

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

137th Legislative Day

May 23, 1996

TAPE MALFUNCTION - Per: Legislative Minutes

Speaker Daniels: "The House will be in order. The Members will be in their chairs. Speaker Daniels in the Chair. The Chaplain for the day is Representative Phelps. Guests in the gallery may wish to rise for the invocation. Representative Phelps."

Representative Phelps: "Representative Phelps said a prayer."

Speaker Daniels: "Representative Cross has asked if I would please allow him to say the Pledge of Allegiance. So Representative Cross, would you please lead us in the Pledge of Allegiance and Lance will be watching."

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

Speaker Daniels: "Roll Call for Attendance. Representative Lang."

Lang: "Yes, Sir. Good morning, Sir."

Speaker Daniels: "We wanted you to know we were paying careful attention to your arrival."

Lang: "It's a pleasure to be here this morning on what should be the last day of Session, right, Sir?"

Speaker Daniels: "It's a pleasure to see you. Representative Currie is recognized on the Democratic side of the aisle for any excused absences."

Currie: "Thank you, Speaker. On this that should have been the first day of adjournment, sine die, the only Democratic Member who is excused is Representative Martinez."

Speaker Daniels: "Representative Currie, we wouldn't adjourn sine die until January. And the record shall so reflect. Representative Cross is recognized on the Republican side of the aisle for any excused absences."

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Cross: "Thank you, Mr. Speaker. And both Lance and I appreciate the offer to let me do the pledge this morning, but as far as I know, we're all here today and we're ready to go. Thank you."

Speaker Daniels: "The record shall so reflect. Mr. Clerk, take the record. There are 117 Members answering the Roll and a quorum is present, and the House will now come to order. Mr. Clerk, announcements."

Clerk McLennand: "Committee Notice. Rules Committee will meet immediately in the Speaker's Conference Room. Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Daniels: "Representative Brunsvold."

Clerk McLennand: "Committee Reports. Committee Report from Representative Churchill, Chairman from the Committee on Rules, to which the following Joint Action Motions were referred, action taken on May 23, 1996, reported the same back 'do approve for consideration'. To the House floor: Floor Amendment #2 to Senate Bill 1019, and Floor Amendment #8 to Senate Bill 1278. The Members are advised to run an update on their computer system at this time."

Speaker Daniels: "The House will come to order. Mr. Clerk, on page 3 of the Calendar appears Senate Bill 1019. Would you read the Bill please."

Clerk McLennand: "Senate Bill #1019, the Bill has been read a second time previously. Floor Amendment #1 has been referred to Rules. Floor Amendment #2, offered by Representative Cowlshaw, has been approved for consideration."

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 to Senate Bill 1019 is a series

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of requests that have been received from the Chicago Reform Board, Chicago School Reform Board. There are eight provisions in this Amendment. The first six of them were contained in House Bill 995 which was...which is now in the Senate. Has not been acted on there, but which passed this chamber by a margin of 111 to 0. Since we have already passed that, let me just briefly explain those six provisions. The first one allows the Chicago System to establish alternative schools now rather than waiting until later. Restores two-year terms for local school council members. Requires a balanced budget and allows the board to carry a budget surplus. Prohibits hiring dismissed employees as principals. Clarifies that a juvenile's criminal record may not be disclosed. And amends the Pension Code for the Chicago Teachers' Pension Fund to include the Prudent Person Investment Authority already granted to the other pension funds. Those were all in House Bill 995 which as I mentioned, passed 111 to 0. The seventh provision in this Amendment, provides some academic and educational criteria that may be created by the board for use by local school councils in the hiring of principals. The board is of the opinion that it would be much better to have some standards that those people who want to serve as principals would have to meet and I know that Gary Cheeko with whom I spoke about this on the phone yesterday feels very strongly about the importance of this one item to give the board more authority to be sure that real improvement happens there. And finally, there is a provision which like all the other things in this Bill, other than the pension, applies only to the Chicago School District, and that is, that it would allow noncertified Speech and Language Pathologists to be hired by the school

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district. That provision is included because there is a chronic shortage of certified Speech and Language Pathologists. I know that there has been some controversy over this when it was a Bill that applied statewide, but apparently the problem is not statewide. Despite that, the initiative for this to apply statewide passed in the Senate 54 to 0 as Senate Bill 1785. I would like to point out to the Body that neither the Illinois Education Association nor the Illinois Federation of Teachers oppose this provision in this Bill. They favor it because they realize the very great problem the Chicago School District faces due to the lack of Certified Speech and Language Pathologists in that area. That's all the Amendment does. