the Bill."

Speaker Johnson, Tim: "Representative Lang."

Lang: "So are you...were you about to tell us that there are no



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known opponents to this Bill?"

Speaker Johnson, Tim: "Representative Kubik."

Kubik: "There... Again, Representative, they have not made their opposition known to me and I don't know of any opponents to the Bill."

Speaker Johnson, Time: "Representative Lang."

Lang: "How does this Bill expand the definition of the term 'unit owner'?"

Speaker Johnson, Tim: "Representative Kubik."

Kubik: "As you can see in the Bill, it would say that in the case of a lease hold condominium, the lessee or lessees of the unit whose lease holds ownership of the unit, expires simultaneously, with the lease described in Item X of this Section."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Okay now, Representative, perhaps someone can help you tell this to us in English, so that people who are not lawyers understand it. I dare say, you are not sure what you read to me. So, why don't you find out what this Bill does. Take it out of the record and tell us what it does. The Chicago Bar Association is opposed to it. I'm an attorney, I'm not a condo expert. I know you're not a condo expert and so, I don't think either of us really has a good handle on why they would be opposed, but if..."

Speaker Johnson, Tim: "Representative..."

Lang: "...if the Chicago Bar Association condo committee, took the time to send about a four page letter down here to tell us why they're opposed, perhaps there...issues involved in Senate Bill 907 that you should be more familiar with. Do you want to just hold this, until we get to the bottom of it, Sir?"

Speaker Johnson, Tim: "Representative Kubik."

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Kubik: "Representative, what the...what the Bill does, is to allow for condominiums to be built on 'lease hold property'. Now, as I explained in my opening remarks, as many...particularly around universities... as you know, many universities receive requests from people who are former students, and what happens is, they build buffer zones around these particular universities. The university owns the property and what they do is, they are willing to build condominium units on this property in order to create investment income and at the same time, create a buffer zone. So what this Bill does, essentially, is to allow for these condominiums to be built on 'lease hold property'."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Have we ever had such a 'lease hold' condominiums before this Bill?"

Speaker Johnson, Tim: "Representative Kubik."

Kubik: "We have not in Illinois, Representative Lang, but in nearly forty states and this Bill conforms to the Uniform Condominium Act and Uniform Common Interest Ownership Act, which is the law in forty other states."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, does that make us one of the enlightened ten or unenlightened ten? Let me ask you this, Sir. Before I proceed, I would like to take this Bill off of Short Debate, Mr. Speaker, joined by many more than the requisite number."

Speaker Johnson, Tim: "Your request is acknowledged, Representative Lang."

Lang: "Thank you very much."

Speaker Johnson, Tim: "If you could bring..."

Lang: "Representative, how do you change the definition of the

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term 'developer'? Don't look at your notes. It's a quiz."

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

Kubik: "I'm sorry, Representative Lang, the definition of 'developer'? Is that the question?"

Speaker Johnson, Tim: "Representative Kubik, your time has expired, but if you want to answer Representative Lang's question, I'll be glad to acknowledge that ability. If you'd simply answer the question."

Kubik: "I'm sorry... Representative, this Bill does not necessarily expand the term 'developer'. What it does do, when it talks about 'developer', it expands the process of the 'developer' that the 'developer' is involved in. For example..."

Speaker Johnson, Tim: "Do you want to bring your response to a close, Representative Kubik?"

Kubik: "In addition to being able to develop 'fee simple' property, they would be able to develop on 'lease hold' property."

Speaker Johnson, Tim: "The Chair recognizes the Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker, will the Sponsor yield for some questions?"

Speaker Johnson, Tim: "Indicates that he will yield."

Erwin: "Thank you. Representative Kubik, it's my understanding that since 1963, the General Assembly has, repeatedly, or on numerous occasions, rejected legislation enabling the creation of 'lease hold condominiums'. Can you tell me what is driving this issue now? Who wants this?"

Speaker Johnson, Tim: "Representative Kubik."

Kubik: "Basically, Representative, as I understand it, the people who are interested in these, as I indicated earlier, are usually universities and colleges where... I know we're

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having a difficult time making eye contact here. But universities and colleges who have, as I pointed out earlier, who have had requests and gifts of property, that have been placed around the university and they attempt to build buffer zones, so that they keep the universities....buffer zones. I think you are nodding your head. I think you understand what I'm saying, and by allowing this particular piece of legislation, what they can do is build housing. They can build those sorts of things on property that they own, but they would lease to a developer...but they would control the use of that property and that is why they are looking for these kinds of a...this kind of a Bill."

Speaker Johnson, Tim: "Representative Erwin."

Erwin: "Thank you. That helps me better understand. Thank you. Representative, while appreciating that, and I do have some universities that, do indeed, every time a brownstone goes on the market, they buy it up in my district and take it off the tax rolls, I might add. My understanding is, that some other states that have this, that permit 'lease hold condominiums', that it is very confusing to buyers of condominiums and one of the concerns about your legislation is, that there is not sufficient disclosure requirements, and that, indeed, someone who wasn't really apprised of what they were buying at, like a condominium. I happen to be a condominium owner. I've been in on a condominium board. Condominium law, I will attest to, I think, is the most singularly confusing thing, that I have ever run into, but even worst than that, I am told that in other states, they have very serious problems with consumer understanding and disclosure of these complicated lease purchases. And so much so, Representative Kubik, that in California,

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lenders are requiring forty years being left on the lease to make a loan, to make a mortgage to someone buying into the lease, and in that, indeed, the market has dropped, the bottom fell out of these particular things because of these serious issues. So, I just, in closing, would arise to oppose this. I think, Representative, that while there may be some not-for-profit institutions that have a particular problem, I think that this is something that definitely needs more study down here. I just feel very sure that many of us don't have a clue as to what the full implications are here and, in terms of representing to our constituents, that there is this new entity on the market called the 'lease hold condominium' that I just...I would urge you to slow this down a bit and let us look at it for the Summer and Fall and possibly get back to this issue in November. So, at this time, with all due respect, I'm sure to your interests here, I would urge a 'no' vote."

Speaker Johnson, Tim: "Thank you. The Chair recognizes the Lady from Lake, Representative Andrea Moore."

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

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

Kubik: "I would just like to respond to one of the concerns that has been raised by Representative Erwin, prior. That was the issue of disclosure. Part of the element of this Bill, Representative, is to provide for disclosure, to those people, who will be consumers or buyers of these condominiums. This particular Bill is patterned after a

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model that is been done in forty other states. So they have built in protection to consumers. This Bill is, I think, a good Bill. It does a lot of good things for consumers and I would appreciate an 'aye' vote."

Speaker Johnson, Tim: "The question is, 'Shall Senate Bill... For what purpose do you rise, Representative Feigenholtz?'"

Feigenholtz: "Thank you, Mr. Speaker. A point of personal privilege. I'm one of few Representatives in this House who has many condominiums in my district whose lives and ownership of property, this would adversely affect and I would like to ask Mr. Kubik more questions."

Speaker Johnson, Tim: "Your point... Your point is not well taken. We're moving to the passage of the Bill now. The question is, 'Shall Senate Bill 907 pass?' Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 70 voting 'yes', 33 voting 'no', 10 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. We will be at ease for just a moment if we could keep your attention and keep the volume down. On the order of Senate Bills, Third Reading. Mr. Clerk, read Senate Bill 1206."

Clerk McLennand: "Senate Bill #1206, a Bill for an Act that amends the Unemployment Insurance Act. Third Reading of this Senate Bill."

Speaker Johnson, Tim: "The Chair recognizes the Lady from Lake, Representative Andrea Moore. Proceed."

Moore, A.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Senate Bill 1206 amends the Unemployment Insurance Act to clarify and exempt real estate transaction closing

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agents and real estate appraisers from the definition of employment. For a number of years, the department has interpreted the closing agents and real estate appraisers as being independent contractors. Recently, within the last two years, their interpretation hasn't changed...has been changed and there have been some differences in those interpretations and this language will clarify that. I would ask an 'aye' vote and be happy to answer any questions."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from St. Clair, Representative Hoffman. Proceed."

Hoffman: "Yes, will the Sponsor yield?"

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

Hoffman: "Yes, Representative, what is the genesis of this Bill? Why do we need to do this?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Because the Department of Employment Security recently made two different rulings on whether or not these appraisers are independent contractors or not. This language clarifies that issue. For a number of years, they have always interpreted that both the closing agents and the appraisers are, in fact, independent contractors. Two years ago, their interpretation changed and we would like that clarified."

Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "But aren't appraisers...could potentially be employees. Isn't that correct?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A: "I would say that the majority of the time, appraisers are independent contractors."

Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "But we already have a test, that is my understanding of

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the law, that are applied in order to determine whether an individual is an independent contractor or not. It's my understanding that it is a three pronged test that is called the ABC test. 'A' the worker is free from control or direction in the performance of work, 'B' the worker performs services outside the employer's usual course of business, and 'C' the worker is independently established in his or her own trade, et cetera. Now, it's my understanding that we should use these tests on a case by case basis. Why should we make just a blanket determination that all these individuals, appraisers and closing agents, are not employees under the Unemployment Insurance Act?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Could you repeat just that last part of the question?"

Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "Why shouldn't we apply the traditional test of making a determination as to whether an independent...an individual is an independent contractor, that is, the ABC test? Why shouldn't we use that test, instead of making a blanket determination that all appraisers and all closing agents are independent contractors?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "We are exempting them by definition within the Act. There have been very few claims made in this area and for all of the years, since 1978 the Department has interpreted that they are independent contractors. It's only been within these last two years, that there has been some question. This language will make it perfectly clear."

Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "Well, my problem is that I already thought that the law



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was perfectly clear with regard to determination of independent agents, and this is taking a step back from that. Instead of applying it on a case by case basis, we're simply making a blanket determination. I mean, we don't say, Representative, that all painters are employees. Some painters are independent contractors. Correct?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Only those employees that fall under this definition are going to be categorized like this."

Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "Well, I think you just made my point. Is that what we're doing, is making a category here, of independent contractors, and we're saying, simply because you do this type of work, i.e. real estate appraisal, or simply because you do the type of work of being a closing agent, regardless of your status with your employer, we're going to view you as an independent contractor and you are going to be ineligible for unemployment insurance. I guess the point is, is that we don't view other people in this category. For instance, we don't say that a painter, who works for General Motors that paints cars, we don't say that he's an independent contractor. We say that he is an employee and we say that he is going to be covered under the Unemployment Insurance Act. But, if you work at a body shop and you come in and you paint cars for General Motors, and you own your own business, you're viewed as an independent contractor. Totally different situation. You performed the same function; however, you are viewed differently under the law. I don't see why we should be saying, simply because you do a certain job and perform a certain task, that you should be ineligible for unemployment insurance. What I am saying is, let's make

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sure that we apply it on a case by case basis, not a blanket basis, because what we're going to do is, we're going to be excluding other people, what is next? Are painters next? Are carpenters next? I urge a 'no' vote."

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

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

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

Deering: "Representative, how many...what is the percentage of unemployed Illinois workers that right now receive unemployment benefits?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Currently, I...you will have to help me with that, Representative. I don't know, but I can certainly find out."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Well, currently, there is only 31% of those people that are unemployed in Illinois that can receive unemployment benefits, so those other 69% are out there to fend for themselves. Maybe because they don't qualify for unemployment benefits and they probably understand that. Is this Bill... You know, I know Representative Hoffman related to the ABC test, but this test that is used by other states, pretty well treats employees on one standard playing field. If this legislation passes, it seems that it could open up the flood gates to include a lot of other employees that would not be covered by this test. Why would we want to do this?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "The proposed language changes really a clarification and it's very narrow. It only applies to real estate closing agents and real estate appraisers, and the term

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'employment' does not include services that are performed by an individual, as this real estate appraiser, under a written independent contractor agreement. If the agreement provides that the individual is to be compensated on a fee, per appraisal basis, and if the individual is free to accept or reject the appraiser's request made by the person for whom the services are being performed."

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

Deering: "What if I work for an insurance company as an appraiser and I go out every day and appraise damages, whether it's on an automobile or a piece of real estate? If this passes, will I then be ineligible for unemployment benefits if I get laid off?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "If you work for an insurance company, you are an employee of that insurance company and you would qualify for benefits and you would not fall under these categories."

Speaker Johnson, Tim: "Representative Deering."

Deering: "What if the insurance agency require, if I was their employee and if this passes, and they come and then require me to sign an agreement, would that then take me out of their employ and make me an independent contractor after I may have worked for them for fifteen years?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "If you are an employee of the insurance company, you are their employee and you would not be free to accept work from other people."

Speaker Johnson, Tim: "Representative Deering."

Deering: "But what my example is, I am an employee of an insurance company and I've been there for ten years. Governor signs his piece of legislation into law. They

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come to me tomorrow and say, 'We're going to do away with your job, but if you want to keep working here...we're going to do away with your job and you are going to be laid off, but if you want to keep working for us, if you'll sign an independent contractor form with us, you can stay on.' Is there any protections to keep this from happening? Would any of these employees be grandfathered in?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Well, someone might want to make a case that there would be wrong discharge issue there, but that is for the attorney's to work out and not for me. It's pretty clear that if you are an employee of the insurance company performing services for that individual, you would then be prohibited from contracting to perform those services for another person."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Representative, is the genesis of this legislation to try to cut costs to employers?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "The genesis of this legislations is to try to clarify what has been the existing interpretation of the Department over the last numbers of years. In the last couple of years, there have been some conflicting interpretations. This language will clarify that issue in two very narrow areas."

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

Deering: "Will this legislation be touted as a cost saving measure for employers? I don't care what it says about clarification, will it be touted as, we've done this to save you money if you are an employer?"

Speaker Johnson, Tim: "Representative Moore."

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Moore, A.: "This language was introduced to clarify the interpretation for the Department of Revenue...excuse me, for the Department of Employment Security. I can't answer the question on the cost saving measures."

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

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

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

Davis, S.: "Representative, I don't know if this question has been asked because...and I may have missed it, but was...were members of the AFL-CIO, Representatives from the AFL-CIO, contacted concerning this piece of legislation and were they asked to come to the table and have input into this piece of legislation?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Actually, because this legislation clarifies what has been in existence over a period of years, the change is pretty minimal and it didn't seem like it was necessary."

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

Davis, S.: "Yes. It's my understanding, and if I'm incorrect in this, please correct me, but it's my understanding that since 1982, there has been an agreed Bill process, in this State of Illinois and in this legislature and in this legislative process, that any changes in unemployment insurance and any changes in unemployment compensation and workers' compensation, have not occurred unless it was agreed between the two parties, including the AFL-CIO. Now, is that your understanding, Representative?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "It is my understanding, yes, that there has been an agreed Bill process at work in this Chamber, and I know of

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one other occasion where the agreed Bill process has been broken. I think it was for a worthwhile idea at that time. I think this is a worthwhile idea because it is really a clarification. When the agree Bill process was in place in 1982, the Department was interpreting the...on how to deal with closing agents and appraisers, exactly the way we are trying to clarify here. It's only been within the last two years, that there has been some discrepancy in the interpretation. This language will put their interpretation exactly back the way it was through the years, that the agreed process has been in place."

Speaker Johnson, Tim: "Representative Davis."

Davis, S.: "Well, I'm really sorry to hear that you feel that this small change doesn't come under the agreed Bill process, because any time you start monkeying around with the workers' rights, and you start monkeying around with workers' unemployment comp, you start monkeying around with the workers' compensation in the State of Illinois. Organized labor should be at the table, and organized labor should have their say when it comes to unemployment compensation, workers' compensation and prevailing wage. And I would have to stand here in opposition to this Bill, because this is just the first, the first breach of the agreed Bill process in the State of Illinois, and it's an extremely outrageous breach in the agreed Bill process. It's a hole in the dam. We know about dams from my area because we're flooded out because we've had several of them bust recently, and we have entire communities that are flooded because of the breaks in the dam. And this is the first break in the dam to the agreed Bill process in the State of Illinois, and I would have to encourage each and every one of the people in this Assembly to vote 'no' for

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this piece of legislation..."

Speaker Johnson, Tim: "Representative..."

Davis, S.: "...and to stand up for the rights of the working men and women in the State of Illinois. Thank you, Mr. Speaker."

Speaker Johnson, Tim: "For what purpose does the Gentleman from Coles, Representative Weaver, rise?"

Weaver: "A point of order, Mr. Speaker, just a little bit of clarification. The first breach of the agreed Bill process was by the Majority Leader, on your side of the aisle."

Speaker Johnson, Tim: "Point is well taken. The Chair recognizes the Lady from Cook, Representative Schakowsky. Representative Schakowsky."

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

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

Schakowsky: "Representative, it sounds to me as if you have now acknowledged that this piece of legislation does, in fact, break the agreed Bill process, and unless you want to take your words back, I heard you say clearly that, in your views, since it was broken anyway, that your breaking of the agreed Bill process, didn't matter. Did I hear you correctly?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "No, those most certainly were not the words that you heard me say. Actually, what I told you was, that there was a clarification being made here. You heard me say it in Committee and I'll say it again. During the years that the agreed process has been in place, the law has been interpreted exactly the way we are trying to make it here. All but the last two years, when in fact, there has been some discrepancy within the Department. This minor change will make it more consistent and back to the way the agreed

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process had it, and I think it is a minor change."

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

Schakowsky: "Representative Moore, despite your characterizations of this piece of legislation, this is a break in the agreement, that was made by Speaker Daniels and your side of the aisle, that unemployment insurance, those issues relating to unemployment insurance, would be subject to the agreed Bill process. I, also, want to say that you are entirely wrong in your characterization that this is just a clarification. In fact, the Department of Labor will agree that there has not been a change in the last two years and has suggested that maybe only two years ago, there was an effort to bring a claim for this group of employees but, in fact, it is not a clarification. I think it's very important for people in this Chamber to understand, if they choose to vote for this Bill, they are breaking a promise that was made, a promise that labor and management would sit down on unemployment issues. This is a major breach. This is a major Bill. It is not just a small issue. It is the first, in several, that may start flooding in one exception in the Unemployment Insurance Act. I would urge those of you who think your word means something in this Chamber, that in the closing days of Session, that promises really do mean something, that this is a broken promise. This is a break in the agreed Bill process. A 'no' vote is the only ethical vote to make on this Bill."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to Senate Bill 1206. What Representative Schakowsky just said, is absolutely correct."



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It was told to us early in the Session that there would be no agreed Bill process on workers' comp and we're about to get a Bill later that will prove that. But, on unemployment comp, we're told, absolutely, that there would be adherence to the agreed Bill process. The Gentleman standing right over there, under the 'Dump Lou' sign, said that. He said there would be adherence to the agreed Bill process on unemployment insurance, and what do we have here? A Bill that the Sponsor says is a clarification, but the Department says it's not. The Department says there is no change in their policy. So what do we have here today? We have another assault on working men and women. Only 31% of unemployed workers get unemployment comp today. What this is, is an effort to further reduce that number and the effort is to pick it apart, one industry at a time. So today we do this for loan closing agents and real estate appraisers. We take a little bite out of it. We drop it down to 30% of the people that are unemployed. Next week, it will be somebody else. Next year, it will be somebody else. The year after it, will be somebody else, and it's apparent to everybody who is listening, even the people that vote for this bad piece of legislation. It's apparent to everybody, that the effort by the Majority Party, is to continue to pick apart every benefit that working men and women have in Illinois, until they take them all away. So, I challenge you, Majority Party, put it all in one Bill. Take all the workers' rights in Illinois away. Take away workers' comp. Take away unemployment comp. Take away the scaffolding Act. Oh, you did that already. Take away all the rights the workers have, but don't piecemeal it. Don't make them suffer a slow torture. If you want to do it, do it. If you're going to continue to take away the rights of

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working men and women in Illinois, let me tell you what you'll end up with. You'll end up with a work force that doesn't care very much about their job. You'll end up with businesses, where workers don't care to work for their employer. You'll end up with business failing, because workers aren't protected, and when workers aren't protected and workers lose their benefits, worker don't want to work. A good employer wants happy employees with normal benefits that they expect to have, but the Sponsor of this Bill, and I assume somehow good intentioned, has gotten herself sucked in to an effort to do away with an agreed Bill process, that her own leader said will not be violated this year. So what do we have? We have another picking away at working men and women, another effort to take away their rights, another effort to say to working men and women, 'We really don't care about you, all we care about is the blessed buck for the people that owns those businesses'. And, one by one by one, they will continue to add a business here, a corporation there, a career here, and pretty soon nobody will have unemployment comp and no working men and women in Illinois will have the kind of benefits, that we think they are entitled to in the State of Illinois. Later today or tomorrow, certainly before we leave on Friday, we're going to get a Bill on workers' comp and that Bill is worse than this Bill. This is a precursor. This is a warning. Here's the warning. The warning, Legislators, is it's coming, complete assault on the rights of working men and women, a complete assault on what we stand for or what we should stand for: taking care of the middle class people in the state, taking care of men and women that work hard for a living. Are we going to continue to allow the Majority Party to do this? I don't

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think so. I don't think so, and you may do it today and you may do it tomorrow, but this will change. So you better hurry up, Majority Party. You better hurry up and get all those rights away from those working men and women as fast as you can, because you won't be able to do it for much longer."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Winnebago, Representative Scott."

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

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

Scott: "Representative Moore, can you give me the fact, situation behind the cases that you say have changed the course of these events..."

Speaker Johnson, Tim: "Representative Moore."

Scott: "Can you tell me what the facts were?"

Moore, A.: "Up until two years ago, the Department had not had a claim in this area, had been interpreting that. In fact, these people were independent contractors. Approximately two years ago, a claim was made and I believe there have actually been two claims that were made, and to clarify this language because there is not any great unemployment in this area, we chose to make this clarification with this Bill."

Speaker Johnson, Tim: "Representative Scott."

Scott: "Well, what were the fact situations in the two claims that you say have resulted in a reversal of the pattern here?"

Speaker Johnson, Tim: "Representative."

Moore, A.: "Do you have those, and would like to share them? You...please, go ahead. There are two claims. This is not a courtroom, Representative, this is the Legislature."

Speaker Johnson, Tim: "Representative Scott, do you have further

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questions?"

Scott: "Well, that is a great answer, but you know, you are trying to change a law based on two claims. You're saying you have got claims now, that have changed the entire course of how these cases have been ruled upon over a course of twenty years, and all I'm asking you is, to tell me what the fact situations were of those. Now, you can tell me it's not a courtroom, and you are right, but you're trying to pass legislation through here and the least you can do is tell us what it is about it, that necessitates this legislation to be introduced."

Speaker Johnson, Tim: "Representative."

Moore, A.: "What I was telling you is, that there have been conflicting interpretations within the Department as to these claims and that is why the clarification was necessary."

Speaker Johnson, Tim: "Representative Scott."

Scott: "Well, I would submit to you that in this entire area of unemployment insurance, there are going to be conflicting results because they are going to be based on the fact situation that occurs in every case. That is why there is an ABC test involved here. That recognizes that the fact situation, involved in every particular instance, is going to be different. No two employers have exactly the same relationship with their employees. No two real estate closing agents have exactly the same relationship with their employers. So, of course, there is going to be conflicting results. The first thing you told me when I asked you about this, was that there hadn't been any claims at all in this area, for a long period of time. So I'm asking you how that can be conflicting, based on the two cases... Yeah, you did tell me that, and I'm asking you

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how the two cases that came after that, can be conflicting."

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

Moore, A.: "No."

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "I don't wish to respond."

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

Scott: "She doesn't want to. That's alright. I'll try something else."

Speaker Johnson, Tim: "Proceed."

Scott: "Can... I'm honestly asking you this. I'm not trying to be difficult, but I want to know what...if you know it. If you don't know it, that is fine, too. I don't know it over here, but I didn't bring the Bill to the legislature. Okay? Tell me if you can. What are the two fact situations, in this particular area of the law, that are given rise to this Bill you want us to pass. I don't think that's a whole heck of a lot to ask for."

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "I already said to you, I do not know the exact facts of each of these cases."

Speaker Johnson, Tim: "Representative Scott."

Scott: "Well, then given the fact, that different fact situations, under the ABC test are going to produce different results, isn't it really possible that those two cases were both decided correctly and that there isn't any need at all to change this particular law?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Could you repeat that please?"

Speaker Johnson, Tim: "Representative Scott."

Scott: "Sure. Given the fact that the ABC test, just by it's

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very nature in how it's drawn up, is going to produce different results and different fact situations, because the facts are very important in each case. Isn't it possible, since we don't know what the cases are, that they were really decided correctly and there really isn't a problem here at all?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Which one was decided correctly? There were two cases and they were decided differently."

Speaker Johnson, Tim: "Representative Scott."

Scott: "Well, my question was, that since facts drive these cases, the facts are the important part of this. Okay? Since the facts are the important part of the case to decide under the test, then isn't it possible, with two different fact situations, that they were both decided correctly?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "I think it's a little much to expect the Department to continually go back and forth trying to make these decisions. It's easier to clarify it as we have done by definition with...it clearly defined that a real estate appraiser, under written independent contractor agreement, does not include employment."

Speaker Johnson, Tim: "Representative Scott, you have forty seconds."

Scott: "To the Bill, Mr. Speaker."

Speaker Johnson, Tim: "To the Bill."

Scott: "Many of the previous speakers have hit this right on the head. I think this is another one of these cases where we have got a solution that is just begging to find a problem. We've got an instance that is cited here of two cases. Potentially, both decided correctly, since the person who

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is bringing the Bill, can't tell us the fact situation of either one. This is a law that is completely driven by the fact situations involved in each case. Yeah, it's entirely possible you might get fact situations that lead to different results. I think it's crazy to come in and try to pass a Bill to pick away the rights of workers, based on two fact situations that can't even be recited to us in the Body, and I urge for all the reasons that were stated before, a 'no' vote."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from McHenry, Representative Skinner."

Skinner: "I move the previous question."

Speaker Johnson, Tim: "The question is, 'Shall the main question be put?' All in favor signify by saying 'aye'; those opposed by saying 'no'. The main question is put. Representative Moore to close."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a small clarification to put the language back the way it's always been on the agreed Bill process. It is not a major change as was indicated. Certainly this will help those people who are confused about how to interpret this within the Department of Employment Security, not the Department of Labor, and I would urge an 'aye' vote."

Speaker Johnson, Tim: "The question is, 'Shall Senate Bill 1206 pass?' Those in favor vote 'aye'; those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. We're going to acknowledge you. Before we do that... There are 63 voting 'yes', 50 voting 'no', 3 voting 'present'. Representative Hoffman, you are seeking verification. Is

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that correct? Your request is acknowledged. Mr. Clerk, read the Affirmative Roll Call."

Clerk McLennand: "Poll of those voting in the affirmative. Representatives: Ackerman. Biggert. Biggins. Black. Brady. Bugielski. Burke. Capparelli. Churchill. Clayton. Cowlshaw. Cross. Deuchler. Durkin. Erwin. Gash. Hanrahan. Hassert. Hoeft. Hughes. Johnson, Tim. Johnson, Tom. Krause. Kubik. Lachner. Laurino. Lawfer. Leitch. Lindner. Lyons. McAuliffe. Meyer. Moore, Andrea. Morrow. Mulligan. Murphy, Maureen. Myers. Noland. O'Connor. Pankau. Pedersen. Persico. Roskam. Rutherford. Ryder. Salvi. Saviano. Skinner. Spangler. Stephens. Tenhouse. Turner, John. Wait. Weaver. Wennlund. Winkel. Winters. Wirsing. Wojcik. Younge. Zabrocki. Zickus and Mr. Speaker."

Speaker Johnson, Tim: "Questions of the affirmative, Representative? Do you have any questions of the affirmative?"

Hoffman: "Yes. Representative Leitch."

Speaker Johnson, Tim: "Representative Leitch is at his chair."

Hoffman: "Representative Durkin."

Speaker Johnson, Tim: "Representative Durkin is in the rear of the chamber."

Hoffman: "Representative Kubik."

Speaker Johnson, Tim: "Representative Kubik. Representative Jack Kubik is in the center aisle."

Hoffman: "Representative Black."

Speaker Johnson, Tim: "Representative Black. Representative Black. The Gentleman is not present. Remove him from the Roll Call."

Hoffman: "Representative Noland. I apologize. He is there. Representative McAuliffe."



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Speaker Johnson, Tim: "Representative McAuliffe. Representative Roger McAuliffe is here in the center aisle."

Hoffman: "Representative Winters."

Speaker Johnson, Tim: "Representative Winters is in the back of the chamber."

Hoffman: "Representative Winkel."

Speaker Johnson, Tim: "Representative Winkel. He's also in the rear of the chamber."

Hoffman: "Representative Hanrahan."

Speaker Johnson, Tim: "Representative Hanrahan is in his seat."

Hoffman: "Representative Hassert."

Speaker Johnson, Tim: "Representative Hassert is in his chair. There has been a request, Representative, from Representative Biggins and Representative..."

Hoffman: "They are verified."

Speaker Johnson, Tim: "Persico and Saviano to be verified. Is that..."

Hoffman: "Yes."

Speaker Johnson, Tim: "...request acknowledged? Thank you. Further questions?"

Hoffman: "Yes. Representative Wennlund."

Speaker Johnson, Tim: "Representative Wennlund is in the center aisle, the side aisle."

Hoffman: "Representative Krause?"

Speaker Johnson, Tim: "Representative Tom Cross. He's in his seat."

Hoffman: "Krause. Krause. Krause."

Speaker Johnson, Tim: "Krause. Representative Carolyn Krause, is that who you are questioning? She's in the back of the chamber."

Hoffman: "Representative Gash."

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

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The Lady is not present. Remove her from the Roll Call.  
There is a request from Representative Turner to be  
verified."

Hoffman: "Leave. Leave. Representative Erwin."

Speaker Johnson, Tim: "The request is granted. Representative  
Erwin. Representative Judy Erwin. The Lady is not in the  
chamber. Remove her from the Roll Call."

Hoffman: "Just one second, please. Representative Salvi?"

Speaker Johnson, Tim: "Representative Salvi is in his seat."

Hoffman: "Representative Lachner."

Speaker Johnson, Tim: "Representative Lachner is also in his  
seat."

Hoffman: "One moment. Representative Zickus."

Speaker Johnson, Tim: "Representative Zickus is in her seat."

Hoffman: "Representative Roskam."

Speaker Johnson, Tim: "Representative..."

Hoffman: "I apologize, I see him."

Speaker Johnson, Tim: "Roskam is also in his seat. Do you have  
any further questions, Representative Hoffman?"

Hoffman: "One second. Bear with me. Representative Brady."

Speaker Johnson, Tim: "The question is who?"

Hoffman: "Representative Brady."

Speaker Johnson, Tim: "The Gentleman is in the Chamber. Further  
questions?"

Hoffman: "Representative Ryder."

Speaker Johnson, Tim: "Representative Ryder. Representative Tom  
Ryder. The Gentleman is here."

Hoffman: "Representative Laurino."

Speaker Johnson, Tim: "Representative Bill Laurino.  
Representative Laurino. Is the Gentleman in the chamber?  
The Gentleman is not in the Chamber. Remove him from the  
Roll Call."

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Hoffman: "Bear with us. Representative Wojcik. Oh, I'm sorry."

Speaker Johnson, Tim: "Representative Wojcik is in her seat."

Hoffman: "Representative Lawfer. Oh, he is in his seat."

Speaker Johnson, Tim: "I'm sorry, what was the question,  
Representative Hoffman?"

Hoffman: "Representative Moffitt I meant."

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

Hoffman: "Representative Mulligan. Mulligan."

Speaker Johnson, Tim: "Representative Mulligan is in the rear of  
the Chamber."

Hoffman: "Did we ever get an answer on Representative Moffitt?"

Speaker Johnson, Tim: "No, I was going to return. Is  
Representative Moffitt in the chamber? Yes, he is in the  
rear of the chamber. In any event, Representative Moffitt  
is voting 'no'."

Hoffman: "Representative Maureen Murphy."

Speaker Johnson, Tim: "Representative Murphy is in front of her  
chair."

Hoffman: "I apologize. Representative Ackerman."

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

Hoffman: "Nice shades, Jay."

Speaker Johnson, Tim: "...is in his chair as he always is."

Hoffman: "Alright, nothing further."

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

Stephens: "Mr. Speaker, how am I recorded?"

Speaker Johnson, Tim: "The Gentleman... How is the Gentleman  
recorded?"

Clerk McLennand: "Representative Stephens is recorded as voting  
in the affirmative."

Stephens: "Okay. I wanted to make sure."

Speaker Johnson, Tim: "No further questions, Representative

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Hoffman? On this question, there are 59 voting 'yes', 50 voting 'no', and 3 voting 'present', and the Lady from Lake, Representative Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker. I would respectfully ask for Postponed Consideration."

Speaker Johnson, Tim: "Your request is granted. Mr. Clerk, please place this Bill on the Order of Postponed Consideration."

Speaker McAuliffe: "Representative McAuliffe in the Chair. On the order of consideration postponed, Mr. Clerk, please read Senate Bill 1211."

Clerk McLennand: "Senate Bill 1211 is on the Order of Postponed Consideration."

Speaker McAuliffe: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. This Bill, a lot of you had an opportunity to talk with the various interest groups recently. It creates the Rent Control Preemption Act. And prohibits units of local government from enacting, maintaining, or enforcing an ordinance or resolution that controls the amount of rent charged for leasing private, commercial or residential property. This Bill does preempt home rule; however, I must tell you that, currently, there are no local governments in Illinois that have ordinances, or such, controlling rent. And it's a good thing they don't, because if they adopt that policy as they have in other states, what happens is, the quality of commercial and residential rental properties decreases tremendously. So, if you think that people ought to have the right to operate in free enterprise system and thus maintain..."

Speaker McAuliffe: "Representative Stephens, would you hold your comments for a moment."

Stephens: "I'd be glad to."

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Speaker McAuliffe: "Representative Lang."

Lang: "Well, I have...I have two points of order, Sir. May I state them? Was that a 'yes'? Thank you. The first point of order, is this Bill on Postponed Consideration?"

Speaker McAuliffe: "Yes."

Lang: "Mr. Speaker, there are hundreds of Bills on the Calendar. Why are we voting on a Bill on Postponed Consideration before we vote on the Bills we have...we have never voted on. Why are we voting on this now?"

Speaker McAuliffe: "Mr. Lang, do you have another inquiry?"

Lang: "What was your answer, Sir?"

Speaker McAuliffe: "I said, Mr. Lang, do you have another inquiry."

Lang: "I'd certainly like the answer to my first inquiry, first."

Speaker McAuliffe: "Representative Lang, it's the discretion of the Chair, as you know, it was done in the past and...it's just the discretion of the Chair."

Lang: "So, you acknowledge, we're calling this Bill ahead of others, hundreds of Bills that haven't been called yet. Is that correct, Sir? I do have a second..."

Speaker McAuliffe: "I...go ahead, continue."

Lang: "I have a parliamentary inquiry, Sir. This Bill preempts home rule, the Section (g), subsection and accordingly, we would ask the Chair to rule that it requires 71 votes to pass this Bill."

Speaker McAuliffe: "Representative Lang, you asked the same question when the Bill was on Third Reading and the answer is the same. It does not exempt...it does not require 71 votes, it requires 60 votes. Representative Lang."

Lang: "Mr. Speaker, the last time we voted on this Bill, the Speaker ruled, whoever was in the Chair at the time, that it required 71 votes. And let me..."

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Speaker McAuliffe: "I stand corrected, Representative Lang. I stand corrected, it requires 71 votes. Continue with your remarks, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. The...since this Bill was lasted voted on, many of you have had a chance to talk with the Realtors Association, so that they could explain to you the importance of this legislation. It's quite simple. If you believe that you want the housing and commercial rental stock and the value of it to decrease and people to have to live in lesser and lesser conditions, then you should oppose this Bill because artificially installed rent controls do nothing but allow the owner of the property or disallow the owner from putting money back into that property. And so, property will not be kept up, you'll be creating slums. In the states that have enacted or allowed for rent controls nothing good has happened. All that has happened is neighborhood after neighborhood has deteriorated. I want to let you know also that 14 states have enacted rent control preemption laws and each of those states is an example of a state, that if you travel throughout the state you'll find that they have great housing stock, plenty of commercial property, that is well kept because the free market place is allowed to operate. Now, I know that you have the information about this Bill. Yes, it does take 71 votes, it will take an extraordinary majority. But I think people on both sides of the aisle are interested in maintaining good standard housing for those who need to rent and good commercial property for the purposes of rental to carry on the business of free enterprise. I would be glad to answer any questions, I move your favorable consideration of Senate Bill 1211."

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

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Hoffman. The Gentleman from Cook, Representative Lang."

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

Speaker McAuliffe: "He indicates he will."

Lang: "Representative have you seen the home rule note on this Bill?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "Have I seen what?"

Speaker McAuliffe: "Representative Lang."

Lang: "Yeah, I'll ask the question again. I have in my hand what looks like a very official and legal and proper home rule note. I'm wondering if you've had a chance to see the home rule note?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "I have in my hands a home rule note on the stationary of the Illinois Department of Commerce and Community Affairs, signed by Dennis Whetstone or his designee and it's dated, May 17, at approximately 2:00 p.m."

Speaker McAuliffe: "Representative Lang."

Lang: "So, you've read the note, you're satisfied with it. I think it's a pretty good fiscal note, don't you?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "I have no opinion as to whether one fiscal note is better or worse than another. This one appears to me to be an appropriate fiscal note and I hope that it is."

Speaker McAuliffe: "Representative Lang."

Lang: "I'm sorry. I'm referring to the home rule note. So, you've read it, you agree with what this says?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "Well, it says that this will...Bill will prohibit local governments, including home rule units, from regulating the amount of rent charged for leasing private, commercial or private residential property. This practice

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is currently in place in some of the more populous municipalities which have large amounts of rental property. It doesn't say, Illinois. We know that it does take place in some areas like New York, California. To our knowledge, there is no city, municipality or local government in the State of Illinois that has in place, rent control."

Speaker McAuliffe: "Representative Lang."

Lang: "Well, that's fine. I just want to indicate to you that in your comments about this Bill, your opening comments, you indicated that nobody is doing this now. You said that no...no one using this. No one's doing it and yet in the home rule note that filed, that you're relying on, it says, this practice is, currently, in place and some of the more populous municipalities which have a large amount of rental property. So, it seem that there's an irony here. You've said that no one does it, the home rule note that you're relying on, that you want us to rely on, to vote for your legislation, seems to belie your comments to us. How do you feel about that?"

Speaker McAuliffe: "Representative Stephens."

Stephens: "I feel very good about it, because as I said, the fiscal note...in the fiscal note the...oh, excuse me, in the home rule note. Thank you, for your help in that Representative, I appreciate that, most kindly and you've had a wonderful day today and by the way, you know, we don't often comment on your tie but that is a nice tie. We really...we really like the way you appreciate some of the ties that we wear and those of us who don't always wear colorful ties, we appreciate the fact that you don't pick on us. But, in this home rule note, the following sentence is probably the one you're referring to and it says that this practice is currently in place in some of the more



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populous municipalities, which have a large amount of rental property. And I believe that what that refers to, is some of the more populous areas in states such as, California, which, as we know, is one heavily populated high rental slummy area after another, where the landlord doesn't have the money to afford to put back into the housing or commercial rental stock, because we have artificially imposed rent controls. Another area that is very similar, is the District of Columbia.

Now, if you want Illinois to look like the District of Columbia, that's a highly populated, highly regulated, rent control area and what we see is, is that the landlords that own that property in the District of Columbia, near the White House for example, don't have enough money left over after they have paid their bills, to put money back in. Because they don't receive enough rent. They don't receive enough rent because we have artificial rent control. States like Maryland, Massachusetts, New Jersey and one of my favorites has had rent control for some years now and that's the City of New York. You know, if there's anything that you want to stay away from, it's emulating the City of New York, one of the highly populated areas that I think Dennis Whetstone was referring to in his...in his home rule note. When he said, that the practice is, currently, in place in some of the most populous municipalities like New York, I insert, not his words and have a large amount of rental property..."

Speaker McAuliffe: "Representative Lang, do you have a reply?"

Lang: "Well, thank you very much. Mr. Speaker, to the Bill. I thank Representative Stephens for his always cogent answers, that no one understood. Mr. Speaker, I don't know when we're going to start on the Floor of this House, dealing with issues in a consistent manner. On some

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issues, the Majority Party wants local control, on other issues they don't want local control. On some issues they want the state to control everything, because they can control it. On some issues they want local control because they don't want to deal with it. So, what is it? Are we going to pick and choose issues to have local control? Are we going to decide once and for all that, if we're against things like mandates, it also means that we should not have reverse mandates? It means that we should allow local government to do their business. General Assemblies should not be about the business of taking away powers of local government. That's why this Bill requires 71 votes. It requires 71 votes because the framers of the Constitution figured it out. They've decided that before we take home rule powers away from municipalities, that we be very careful about doing it. Because they should have the right to do these types of things. Certainly, the issue of rent control is one of them. Why should we, in Springfield, tell my village or yours or your municipality or your township or your unit of local government, particularly a home rule unit, what to do about housing in their local community. It's silliness. It's silliness. This is a bad Bill, a bad idea. Vote for local control, don't vote for this."

Speaker McAuliffe: "The Gentleman from Tazwell, Representative Ackerman."

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

Speaker McAuliffe: "Representative Ackerman has moved the previous question. All those in favor signify by saying 'aye'; opposed say 'nay'. The 'ayes' have it. Representative Stephens to close."

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Stephens: "I would appreciate a 'yes' vote. Thank you."

Speaker McAuliffe: "Representative Stephens has moved for the passage of Senate Bill 1211. All those in favor signify by voting 'aye'; 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. 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 69 voting 'aye', 42 voting 'no' and 6 voting 'present'. And this Bill, having failed to receive an extraordinary Majority, is hereby...hereby declared lost. Mr. Clerk, please read Senate Bill 274."

Clerk Rossi: "Senate Bill 274. The Bill has been read a second time previously. Amendment #1 was adopted in Committee. No Motions have been filed. Floor Amendment #3 has been approved for consideration and is sponsored by Representative Brady."

Speaker McAuliffe: "Senate Bill 274. Representative Brady."

Brady: "Thank you, Mr. Speaker. Ladies and Gentlemen of the Committee, Amendment #3, excuse me, provides for additional circuit judges in the 18th, 21st and two in the 19th judicial circuit. It passed out of Committee this afternoon with a voice vote. I ask for your favorable consideration."

Speaker McAuliffe: "Representative Brady has moved for favorable consideration of Amendment #3 to Senate Bill 274. Is there any discussion? The Gentleman from Clinton, Representative Granberg."

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

Speaker McAuliffe: "Representative Brady."

Granberg: "Representative Brady, on the judicial note filed to this Bill, it seems to indicate that there is no need to

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add an additional judge in the 21st circuit. Is that correct?"

Speaker McAuliffe: "Representative Brady."

Brady: "God Bless you. Representative, the judicial note calls for the need in all the other circuits. And I believe it does indicate that there isn't as great a need in the 21st Circuit as there would be the previous."

Speaker McAuliffe: "Representative Granberg."

Granberg: "Representative Brady, your interpretation, let me read it for you, Sir. Let me read it from the Administrative Office of the Illinois Courts. 'There is no need to add the additional circuit judge in the 21st Circuit.' Not a less need, no need. Now, do you understand that? Did you get that right?"

Speaker McAuliffe: "Representative Brady."

Brady: "We can interpret that note as we each individually choose."

Speaker McAuliffe: "Representative Granberg."

Granberg: "Well, I interpret English the way I read it, Representative. Maybe you do something different in Bloomington. The Fiscal Note on this Bill, Sir, how much does this say will impact the state's General Revenue Fund?"

Speaker McAuliffe: "Representative Brady."

Brady: "I believe it indicates that this Amendment would affect the Supreme Court's budget to enable the courts to work more efficiently and effectively to take crime off our streets, but I think it costs about \$444,000."

Speaker McAuliffe: "Representative Granberg."

Granberg: "Do you say you went to Illinois State? Is that where you graduated from? The Fiscal Note... The Fiscal Note..."

Speaker

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McAuliffe: "Wait, wait. Representative Brady wants to respond.

Representative Brady."

Granberg: "I'll let him respond."

Brady: "Representative, I can't claim to have graduated from that fine university, Illinois State."

Speaker McAuliffe: "Representative Granberg."

Granberg: "Representative, it's not \$400,000, it's over a \$1,000,000; \$1,111,000, the Office of the Administrative Office of the Illinois Courts for your Bill. For your Bill, over \$1,000,000 for this Amendment alone. A \$1,000,000 for judges, when we can't pay our pharmacies. A \$1,000,000 for judges, when we can't pay our hospitals. A \$1,000,000 for judges, when we can't pay people on the streets. Is this your priority? Let's take care of those judges that make over \$100,000 and forget about the people that need our help. Forget about our nursing homes. Forget about our Medicaid people. This is the priority of your Majority, Sir, and it is wrong. Hard working people, hurt the poor people and let's help the judges. That's great. Let's help those judges. They work too hard. Let's give them some more."

Speaker McAuliffe: "Representative Brady, do you wish to respond?"

Granberg: "No, let me...to the Bill, Mr. Speaker. Let me... How am I going to go back to the people in my district, and I tell them I voted for additional judges. We don't get an additional judge downstate because we don't need it. Representative Bost doesn't get an additional judge. Representative Jones doesn't get a judge. Representative Klingler doesn't get a judge. Representative Zabrocki doesn't get a judge. Representative O'Connor doesn't get a judge. Representative Murphy. Representative Balthis.

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Representative Wait. Representative Ackerman. They've got to go back to their districts and tell the people, they want to pay for judges in other people's districts, instead of paying their pharmacies. Now, Representative...Now, Representative Jay Ackerman's got to go back. Mike Bost has got to go back to his people and tell them he's going to pay a million bucks so you can get an extra judge, so his pharmacies don't get paid, so his union people don't get paid, so his hospitals don't get paid, his nursing homes don't get paid, but by God, you're going to get another judge and he's going to get a \$100,000. Well, tell Mike Bost he can do that, tell Ms. Klingler she can do that. You can tell Ackerman he can do that or any of your targets. We're not going to do it because it's not right."

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

Wojcik: "Mr. Speaker, I move the previous question."

Speaker McAuliffe: "Representative Wojcik has moved the previous question. All those in favor signify by saying 'aye'; opposed say 'nay'. The 'ayes' have it. The Amendment is adopted. Third Reading. The previous question has been moved. Representative Brady to close."

Brady: "Ask for your 'aye' vote, and the reason I ask for your 'aye' vote is because crime is very, very, very serious, and I'm sorry I'm not as soft on crime as Representative Granberg wants to be. I'm sorry that I don't want to put criminals away, but I think those who do want to be hard on crime, understand the need for judges to put criminals away. So I ask for your favorable vote."

Speaker McAuliffe: "Representative Brady moves for approval of Senate Amendment 3. All those in favor signify by saying 'aye'; opposed say 'nay'. The 'ayes' have it; the Amendment's adopted. Third Reading. Further Amendments?"

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Clerk McLennand: "No further Amendments. The judicial note requested, as amended, on #3 has been filed."

Speaker McAuliffe: "Third Reading."

Clerk McLennand: "Senate Bill #274, a Bill for an Act amends Circuit Courts Act. Third Reading of this Senate Bill."

Speaker McAuliffe: "Representative Brady."

Brady: "Thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. I really appreciate the opportunity I have here to present a crime package. This... This important piece of legislation will allow for criminals to be taken off the street. I ask for your favorable vote."

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

Dart: "Thank you, Mr. Speaker. That couldn't be any further from the truth, and Representative knows it. This has nothing to do with taking criminals off the street. If we want to take criminals off the street, we would've voted for an Amendment that dealt with putting, guess what, folks? More cops on the street. Yes, Sir, that would have helped. Giving you an extra judge, is that going to do it? Absolutely not. Because guess what, folks? We keep... passing irresponsible Bills, that keep inflating all these numbers of what we're sentencing people to. So this is not going to do it. You know it. The beauty of this one though is, folks, I can give you the insight right now. Tell you what, you won't even have to sit there and wait for the anticipation, that great anticipation of that mailer that's coming out, cause I can tell you all about it, because we have \$1,111,000. And guess what? We're giving to a handful of people here, so that their friends can be judges. Okay, so for all of you who don't, I just want to mention to you right now who should be sitting by

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the mailbox waiting for this mail, and okay, here we go.  
Representative Balthis. Bost. Ciarlo. Cross. Deuchler.  
Hassert. Hoeft. Jones. Klingler. Krause. Lachner.  
Leitch. Lindner. Lyons. McAuliffe. Mitchell. Moffitt.  
Mulligan. Murphy. Myers. Peterson...Pedersen. O'Connor.  
Poe. Ryder. Stephens. Tenhouse. Waite..."

Speaker McAuliffe: "Representative Dart...Representative Dart."

Dart: "...Wennlund. Wirsing. Zabrocki. And guess what? I  
didn't want to forget one person, Representative Winters,  
yes, exactly. Not one of you are going to get a judge out  
of this, so if you feel so secure in your area, that you  
can afford to take \$1,111,000 and spread it around to a  
couple other people, so that their friends can become  
judges, go ahead and do it, because I'll tell you what,  
this is going to be a beaut of a mailer. You can forget  
about the anticipation, I've given it all to you right now,  
and you don't have to worry about sitting by the mailbox,  
because guess what? It's coming."

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

Hoffman: "Yes, will the Sponsor yield?"

Speaker McAuliffe: "He indicates he will."

Hoffman: "Yes, Representative, is there anything in your  
legislation that indicates that these judges will be  
assigned to the criminal courts?"

Speaker McAuliffe: "Representative Brady."

Brady: "No. Circuit Court."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "Representative, do all circuit judges do criminal  
cases?"

Speaker McAuliffe: "Representative Brady."

Brady: "Not necessarily, but it's my understanding that much of



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the intent and the need of these judges is for that purpose."

Speaker McAuliffe: "Representative Hoffman."

Hoffman: "Representative, it's my understanding that one of the reasons that we passed this great Tort Reform and got rid of the Scaffold Act is, so we could reduce the overload in the court system, because all these frivolous lawsuits are being filed. Now this is going to stop and we're just going to turn the facet off, because now we have...This is law in the State of Illinois, so why can't we just transfer all these civil judges that are going to have nothing to do, other than put on their robes and look in the mirror? Why can't we transfer them over into our criminal court now, since you passed that beautiful Truth or that beautiful Scaffold Act repeal and Tort Reform?"

Speaker McAuliffe: "Representative Brady."

Brady: "Well, Representative, unfortunately that reform came too late. There's a huge backlog, so had that reform come years earlier, we wouldn't have near the backlog we have. But we also have a backlog of cases that deal with DCFS, cases that deal with the importance of children, issues that are very important I know to you, Representative, and I know that those particular cases are ones that you'd like to see expedited. I know there are cases that have great importance to many of the Representatives, through the whole State of Illinois, to the people throughout this whole state. The purpose of this, Representative, is to provide the necessary judges, so that people can have an expeditious trial, so that children throughout the state can have their cases taken. Children throughout the state in the 6th Judicial Circuit, children throughout the state in the 11th Judicial Circuit, children throughout the state

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in the 5th Judicial Circuit, children in the 18th Judicial Circuit, in the 21st Judicial Circuit, children in the 19th Judicial Circuit, children in the 16th Judicial Circuit. If you don't think that those children deserve an expeditious hearing and trial to take them, and be responsible, and put them in the right hands, Representative, I think you ought to think again. And if you don't know the counties these include, they include Champaign County, McLean County, Vermilion County, DuPage County, Kankakee County, Lake County, Kane County, Kendall County, DeKalb County. And also, not only do we need this legislation for the children of Illinois, Representative, we need this legislation for the people of Illinois, to lock the criminals away, to help, expeditiously, lock these criminals away in an effective, fast manner. In a fast manner, Representative. We, you know, we need this legislation so desperately, Representative, I'm trying to explain to you the importance of this Bill. This Bill, Representative, carries with it the statement from the Illinois Legislature, that we want to be tough on crime, that we want to provide safety nets, expeditious trials for the children. Representative, I've talked to you about the counties that this legislation deals with, but this expands even further than these counties. This helps every county in Illinois, Representative. It helps your county, because if we can keep criminals off the street by a judicial system that expeditiously, we'll be able to do great things, Representative, and I know that you're going to want to support this. Now, Representative, I've been asked to give you one last minute. I hope that answers your question."

Speaker McAuliffe: "Representative Hoffman."

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Hoffman: "Good answer. Well, to the Bill. Now, I...the list that Representative Dart just read off, Balthis, Bost, Ciarlo, Cross, et cetera, what about the children in those districts? What about the children and the criminals in those districts? What about those people? And besides that, there is nothing in this Bill that says these judges will be in criminal court. You know, you know what kind of criminal law this is? This is a law that's going to keep the poor lawyers off the street. You know why? We're going to make them judges. Let's make them judges. Get all the crooked lawyers off the street, make them judges in this area. I urge a 'no' vote."

Speaker McAuliffe: "The Gentleman from Kankakee, Representative Novak."

Novak: "Mr. Speaker, to the Bill. I suppose I'll probably be one of the few Democrats voting for this Bill over here, so since... Yeah, right. You guys really structured this thing real nice so you make sure all the Republican Judges get appointed. Great job! Great job! You know I filed a Bill early this Spring for a new judge in Kankakee County, to be elected within Kankakee County alone, in the 21st Circuit as a sitting resident judge. The crime rate in Kankakee County for a community of 25,000 people is one of the worst in the United States. Last year we had 24 murders in the city of 28,000 people. Now, I gave this Bill to Representative Spangler. Since I was the Democratic Sponsor, I knew dealing with realities and dealing with my experience in this Legislature, since the Majority Party is now Republican, I gave it to Representative Spangler as the Chief Sponsor. I willfully gave...gladly gave it to him, knowing that he could take it. And I became a Chief hyphenated Sponsor. I was

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advised yesterday that I was...this judgeship would be on the Bill, on Senate Bill 274. I looked at the language of the Bill and it said, 'would be the entire circuit'. My motives purely weren't politics, to try to get a Democratic judge elected, the people make that decision, whether it's a Democrat or a Republican. My major concern is trying to stem the rising tide of crime in Kankakee. Our courtrooms are burgeoning at the seams. And speaking to our judge, our chief judge and the circuit court personnel, they can use an extra judge because we have a tremendous and serious backlog of crime and criminal cases in Kankakee, and those are major felonies and Class X felonies. But the way this whole thing is structured, it stinks. I think it really stinks. I'm going to vote for this, because I have to vote for it. Yeah, right, keep on laughing over there. You did a real good job. I tell you when we get the Majority Party back in 1996, it'll be our turn."

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

Flowers: "Mr. Speaker, I would like to yield my time to Representative Lang."

Speaker McAuliffe: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to Senate Bill 274. And because I have so many ballistic and angry colleagues along side me, I'm going to try to remain calm. You know, Ladies and Gentlemen, I've heard some...I've heard some very interesting things from the Majority Party today and all Session, but I heard the Sponsor of this Bill say this is a tough on crime Bill. And I heard the same Sponsor say not too long ago, what a terrible crime ridden place Chicago was. I wonder if you know how many judges are in this Bill for Chicago? None. No judges for Chicago in that terrible

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crime ridden place. No judges in a place where you'd think you ought to be tough on crime. So let's set that aside right now. Next, 1.1 million dollars for what? What this is, apparently, is a Bill to feather the nest of some friendly lawyers. Many of the Members of the Majority Party have talked about how terrible lawyers are in society. Now they want to make them judges and make their pensions bigger. I don't know what the purpose of that is. And finally, and finally, there are a bunch of people who apparently are going to be forced on the Majority side here to vote for this, because they can say on a brochure they're tough on crime. But apparently these are people who want to be tough on crime in somebody else's district, not their district. They want to be tough on crime in someone else's district. Representative Bost and Representative Klingler and Representative Jones, want to be tough on crime in Representative Turner's district. Representative Ciarlo and Representative Lyons and Representative Mitchell want to be tough on crime in Representative Churchill's district. Representative Murphy and Representative Myers and Representative O'Connor want to be tough on crime in Representative Black's district. Representative Poe and Representative Stephens and Representative Wait want to be tough on crime in Representative Spangler's district. Representative Wennlund, Representative Winters and Representative Zabrocki want to be tough on crime in Representative Ackerman's district. Well, look at Mr. Ackerman. Here's a man who's tough on crime. Let him take care of his own district. Vote 'no'."

Speaker McAuliffe: "The Gentleman from Macon, Representative Noland."

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Noland: "Mr. Speaker, on behalf of the working people, I move the previous question."

Speaker McAuliffe: "Representative Noland has moved the previous question. All those in favor signify by saying 'aye'; opposed say 'nay'. The 'ayes' have it. The previous question's been moved. Representative Brady to close."

Brady: "I ask for your 'aye' vote."

Speaker McAuliffe: "Representative Brady has moved for the favorable passage of Senate Bill 274. On that question, all those in favor signify by voting 'aye'; 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. Representative Lang, you wish to verify the vote?"

Lang: "I certainly do. Thank you, Sir."

Speaker McAuliffe: "Mr. Clerk, please verify the Affirmative Roll Call."

Clerk McLennand: "Those Representatives voting on the affirmative on Senate Bill 274. Ackerman. Balthis. Biggert. Biggins. Black. Brady. Churchill. Ciarlo. Clayton. Cowlshaw. Cross. Deuchler. Durkin. Hanrahan. Hassert. Hoeft. Hughes. Tim Johnson. Tom Johnson. John Jones. Klingler. Krause. Kubik. Lachner. Lawfer. Leitch. Lindner. Lyons. McAuliffe. Meyer. Mitchell. Andrea Moore. Mulligan. Maureen Murphy. Myers. Noland. Novak. O'Connor. Pankau. Parke. Pedersen. Persico. Roskam. Rutherford. Ryder. Salvi. Saviano. Skinner. Spangler. Stephens. Tenhouse. John Turner. Wait. Weaver. Winkel. Winters. Wirsing. Wojcik. Zabrocki. Zickus. Mr. Speaker."

Speaker McAuliffe: "Representative Lang, you have questions of the Affirmative Roll Call?"

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Lang: "Thank you very much. Representative Klingler?"

Speaker McAuliffe: "Representative Klingler is in her seat."

Lang: "Representative Cowlshaw?"

Speaker McAuliffe: "Representative Cowlshaw. Representative Cowlshaw in the chamber? Is Representative Cowlshaw... She's coming in the backdoor right now. Further questions, Representative Lang?"

Lang: "Representative John Jones?"

Speaker McAuliffe: "Representative John Jones. Representative John Jones in the Chamber? Standing by his chair. Representative Krause desires to be verified."

Lang: "Who does?"

Speaker McAuliffe: "Representative Krause."

Lang: "Sure."

Speaker McAuliffe: "Representative Krause."

Lang: "Representative Kubik?"

Speaker McAuliffe: "Representative Kubik. Is Representative Kubik in the chamber? He's right behind you, right behind you."

Lang: "On the Democratic side. On the Democratic side. Representative O'Connor?"

Speaker McAuliffe: "Representative O'Connor is in his chair."

Lang: "Representative Zabrocki?"

Speaker McAuliffe: "Representative Zabrocki is in his chair."

Lang: "Representative Leitch?"

Speaker McAuliffe: "Representative Leitch in the chamber? Representative Leitch is down in front here."

Lang: "Representative Parke?"

Speaker McAuliffe: "Representative Parke in the Chamber? Representative Terry Parke in the chamber? Representative Parke in the chamber? Mr. Clerk, remove Representative Parke from the Roll Call."

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Lang: "Representative Tim Johnson?"

Speaker McAuliffe: "Representative Tim Johnson in the Chamber?  
Representative Johnson."

Lang: "If I only had the theme music from 'Jaws' as they run  
after him."

Speaker McAuliffe: "Representative Lang, Representative Murphy  
has asked to be verified."

Lang: "Would that be Representative Maureen Murphy who is not  
affected by this Bill, but voted for it?"

Speaker McAuliffe: "Maureen Murphy. Please. Representative  
Biggett...Biggins desires to be verified."

Lang: "Well, Representative Biggins, who I think is getting a  
judge from this, that'd be great."

Speaker McAuliffe: "Tim Johnson is in the center aisle."

Lang: "I see you, Mr. Johnson, and we're glad that he's returned  
for the verification. Representative Hoeft?"

Speaker McAuliffe: "Will you give Representative Johnson leave to  
be verified?"

Lang: "Who does?"

Speaker McAuliffe: "Representative Johnson."

Lang: "Mr. Johnson was already here, Sir, so that's fine.  
Representative Hoeft?"

Speaker McAuliffe: "Is Representative Hoeft here? Sitting right  
there."

Lang: "Representative Winters?"

Speaker McAuliffe: "Representative Winters is standing in the  
back with his hand up."

Lang: "Representative Lyons?"

Speaker McAuliffe: "Representative Lyons is sitting in her  
chair."

Lang: "Representative Lawfer?"

Speaker McAuliffe: "I didn't hear the name."



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Lang: "Lawfer."

Speaker McAuliffe: "Representative Lawfer in the chamber?  
Representative Lawfer. Yea, right here."

Lang: "Representative Mitchell?"

Speaker McAuliffe: "Is Representative Mitchell in the chamber?  
Representative Mitchell in the Chamber? He's in his  
chair."

Lang: "Representative McAuliffe, this is Representative Mitchell.  
Representative Myers?"

Speaker McAuliffe: "Representative Myers in the chamber? He's in  
his seat."

Lang: "Representative Poe?"

Speaker McAuliffe: "Representative Poe. Representative,  
Representative Parke has returned. Add him to the Roll  
Call. Representative Poe in the Chamber? He's in his  
seat."

Lang: "And a very good vote for Mr. Poe, indeed."

Speaker McAuliffe: "Any further questions?"

Lang: "Representative Ciarlo?"

Speaker McAuliffe: "And Parke has returned to the Roll Call.  
Representative Ciarlo is in her seat."

Lang: "Representative Ryder?"

Speaker McAuliffe: "Representative Ryder. Is Representative  
Ryder in the Chamber? I'm sure he will be in 30 seconds."

Lang: "That's fine; we have time."

Speaker McAuliffe: "Representative Parke has returned to the Roll  
Call."

Lang: "How about taking Ryder off now, Sir?"

Speaker McAuliffe: "Is Representative Ryder in the Chamber?  
Remove Representative Ryder from the Roll."

Lang: "Representative Peterson or Pedersen, whichever it is  
today?"

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Speaker McAuliffe: "Representative Ryder over here. He's returned. Restore Representative Ryder to the Roll Call."

Lang: "Representative Peterson/Pedersen?"

Speaker McAuliffe: "He's sitting in his chair. Representative Lang, everybody is here."

Lang: "Everybody is not here."

Speaker McAuliffe: "Well, there's 61 people here."

Lang: "Representative Wait."

Speaker McAuliffe: "Representative Wait...sitting in his chair."

Lang: "He's probably calling his district to figure out what to do about this bad vote. That's all, Sir."

Speaker McAuliffe: "On this question, there are 61 voting aye', 51 voting 'nay'. And Senate Bill 274 is hereby declared passed. Representative Churchill in the Chair."

Speaker Churchill: "Representative Churchill in the Chair. For what reason does the Gentleman from Rock Island, Representative Boland, rise?"

Boland: "Thank you, Mr. Speaker. I would like to be recorded as 'no' on Senate Bill 274."

Speaker Churchill: "The record will so reflect. On Consideration Postponed - Senate Bill 1039."

Clerk McLennand: "Senate Bill #1039, the Bill's been read a third time previously."

Speaker Churchill: "The Chair recognizes the Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Chamber. Everyone has heard this Bill and I would certainly ask for a favorable 'aye' vote."

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

Hartke: "Mr. Speaker, this piece of legislation has been around

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here all Session long. As Minority Spokesman for the Transportation Committee, we spent five weeks discussing, every week, this piece of legislation. Each and every time we turn around, this thing is showing up like a bad penny. Each and every time we talk about this piece of legislation, it's either taken out of the record or defeated. I don't want to sound like the defender of the Chicago area, but let me tell you something. This is a bad piece of legislation, really bad. I'm sick and tired of it. I urge each and every one of you to vote 'no', and if this piece of legislation should happen to get close to the requisite number of votes, I would seek a verification. And if this is on Short Debate, I'll take it off 'Long Debate' or put it on 'Long Debate', so we can finally beat this thing to death, again. Thank you."

Speaker Churchill: "It is not on 'Long Debate'...It is not on Short Debate, it is on 'Long Debate' and you have requested a verification. Your request has been received. Further discussion? The Gentleman from Cook, Representative Pugh."

Pugh: "Thank you, Mr. Speaker. I'd like to yield my time to Lou Lang."

Speaker Churchill: "He has not spoken yet, but we'll go to him. Further discussion? The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise for, what appears to me to be or seems to me to be, about the 200th time this Session that I have rose...to oppose this Bill in all of its various forms. Whether or not this Bill requires 71 votes, whether or not it requires 71 votes, it's another Bill regarding local control. Are we going to tell the City of Chicago how to do everything? You want to tell them when to raise salaries and when not

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to raise salaries. You want to tell them how to handle their limo service. What more do you want to do? Why are we not going to limit limo service in Park Ridge, where the Sponsor lives? As I said previously, why don't we regulate pigs in Effingham for Representative Hartke? Why don't we regulate the number of coal mines that can be worked on in Representative Bost' district? Why don't we... Why don't we figure out what to do about the proliferation of lawyers in Representative Klingler's district? Why don't we regulate everything that everybody does right here from Springfield? Why don't we do that? Why don't we do that? Why don't we take every law in the State of Illinois, why don't we take every rule, every traffic ordinance, every parking ordinance, every parking meter, why don't we take everything away from every local municipality and give it to us right here in Springfield, because we know best. Representative Mulligan knows best. Who should regulate limo drivers in the City of Chicago? Are we going to regulate limo drivers in Peotone if we build that airport? Are we going to regulate limo drivers in Park Ridge? Are we going to regulate limo drivers in Champaign where the chief lives? Are we going to regulate limo drivers everywhere in this state? No, just in the City of Chicago. Representative Deering is shocked. I'm appalled. I don't know why we're doing this, but we're going to continue to do this over and over and over again, until the Majority Party takes away everything they want to take away and takes for themselves (sic - themselves) everything they want to take for themselves (sic - themselves), including the very important state-wide issue of limousines in the City of Chicago. Now here's an issue that Representative Mulligan can surely sink her teeth into. Let's not deal with DCFS,

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let's regulate limo drivers. Let's not pay a 1.6 billion dollar Medicaid debt, let's regulate limo drivers. Let's do that. Let's do that. Let's regulate limo drivers. And why? Because Representative Mulligan has a person in her district who didn't like the way the limo driver treated them, maybe they went to the wrong address. Maybe they drove down to Representative Winkel's district and dropped him off at the wrong university. Maybe it was suppose to be the U of I in Chicago, but they dropped him at the U of I in Champaign. I don't understand it, but let's regulate this. Let's not take care of a \$30,000,000 give-away by the State Treasurer, no, let's not do that. Let's not take care of more police on the street, let's not do that. Let's not take care of the expanded job opportunities that gaming can provide for us, no, let's do that. Let's not ban assault weapons from the streets of our state, let's not do that. But what we're going to do, I'm going to use every second, Representative, keep counting it down, but what...I learned this from Representative Rutherford. But what we're going to do is regulate limo drivers. Limo drivers, only limo drivers and only in the City of Chicago. Representative, I don't know what the City of Chicago has ever done to you, you probably go in there every once in awhile. Don't take a limo, because I wouldn't want to take a limo into the city if the state was regulating that limo. You better take a taxi. Because you don't want us to regulate taxis. You only want us to regulate limos. I'm going to give you the last nine seconds."

Speaker Churchill: "Further discussion? The Lady from Lake, Representative Andrea Moore."

Moore, A.: "Well, I'm having some fun now here tonight, but this Bill has been debated fully three hours, three different

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occasions and, Mr. Speaker, I move the previous question."

Speaker Churchill: "The question is, 'Shall the previous question be moved?' All those in favor signify by saying 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the previous question is moved. Representative Mulligan to close."

Mulligan: "Thank you. This codifies the City of Chicago's Statute. If it's good enough for Chicago, it should be good enough for the state. I urge an 'aye' vote."

Speaker Churchill: "The question is, 'Shall Senate Bill 1039 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. Representative Hartke... Representative Hartke had previously asked for a verification and that was received. Mr. Clerk, please read those voting in the affirmative."

Clerk Rossi: "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. Tim Johnson. Tom Johnson. John Jones. Klingler. Krause. Kubik. Lachner. Lawfer. Leitch. Lindner. Lyons. Meyer. Mitchell. Moffitt. Andrea Moore. Mulligan. Maureen Murphy. Myers. Noland. Parke. Pedersen. Persico. Poe. Roskam. Rutherford. Ryder. Salvi. Skinner. Spangler. Stephens. Tenhouse. John Turner. Wait. Weaver. Wennlund. Winkel. Winters. Wirsing. Wojcik. Younge. Zabrocki. Zickus. And Mr. Speaker."

Speaker Churchill: "Representative Hartke."

Hartke: "Yes, let me see how 'John O'Jones' voted. Is 'John

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O'Jones' here?"

Speaker Churchill: "Representative Younge, do you wish to be verified? She waved at me; she wants to be verified. I couldn't hear what she was saying from the back of the chamber, she waved at me. I'm sorry, Representative Hartke, what..."

Hartke: "I will recognize Representative Johnson. He's asked..."

Speaker Churchill: "Representative Tim Johnson has leave to be verified. Representative Hartke."

Hartke: "I would also recognize Representative Andrea Moore."

Speaker Churchill: "Representative Andrea Moore is also given..."

Hartke: "I'll give her leave."

Speaker Churchill: "You're giving her leave to be verified."

Hartke: "I'll give her leave, yes. Representative Deuchler?"

Speaker Churchill: "Representative Deuchler is in the center aisle."

Hartke: "Representative Wennlund?"

Speaker Churchill: "I'm sorry, Representative Hartke."

Hartke: "Representative Wennlund?"

Speaker Churchill: "Representative Wennlund. Representative Larry Wennlund. Representative Wennlund, perhaps you could step in the Chamber for a second."

Hartke: "Take him off."

Speaker Churchill: "I think he's done. There he is. Representative Wennlund's here. Anything further, Representative Hartke?"

Hartke: "Where is Representative Wennlund? Okay."

Speaker Churchill: "He was out in the smoking corridor, getting that smoke."

Hartke: "Representative Black?"

Speaker Churchill: "Representative Black, right in the back of the chamber. Anything further, Representative Hartke?"

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Anything further?"

Hartke: "Representative Noland?"

Speaker Churchill: "Representative Noland. He's right in front here. Representative Hartke, anything further?"

Hartke: "Representative Brady?"

Speaker Churchill: "Representative Brady is in his chair. Anything further? Representative Hartke, anything further?"

Hartke: "Representative Churchill, I'm really not use to doing this. Don't rush me. I've got time."

Speaker Churchill: "I'm trying to help you along here, Representative Hartke. They're all here."

Hartke: "Representative Rutherford?"

Speaker Churchill: "Standing in the center aisle...or in the aisle."

Hartke: "Okay. Representative Winters?"

Speaker Churchill: "Representative Winters. Right in the center aisle in the back of the Chamber. Anything further, Representative Hartke?"

Hartke: "Representative Wirsing."

Speaker Churchill: "Right in the aisle."

Hartke: "Representative Persico?"

Speaker Churchill: "Representative Persico, right down there waving at you. Anything further, Representative Hartke?"

Hartke: "How about Representative Ryder?"

Speaker Churchill: "Representative Ryder. Representative Tom Ryder. Right here."

Hartke: "How about Representative Durkin?"

Speaker Churchill: "Representative Durkin is in his chair."

Hartke: "Oh, that's right, I..."

Speaker Churchill: "Anything further, Representative Hartke? I see that look in your eyes."



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Hartke: "Representative Ackerman?"

Speaker Churchill: "Representative Ackerman is in his chair, as always."

Hartke: "How about Representative Klingler?"

Speaker Churchill: "Here as always. Representative Hartke, anything further?"

Hartke: "How about Representative John Turner?"

Speaker Churchill: "Representative John Turner, standing in the aisle."

Hartke: "Mr. Speaker, if they would all get in their chairs, it's easy to tell then, you know, but they're moving all around here. How about Representative Cross?"

Speaker Churchill: "Representative Cross is in his chair."

Hartke: "Krause. Excuse me, Carolyn Krause?"

Speaker Churchill: "Representative Carolyn Krause is right back waving at you in the very back, right behind Representative Weaver there. Anything further?"

Hartke: "Representative Ann Hughes?"

Speaker Churchill: "Right behind her chair. Where you wanted her. Anything further, Representative Hartke?"

Hartke: "Would anybody like to leave?"

Speaker Churchill: "Okay, anything further?"

Hartke: "Nothing further."

Speaker Churchill: "On this question there are 61 'ayes', 55 'nos' and none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 1...700?"

Clerk McLennand: "Senate Bill #700 has been read a second time previously. Committee Amendment #1 failed, Floor Amendment #2 has been referred to Rules. A Fiscal Note had been requested on the Bill and that has been filed. A Fiscal

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Note has been requested on the Bill as amended. The Bill has not been amended; that Note is not in order."

Speaker Churchill: "Third Reading. We'll go to Third Reading on Senate Bill 700."

Clerk McLennand: "Senate Bill #700, a Bill for an Act that amends the Illinois Public Aid Code. Third Reading of this Senate Bill."

Speaker Churchill: "The Gentleman from Saline, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 700, the underlying Bill, is identical to House Bill 5, that we sent out of here a few weeks ago, and it addresses what I think we should have done a long time ago, and that is, have a program in place that detects early on fraud, that might be happening in our AFDC cash assistance programs and the public aid assistance. This is patterned after the State of California where every dollar that was spent for early detection of fraud, saved \$46. So House Bill 5 is identical to House Bill or Senate Bill 700. This early prevention detection program will cause the department to conduct early fraud interviews, maybe home visits, all kinds of different policies to follow that we are not in place now that will detect fraud early, therefore save the taxpayers dollars on those that are more deserving. And I appreciate your 'aye' vote."

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

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

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

Cross: "Representative, isn't this...isn't it true that this Bill only amends the Illinois Public Aid Code?"

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Speaker Churchill: "Representative Phelps."

Phelps: "Yes, it does."

Speaker Churchill: "Representative Cross."

Cross: "Thank you, Mr. Speaker. Sounds like a good Bill. Hope it passes, thank you."

Speaker Churchill: "Ladies and Gentlemen, this Bill is on Short Debate, so we go back to Representative Phelps to close."

Phelps: "Ladies and Gentlemen of the House, on this side of the aisle I was privileged to be the...asked to be Chairman of the Task Force of Welfare Reform on the Democratic side of the aisle. We pleaded, asked to be a part of the Welfare Reform package that passed, that that side of the aisle ushered through the fast track legislation earlier in the Session. This has been known by the Public Aid Department for years to be a key element that's been missing. In my discussions and meetings with them, they felt like that they possibly would want to institute this on a...promulgating on a rule basis because they believed in it so much. However, I convinced them that possibly we should take this through the process and this program, although it's patterned identically after the State of California, over 22, 23 states have something similar, if not identical, to this program. I believe that, if we do not detect fraud early on, we don't need to be about the business talking about those who deceive the process, after the fact, because of what we failed to put in place in our government programs. This is an instance where as seemingly the politicians that want to take the advantage and the spin on all the negative that's happened in trying to help the poor and the poverty stricken is that we well know that this goes on early in the program. If we are aware of those types of situations, I feel that we have not

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done our job and that we have actually shortchanged the taxpayers. This particular program, even though it might take hours for staff and days of dedication to even, like I said earlier, to make home visits, to go back over the application of those who have had interviews with our caseworkers and maybe find something in that application that has deceived us, whether it be an income question, some type of assets that they own or have not reported, and look what we could save early on detecting it before they become a part of our assistance program. I believe that House Bill 5, that we sent to the Senate, now it's back over here for concurrence in a couple of Amendments, I hope will have a chance as we go through that Calendar in the next couple of days. But, this particular Bill was recognized by the Senate to be one that we need to overwhelmingly endorse and it was sent over here, and I ask that each and every one of you endorse this program as we did House Bill 5. I appreciate your attention. Please vote 'yes' on Senate Bill 700."

Speaker Churchill: "The question is, 'Shall Senate Bill 700 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 117 voting 'aye', none voting 'nay' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of Senate Bill 772?"

Clerk McLennand: "Senate Bill #772 has been read a second time previously. Committee Amendments #1 have been adopted... The State Mandates Note has been requested on a Bill as amended. We have a Fiscal Note that has been filed on the

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Bill as amended. The State Mandates Note requested on the Bill as amended has not been filed."

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

Lang: "Well, two matters, Mr. Speaker. Did I understand the Clerk to say that the proper Notes have not been filed?"

Clerk McLennand: "The State Mandates Note that had been requested on the Bill, as amended, has not been filed."

Speaker Churchill: "The Chair recognizes the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I move that the State Mandates Act Note Act be ruled inapplicable."

Speaker Churchill: "The question is, 'Shall the Note Act be inapplicable?' And the Chair recognizes... Representative Lang, if you push your button, I'd know if you want to talk. Do you want to push the button? Thank you. Representative Lang."

Lang: "Thank you. Mr. Speaker, was the statement by Mr. Daniels, previously, that he would recognize and expect proper Fiscal Notes to be filed on these Bills with the phony Fiscal Notes? So to file a Motion or to make an oral motion that the Note be held inapplicable would seem to fly in the face of Mr. Daniels' comments. This was on his list of 36. Our list, as you know, is more expansive, but this was on Mr. Daniels' own list of 36. He guaranteed this Assembly that he would resolve this issue, and I don't think he meant that the issue should be resolved by someone making a Motion to do an end wrong around the Speaker of the House. And so, Sir, I support the Speaker of the House in this matter and I expect that you would, too, and ask Mr. Wennlund to withdraw this Motion out of courtesy to the Speaker."

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Speaker Churchill: "We absolutely support the Speaker. There are two Notes: the Fiscal Note was filed and is appropriate and the Sponsor has chosen to ask that the State Mandates Note be ruled inapplicable, and he has the right to do that as the Sponsor of the Bill. Representative Lang."

Lang: "Well, firstly, Sir, the Fiscal Notes are the phony Notes. So I don't know that they have been changed, or what the status of those is, so let's start by asking the Clerk what the status of the phony Fiscal Notes is."

Clerk McLennand: "There was a...from the Department of DCCA a Fiscal Note for Senate Bill 772 with House Amendment filed on May 21st, signed by Dennis Whetstone, that was prepared on May 21st, and there has been a State Mandates Act Fiscal Note filed on May 21st, prepared by Dennis Whetstone on May 21st. So both Notes have been filed on the Bill."

Speaker Churchill: "Representative Lang."

Lang: "I thought the Clerk just said they weren't filed. Have they now been filed?"

Clerk McLennand: "The Fiscal Note was on the Bill, as I indicated. The State Mandates Act Note has just arrived. I did not have it on the Bill; it had been filed."

Speaker Churchill: "It was just filed as we were talking. Representative Lang."

Lang: "We would ask for a moment to review the document, Sir. In all fairness, I think you'll think that is appropriate. Mr. Kasper is coming down now if you'll give him 30 seconds."

Speaker Churchill: "We'll give you a moment."

Speaker Churchill: "Representative Lang, I think your counsel has indicated that the Note is appropriate. Representative Lang."

Lang: "Thank you. I would like to know though, Sir, what... if

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the original phony, forged, or irregular Fiscal Notes, as specified by Mr. Daniels, are still in the file so that the ongoing investigation can continue?"

Speaker Churchill: "First of all, there's no ongoing investigation. Mr. Clerk, are there other Notes in the file?"

Clerk McLennand: "The Fiscal Notes that were improperly filed on the Bill, unauthorized, have been left on the Bill, marked not valid, and I have attested to that effect."

Speaker Churchill: "So we're all set, Representative Lang. At this point, Representative Wennlund withdraws his Motion. And, Mr. Clerk, is there anything further on this Bill?"

Clerk McLennand: "Nothing further."

Speaker Churchill: "Third Reading. Mr. Clerk, please read Senate Bill 772 on Third Reading."

Clerk McLennand: "Senate Bill #772, a Bill for an Act in relation to powers of county boards and county board chairmen. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you very much, Mr. Speaker. This is what I call a good government Bill. It applies to counties between 700,000 and 3,000,000. And what it does is, it gives the power to the county chairman, the same as if the Governor of Illinois or what the Congress is trying to give the President of the United States, a Line Item Veto over two county budgets. This must be submitted to him prior to the time they're approved by the county board. And it's a good government Bill. It should bring in and rein in spending, and I ask for its approval."

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

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Deering: "Thank you, Mr. Speaker. I'm joined with the requisite number of my colleagues. I'd like to take this Bill off Short Debate. You acknowledge that, Mr. Speaker. Remove from Short Debate."

Speaker Churchill: "It's off Short Debate."

Deering: "Representative, would you yield for a question or two, please? This applies only to counties between 700,000 and 3,000,000. Is that correct?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "Yes."

Speaker Churchill: "Representative Deering."

Deering: "Are any of these counties, that this would apply to, commissioned counties? And if they're not, how many board members do these counties have that make up a county board?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "Please repeat your question. I'm sorry. With all the noise in the House, I didn't hear it, Representative Deering."

Speaker Churchill: "Representative Deering."

Deering: "Are any of these counties, that this may apply to, commissioned counties? And if not, if they're counties with an elected board, how many members or what's the make-up of the county board, total member-wise?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "There are 24 county board members in DuPage County, which is the only county that it would really apply to. Until Lake County, which is growing very fast, comes up there and Will County, which is following it, gets into the same category."

Speaker Churchill: "Representative Deering."

Deering: "So, the make-up of the county...They're noncommissioned



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counties. How many members are on the county board? Excuse me, Representative. Commissioned counties have three board members. County-wide, three board members, that's a commissioned county. Now, your counties apparently are noncommissioned counties, so what is the make-up? How many members sit on the county board in those counties that this may affect?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "Two dozen."

Speaker Churchill: "Representative Deering."

Deering: "Is the county board chairman elected at large or is he elected by a vote of the sitting board members?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "He is elected at large."

Speaker Churchill: "Representative Deering."

Deering: "Is that... Is the county board chairman a partisan election or is it nonpartisan?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "Totally partisan, just the way I love it."

Speaker Churchill: "Representative Deering."

Deering: "Did you say totally partisan, that's the only way to go? Is that what you said?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "That's the only way to go."

Speaker Churchill: "Representative Deering."

Deering: "Representative, does the pay raise or I mean will this county board chairman have authority to rescind any pay raises in these counties and when these pay raises...will these pay raises have to have the 180 day effective date, prior to the election, before they would take effect?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "That would only occur in the event the pay raises were

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included in these budgets that he would have a line item veto authority over."

Speaker Churchill: "Representative Deering."

Deering: "I read in the synopsis, in the digest, that the county board chairman, if this Bill passes, would have line item veto authority over airport authorities and everything else. Is that correct?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "No. The County Airport Authority and the Public Health Department of the county."

Speaker Churchill: "Representative Deering."

Deering: "Okay, now in the language on page 1, line 20, it says, 'The county board chairman may reduce or veto any item of appropriations.' Is that...I'm sorry, it says the county board chairman may reduce or veto any item of appropriations. Now, is that going to be line item or is...can that be anything in the whole budget?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "It is line item reduction only for those two agencies. You'll have to look at the Amendment, Representative Deering."

Speaker Churchill: "Representative Deering."

Deering: "Okay, that doesn't say that in your language, Representative. It just says, 'reduce or veto'. It doesn't say line item reduction."

Speaker Churchill: "Representative Wennlund."

Wennlund: "You have to read the original Bill, together with the Amendment. It is a line item reduction or veto only."

Speaker Churchill: "Representative Deering."

Deering: "Representative, the Amendment becomes the Bill. There's nothing in the original Bill. This Amendment becomes the Bill and it doesn't have anything to say about

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line items."

Speaker Churchill: "Representative Wennlund."

Wennlund: "Well, for the purposes of legislative intent, that's what it is. It's to replicate the same power that the Governor of the State of Illinois has and to review a budget..."

Speaker Churchill: "Representative Wennlund, please bring your answer to a conclusion."

Wennlund: "To review the budget and to reduce or totally veto a line item expenditure within the appropriation ordinance of the county."

Speaker Churchill: "Further discussion? The Gentleman from Saline, Representative Phelps."

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

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

Phelps: "Representative Wennlund, what counties are...fall in the...the range of population that you mention in this Bill, include?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "At the current time, just the County of DuPage; however, Lake is fast approaching 700,000 and then so is the County of Will."

Speaker Churchill: "Representative Phelps."

Phelps: "Can you give me a reason why this particular item that you're pursuing in this Bill is necessary at this time? Has there been some problems that made this come to the surface?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "Yes, the underlying reason is to control the growth of taxing bodies in these counties that reach that 700,000 plus, just like the previous Bill that you just passed out of here. It's good government. It reduces the

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expenditures, keeps property taxes down and reins in the expenses of governing in large counties."

Speaker Churchill: "Representative Phelps."

Phelps: "Can you tell me how large the budget is in DuPage?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "It's big."

Speaker Churchill: "Representative Phelps."

Phelps: "I'm sorry, I really don't have any idea. I mean can you give me a approximation."

Speaker Churchill: "Representative Wennlund."

Wennlund: "For the total size of the DuPage County budget, could probably buy most of your district, which is 300,000,000."

Speaker Churchill: "Representative Phelps."

Phelps: "I see that you have probably visited Pope County, the population of 4,200 people, I guess... Can you give me an example of when a county board chairman would exercise a line item veto over... Evidently, they have explained to you when it would be desirable to do so. What particular line item would be getting that kind of attention?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "Yes, I'd be happy to. There are more people in DuPage County, more people in DuPage County than there are in the entire State of Montana, the entire State of Vermont, the entire State of Maine, and I could go on and on and on; the Governors, of which, all have line item veto. Think of this, one county, more people than the entire State of Nevada, more people than the entire State of Montana, more people than the entire State of North Dakota, more people than the entire State of South Dakota, the Governors, of which, all have line item veto. This is good government. It is to rein in government expense and growth."

Speaker Churchill: "Representative Phelps."

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Phelps: "Thank you for that history lesson. I sure didn't know that. The... As far as the budget arrangement in that particular county, I'm interested and since you're educating me, the...Does the county board chairman, like in my home county, Saline has...they have...the appointment part of different committees to be appointed, sort of like our Leaders do here, so do they have a particular budget? Does he have a particular Budget Committee or she have a particular Budget Committee they appoint to come up with a budget to offer to the full board?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "The Budget Committee is a subcommittee of the County Finance Committee and as a matter of fact, there's probably more members on the Budget Committee than there is in Saline."

Speaker Churchill: "Representative Phelps."

Phelps: "So if I understand this similar process on a smaller scale and like in my county, they go through almost eight, nine, ten months of meetings trying and I guess, I don't know how large this subcommittee is, of the... 25 members, is that what the board is? You said..."

Speaker Churchill: "Representative Wennlund."

Wennlund: "Twenty-four."

Speaker Churchill: "Representative Phelps."

Phelps: "I'm sorry, so with that majority of the Budget Committee members, that meet on a timely basis throughout that period of that fiscal year, I suppose there is an agreement of almost half, if not more, of the members already on that budget before they bring it to the full board. Is that not true?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "Well, it depends on each individual year and each

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individual budget and appropriation ordinance. Again, what you have to keep in mind is that the...and I understand where you're coming from and where your district is, what you have to understand is, is that when you take a county that has a greater population than the State of South Dakota, North Dakota, Montana, Maine, Vermont, you're talking about virtually a state. When you talk about \$300,000,000 budget and 700 to 800,000 people, you're talking about a large expenditure and it's necessary that the chief executive officer under a balanced..."

Speaker Churchill: "Further discussion? The Gentleman from Madison, Representative Davis. Representative Davis, you're on. Representative Davis, the Gentleman from Madison. Representative Davis."

Davis, S.: "Thank you, Mr. Speaker. I rise...I have an inquiry of the Chair."

Speaker Churchill: "Please state your inquiry."

Davis, S.: "Last night, Mr. Speaker, we passed out of this chamber Senate Bill 345, and before that Bill passed out, there was a commitment made on this floor to call a Resolution that would deal with a Task Force for township government. And I have the Resolution on my desk. It was distributed, Resolution 52..."

Speaker Churchill: "Representative, Representative Davis, we're in the middle of debating a Bill. I'm not sure exactly what you're talking about, perhaps if you could come up here and talk to the Parliamentarian and bring us up to speed on this. Representative Davis."

Davis, S.: "I would just like to know if we're going to call the Resolution this evening?"

Speaker Churchill: "I don't know and I'm not sure exactly what it is you're talking about. If you could just talk to the

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Parliamentarian, perhaps you could get it worked out. Okay, Rep... Further discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Churchill: "The question is, 'Shall the previous question be moved?' All those in favor signify by saying 'aye'; any opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the previous question is moved. Representative Wennlund to close."

Wennlund: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is good government. It replicates what the Governors in most of the states in the United States have and what Congress is trying to give the President of the United States, a line item reduction veto to help rein in expenses in areas of extreme growth. DuPage County is larger than several of the United States and they all have that power. DuPage County should have it also. I ask for your 'aye' vote."

Speaker Churchill: "The question is, 'Shall Senate Bill 772 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 85 voting 'aye', 24 voting 'no' and 7 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 949."

Clerk McLennand: "Senate Bill #949, the Bill has been read a second time previously. Committee Amendment #1 has been adopted. Floor Amendment #2, offered by Representative Kubik, has been approved for consideration."

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Speaker Churchill: "The Chair recognizes the Gentleman from Cook, Representative Kubik, on Floor Amendment #2."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 is a clarification of Floor Amendment #1. It was sought so that we could remove opposition to the Bill. It defines, it takes care of the concerns of the downstate tax buyers. I move adoption of the Amendment."

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

Granberg: "Excuse me, will the Gentleman yield?"

Speaker Churchill: "Representative Granberg, would you please hold for a second. For what reason does the Gentleman from Kankakee, Representative Novak, rise?"

Novak: "Mr. Speaker, pardon the indulgence here. On Senate Bill 772, my light was inadvertently pressed 'red'. I was intending to vote 'green'. Please reflect that in the record."

Speaker Churchill: "The record will so reflect."

Novak: "Thank you."

Speaker Churchill: "Thank you, Representative Novak. I'm sorry, Representative Granberg, please proceed."

Granberg: "Yes, thank you. Representative Kubik, could you briefly explain the underlying Bill, please."

Speaker Churchill: "Representative Granberg, we're on the Amendment at this point."

Granberg: "It was my understanding the Amendment #2 impacted the underlying Bill and changed some of the significant provisions. Is that not..."

Speaker Churchill: "Representative Granberg."

Granberg: "Representative Kubik, my mistake. Amendment #2



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changed some of the provisions in Amendment #1, not the underlying Bill, Sir. So could you briefly explain Amendment #2, how it impacts some of the counties on the sale of property, for declaring a sale of property?"

Speaker Churchill: "Representative Kubik."

Kubik: "Representative Granberg, Amendment #1 was placed in the Bill as a...for the City of Chicago to deal with abandoned buildings, abandoned and hazardous buildings. The tax buyers from downstate were a little bit concerned that the City of Chicago would have the authority to take a certificate that they had already purchased and take the certificate. So, what we've done is we've clarified that they cannot do that and that it tightens the Bill so that it does exactly what the city wants to do, which is essentially to be able to...remove abandoned and hazardous buildings."

Speaker Churchill: "Representative Granberg."

Granberg: "Representative, in fact, I think you put on House Amendment #2 at the request of some of our downstate concerns and the downstate tax buyers. Is that not correct?"

Speaker Churchill: "Representative Kubik."

Kubik: "Absolutely correct."

Speaker Churchill: "Representative Granberg."

Granberg: "Representative, I'm aware of some of those concerns and I appreciate your time in addressing those concerns on behalf of downstate. So, I thank you, Representative, for doing this and I rise in support of the Bill, Sir."

Speaker Churchill: "Further discussion? Representative Lang. Okay, Representative Lang is not present. Oh, I'm sorry. Representative Lang."

Lang: "Thank you, Mr. Speaker, for your indulgence. Mr. Kubik,

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where is the City of Chicago in your Amendment?"

Speaker Churchill: "Representative Kubik."

Kubik: "They are in very strong support of the Amendment."

Speaker Churchill: "Representative Lang."

Lang: "So, is this a clarification that you drafted to satisfy a request that they had?"

Speaker Churchill: "Representative Kubik."

Kubik: "Representative Lang, Committee Amendment #1 was the Amendment that was requested by the City of Chicago. I might point out that the Assistant Corporation Council for the City of Chicago, came in and testified in favor of the Amendment. The concern was, that in trying to do...what they were trying to do, which was to address abandoned, hazardous buildings, that the language was a little too broad. The downstate tax buyers were concerned that a certificate that they had purchased might be rendered...would be rendered ineffective by the...a municipality. We clarified that so that the Bill does exactly what the city wants it to do."

Speaker Churchill: "Representative Lang."

Lang: "Representative, are you going to allow Representative Mulligan to put a limo Amendment on this since this involves the City of Chicago?"

Speaker Churchill: "Representative Kubik."

Kubik: "I think one limo Bill a night is enough."

Speaker Churchill: "Representative Lang."

Lang: "And because I agree with you, I'm done."

Speaker Churchill: "Wonderful. Okay, there being no further discussion, all those in favor of Floor Amendment #2 to Senate Bill 949 will say 'aye'; any opposed will say 'nay'. In the opinion of the Chair, the 'ayes' have it and Floor Amendment #2 is passed...or adopted. Mr. Clerk, anything

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further?"

Clerk McLennand: "No further Amendments. A Fiscal Note has been filed on the Bill as amended by House Amendments #1 and 2."

Speaker Churchill: "Third Reading. Mr. Clerk, please read Senate Bill 949 on Third Reading."

Clerk McLennand: "Senate Bill #949, a Bill for an Act that amends the Illinois Municipal Code. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Lang and I have had a discussion on the Amendments. The underlying Bill deals with...allows two areas to incorporate. One is Trout Valley, which is in McHenry County, and the other is Dozaville, which is in Representative Deering's district on Kaskaskia Island. That is the extent of the Bill, the rest of the Bill deals with court proceedings, with respect to the removal of hazardous and abandoned buildings. I would be happy to respond to any questions you might have."

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

Lang: "Thank you, Mr. Speaker. I'm joined by the requisite number to remove this from Short Debate."

Speaker Churchill: "It's off Short Debate. Please proceed."

Lang: "Thank you. Representative, what else is in this Bill, besides the Amendments that we just discussed, that involve the City of Chicago?"

Speaker Churchill: "Representative Kubik."

Kubik: "This...the underlying Bill, Representative, would allow for Dozaville, which I said is down in Representative Deering's district, and Trout Valley, which is in

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Representative Skinner's district, which is in McHenry County, to incorporate. So we have a wonderfully balanced Bill: downstate, collar counties and Chicago. And that's what the Bill does."

Speaker Churchill: "Representative Lang."

Lang: "How are you defining downstate? Somebody told me you're not in downstate Illinois unless you have one foot in the Ohio River. Does this involve anybody who can put one foot in the Ohio River?"

Speaker Churchill: "Representative Kubik."

Kubik: "Well, I think that's probably a question better posed to Representative Deering, because Representative Deering tell me he's from downstate."

Churchill: "Representative Lang."

Lang: "Well, if you'll excuse me if I don't want to ask Representative Deering anything about his feet."

Speaker Churchill: "Representative Kubik."

Lang: "Thank you. Representative, have you reviewed the Fiscal Notes on this Bill?"

Speaker Churchill: "Representative Kubik."

Kubik: "I have lots of stuff in here. Okay. Yes."

Speaker Churchill: "Representative Lang."

Lang: "That was a yes, Sir?"

Speaker Churchill: "Even the Chair was not quiet sure. Representative Kubik."

Kubik: "I said, yes. I've seen the Fiscal Note."

Speaker Churchill: "Representative Lang."

Lang: "Look all right to you?"

Speaker Churchill: "Representative Kubik. Representative Lang, could you repeat the question so Representative Kubik could hear it."

Lang: "I'd be proud too. Do the Notes look all right to you?"

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Speaker Churchill: "Representative Kubik."

Kubik: "Looks like a Note to me."

Speaker Churchill: "Representative Lang."

Lang: "The Note from DCCA says that it does not have any fiscal impact on DCCA. Do you agree with that?"

Speaker Churchill: "Representative Kubik."

Kubik: "That's what it says."

Speaker Churchill: "Representative Lang."

Lang: "Well, I see that's what it says, I just read it. The question is, do you agree with that?"

Speaker Churchill: "Representative Kubik."

Kubik: "Yes."

Speaker Churchill: "Representative Lang."

Lang: "So do I. I agree with DCCA, I don't think it has any fiscal impact. What about the phony Note. What do you think about the phony Note? Do you think we should do something about the issue of the phony Notes, Sir?"

Speaker Churchill: "Representative Kubik."

Kubik: "The Note that I have is the Note that...indicates that Senate Bill 949 with House Amendments 1 and 2 does not have a fiscal impact. I agree with that."

Speaker Churchill: "Representative Lang."

Lang: "Well, I was referring to the phony Fiscal Note filed on May 15. Do you have a copy of that?"

Speaker Churchill: "Representative Kubik."

Kubik: "No."

Speaker Churchill: "Representative Lang."

Lang: "Well, take my word for it, it was filed. Do you think we ought to do something about that? Do you want to help me move the House Resolution 49, so we can investigate the Fiscal Note fiasco?"

Speaker Churchill: "Representative Lang, please ask questions on

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this Bill."

Lang: "Well, if I am limited to this Bill, I don't have anything else, Sir."

Speaker Churchill: "Being no further discussion, the Gentleman from Cook, Representative Kubik to close."

Kubik: "Just ask for your 'aye' vote."

Speaker Churchill: "The question is, 'Shall Senate Bill 949 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'aye', none voting 'nay', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 718."

Clerk McLennand: "Senate Bill #718, a Bill for an Act concerning higher education. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 718 was suggested by the Illinois Community College Board. It provides that if a community college district fails to meet the recognition standards set by the Illinois Community College Board in accordance with generally accepted auditing standards and in cooperation with the district's auditor and is found to have material deficiencies in the design or operation of financial control structures that could adversely affect the district's financial integrity and stability or is found to have misused state or federal funds, the Community College Board may implement emergency powers. Those emergency powers are set forth in the Bill. It is hoped

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that these emergency powers will never have to be used, but certainly the Illinois Community College Board is interested in being certain that all community college districts in the state meet the standards, not only for the recognition standards, but also that they are in good financial condition. Therefore, I would be glad to answer any questions. I think it's a good piece of legislation. I would urge your support."

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

Fantin: "Thank you, Mr. Speaker. I'd like to yield my time to Representative Wyvetter Younge."

Speaker Churchill: "Okay, Representative Younge has not yet spoken, but we'll go to her. The Chair recognizes the Lady from St. Clair, Representative Younge."

Younge: "Thank you, Mr. Speaker, and I thank Representative Fantin. I'm joined by the correct number of my colleagues and I ask that this Bill be taken off of Short Debate."

Speaker Churchill: "The Bill is off Short Debate."

Younge: "Okay, secondly, if the Bill gets the requisite number of votes for passage, I ask for a verification now. Thirdly, I wonder if the Sponsor would yield?"

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

Younge: "Mr. Speaker, did you hear what I said about the verification? If the Bill appears to get the requisite number for passage, I ask for verification. Did you hear that?"

Speaker Churchill: "Representative Younge has requested a verification on this Bill should it receive the requisite number and, Representative Younge, your request has been received."

Younge: "Thank you. Would the Sponsor yield?"

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

Younger: "Okay. What is the situation out of which this Bill arises?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "I am not certain that there is any specific situation from which this arose. I do know that the proponents of this Bill are listed as the Illinois Community College Board and the South Suburban Community College in South Holland, Illinois. I believe that this is simply a provision on the part of the Illinois Community College Board to be certain that in the event there is ever an occasion, when one of the community college districts fails to meet the recognition standards, that they would have a way to help that institution to recover its standing and be able to be recognized."

Speaker Churchill: "Representative Younger."

Younger: "Your answer is that you do not know of any situation at this time. Is that your answer, Representative?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "I do not know, personally, of any situation right now, that if this Bill were law today that would...cause the Community College Board to want to take these...use these emergency powers."

Speaker Churchill: "Representative Younger."

Younger: "Representative, the way the Bill is written now, would it affect all the community colleges all over Illinois?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "Representative, this Bill applies to all 49 community college districts in the entire State of Illinois."

Speaker Churchill: "Representative Younger."

Younger: "So that means that if, say the Richard Daley College in Chicago had recognition problems or financial problems, the



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Illinois Community College Board would be able to put it in oversight or dissolve it under this Bill. Is that correct, Representative?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "Representative, there are a series of powers that are granted to the Illinois Community College Board under this legislation. I believe, although I am not absolutely certain of this, that the intent is that each of those powers would be used in the order in which they are given in the Bill. That is, the community college board would not begin by dissolving a community college district, they would begin by other kinds of intervention techniques to try to establish whatever needed to be done so that that community college district could be recognized."

Speaker Churchill: "Representative Younge."

Younge: "Representative, is it not true that contrary to what you have just said, there is no order in which the emergency powers are talked about. In other words, it's just...there is simply an enumeration, but there is nothing in the Bill that says that a plan has to be first and dissolving the college has to be last. Is that not true?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "That is correct. The Bill says that the Community College Board may implement one or more of the emergency powers set forth in this Bill. They are not required to do it in the order in which those powers appear. However, since it... seems to me to be perfectly logical that you start with the least intervention, and work up from there. It seems likely they would begin with the business of trying to formulate a plan on how to help that community college district and only if all other efforts have failed would there be any attempt, I would think, and I have some

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confidence in the Illinois Community College Board. I believe they would use good judgment in these cases."

Speaker Churchill: "Representative Younge, I'll give you one more minute to bring your questions to a conclusion. Thank you."

Younge: "But as you have said, the Bill doesn't say that. It just merely enumerates the Bill. The...one of the emergency powers asked for is for the Illinois Community College Board to have final authority over the budget. What does the budget of a junior college entail, Representative?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "I'm sorry, Mr. Speaker. I didn't hear the question."

Speaker Churchill: "Representative Younge, could you please repeat the question for Representative Cowlshaw."

Younge: "Yes, the question is one of the emergency powers which is asked for under this Bill by the Illinois Community College Board is to approve and require revisions in the district's budget. What does a district budget include?"

Speaker Churchill: "Representative Cowlshaw."

Cowlshaw: "It includes all income from whatever sources and all expenditures, no matter whether those are expenditures for personnel, for maintenance, for capital projects, for whatever."

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

Erwin: "Thank you, Speaker. I rise tonight to oppose Senate Bill 718. I have indicated to the Sponsor and to the members that represent the community colleges, that I think, initially, when this Bill first came to the Higher Education Committee, it seemed somewhat harmless. Let me tell you that I do think upon further review, many of us

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did reconsider our position on it. I think that we are granting the Community College Board, outside of the huge changes we gave them earlier today, authority to do something on the supposition that something might happen in the future. I think that in this instance, we are, in effect, almost trying to predict that an institution is going to fail. My fear is that this becomes a self-fulfilling prophecy and that we are effectively telling a community college, 'Fail'. Seems to me that as responsible elected officials, that if and when the need arises, I am not afraid at all that this Body and the state and the Community College Board and the Board of Higher Ed. would make good judgments on how to intercede. I think this is preemptory. I don't think it's needed. I think it's one of those Bills that an authority just would like to have, but I do think that it goes way beyond any power authority that they really need. And as one who initially supported this Bill, I have reviewed it, reconsidered it and I strongly urge a 'no' vote."

Speaker Churchill: "Further discussion? The Gentleman from Tazewell, Representative Ackerman."

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

Speaker Churchill: "All those in favor of moving the previous question, please signify by saying 'aye'. Any opposed, say 'nay'. In the opinion of the Chair the 'ayes' have it and the previous question is moved. Representative Cowlshaw, to close. Representative Cowlshaw. Representative Cowlshaw, would you please close?"

Cowlshaw: "Mr. Speaker, Ladies and Gentlemen of the House, I think this is a very wise proposal. One always makes plans for eventualities. I urge a 'yes' vote."

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Speaker Churchill: "The question is, 'Shall Senate Bill 718 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 Bill there are 60 voting 'aye', 52 voting 'no' and 2 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 662."

Clerk McLennand: "Senate Bill 662. The Bill has been read a second time previously. Committee Amendment #1 has been referred to Rules. Floor Amendment #2 has been approved for consideration."

Speaker Churchill: "For what reason does the Gentleman from Clinton, Representative Granberg, rise?"

Granberg: "Mr. Speaker, you have run over the rights of Representative Younger, intentionally. You acknowledged she asked for a verification. She had her light on. All of us had our lights on. You intentionally did not recognize her, Sir. You have violated the rules of this House, once again. You'll violate her rules, like you'll violate every Member's rules, if this is allowed. Once you do it to one, Mr. Speaker and Ladies and Gentlemen on that side of the aisle, you're next. They will do this to you. They will violate your rights, they will take away your Bills and you will see what happens. Representative Younger asked for a verification. It was granted by the Speaker. Now, if the Speaker was a man of his word, he will grant that. He will bring this Bill back and give it to the Representative. That is the acknowledged thing to do in this House. This is a House that is based on integrity. I'm beginning to wonder if...that should be the case. You acknowledged it

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twice, Mr. Speaker, that Representative Younge would get a verification. Twice, Sir. Now, do you admit that you did that twice? It's on the record. Are you saying that you did that improperly, or are you saying that you lied about the Representative in her request for a verification? The Lady has a right. We all have rights in this Chamber. You acknowledged that she would receive a verification, Sir."

Speaker Churchill: "Mr. Granberg. You are absolutely correct and I did make a mistake. The Chair made a mistake. It was not an intentional mistake, it was a mistake and so we'll vote again on it and we'll give her a chance for a verification. Mr. Granberg, is there leave to reconsider that vote?"

Granberg: "Leave."

Speaker Churchill: "Okay. So...Mr. Clerk, please put Senate Bill 718 back on the board. The question is, 'Shall Senate Bill 718 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 61 'ayes', 54 'nays', 2 voting 'present', and Representative Younge has requested a verification. Mr. Clerk, please read the names of those voting in the affirmative."

Clerk McLennand: "Those Representatives voting in the affirmative: Ackerman, Balthis, Biggert, Biggins, Black, Bost, Brady, Churchill, Ciarlo, Clayton, Cowlshaw, Cross, Durkin, Hanrahan, Hassert, Hoef, Hughes, Tim Johnson, Tom Johnson, John Jones, Krause, Kubik, Lachner, Lawfer, Leitch, Lyons, McAuliffe, Meyer, Mitchell, Moffitt, Andrea Moore, Harold Murphy, Maureen Murphy, Myers, Noland, O'Connor, Pankau, Parke, Pedersen, Persico, Poe, Roskam,

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Rutherford, Ryder, Salvi, Saviano, Skinner, Spangler, Stephens, Tenhouse, John Turner, Wait, Weaver, Wennlund, Winkel, Winters, Wirsing, Wojcik, Zabrocki, Zickus, and Mr. Speaker."

Speaker Churchill: "Questions of the affirmative? Representative Younge. Representative Younge."

Younge: "Tom Ryder. Representative Ryder."

Speaker Churchill: "Representative Tom Ryder. Is Representative Ryder in the chamber? Representative Ryder is right here. Did you see Representative Ryder, Representative Younge?"

Younge: "Okay. Representative Saviano."

Speaker Churchill: "Representative Saviano is standing next to Representative Ryder."

Younge: "Representative Winters."

Speaker Churchill: "Representative Winters. Standing right next to you, right behind you, Representative Younge."

Younge: "Representative Brady."

Speaker Churchill: "Representative Younge, does Representative Stephens have leave to be verified?"

Younge: "No. Representative Tim Johnson."

Speaker Churchill: "Representative Tim Johnson. Back of the chamber."

Younge: "Representative Brady."

Speaker Churchill: "Standing right down here in front by the well."

Younge: "Representative Hassert."

Speaker Churchill: "Representative Hassert is in his chair."

Younge: "Representative Krause."

Speaker Churchill: "Representative Krause is in the nurse's station. Would you like us to get her from the nurse's station?"

Younge: "No."

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Speaker Churchill: "No."

Younge: "Representative Black."

Speaker Churchill: "Representative Black. Right in the back of the chamber."

Younge: "Representative Lyons."

Speaker Churchill: "Representative Lyons is in her chair."

Younge: "Representative...Representative Cross."

Speaker Churchill: "Representative Cross. Representative Tom Cross. In the back corner waving a piece of paper at you."

Younge: "Representative Persico."

Speaker Churchill: "Standing up by the well. Anything further, Representative Younge?"

Younge: "Yes. Representative Noland."

Speaker Churchill: "Representative Duane Noland. Right back in the...in the vicinity of Representative Johnson's seat."

Younge: "Mr. Speaker, Representatives are not sitting in their chairs and it's hard with all the staff around to really..."

Speaker Churchill: "Representative Younge, just start calling out names. We'll get them up for you."

Younge: "Representative Wennlund."

Speaker Churchill: "Representative Larry Wennlund is in the back."

Younge: "Representative Durkin."

Speaker Churchill: "Representative Durkin, please wave at Representative Younge. Durkin, waving at Representative Younge."

Younge: "Representative Harold Murphy."

Speaker Churchill: "Representative Harold Murphy. Representative Harold Murphy is not in the chamber. Please remove him from the roll."

Younge: "Representative...Representative Klinger...Klingler."

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Speaker Churchill: "Representative Younge, please...Representative Murphy's back. Please add him to the roll."

Younge: "Representative Klingler."

Speaker Churchill: "Representative Younge, please, if you have another name we'll go. Otherwise I think you should conclude it."

Younge: "Representative..."

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

Younge: "Representative Klingler."

Speaker Churchill: "Representative Klingler is in her seat as always."

Younge: "Representative..."

Speaker Churchill: "Representative Younge has the floor right now. Representative Younge, do you have anything further?"

Younge: "Representative Hanrahan."

Speaker Churchill: "Representative Hanrahan is in his chair. Representative Younge, do you have anything further?"

Younge: "Yes. Representative Weaver."

Speaker Churchill: "Representative Weaver. Representative Weaver, in her chair. Representative Younge."

Younge: "Representative Meyer."

Speaker Churchill: "Representative Meyer is right there."

Younge: "Representative Meyer."

Speaker Churchill: "You just asked for Representative Meyer. He waved at you."

Younge: "Myers."

Speaker Churchill: "Representative Myers is in his chair. Representative Younge, now this is becoming dilatory."

Younge: "Representative Bernie Pedersen."

Speaker Churchill: "Representative Pedersen is in his chair, Representative Younge."



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Younge: "Representative Stephens."

Speaker Churchill: "Representative Stephens is in the back there. Representative Younge, this is dilatory. These Members are here. Do you have anything...Representative Younge, this is dilatory. The Chair is going to go to the vote, unless you have something very serious that you are going to ask, as to name a person that's not here. Yes, well, the Chair is finished because this is dilatory. The Chair is going to this...I'll give you one second more if you have one more name, and then the Chair is going to do the call."

Younge: "Representative Lachner."

Speaker Churchill: "Representative Lachner is in his chair. Representative Younge, this is now being dilatory to try and stop the passage of this Bill, and therefore, the Chair is going to announce the roll. There are 61 voting 'aye', 54 voting 'no', 2 voting 'present', and this Bill, having received a Constitutional Majority, is here by declared passed. Representative Black, now moves that the House stand adjourned until Wednesday, May 23rd (sic-24th), 1995, at the hour of 9:00 a.m. All those in favor signify by saying 'aye'. Any opposed, say 'nay'. In the opinion of the Chair the 'ayes' have it, and allowing for perfunctory time for the Clerk, the House now stands adjourned until Wednesday, May 23rd (sic-24th), 1995, at the hour of 9:00 a.m."

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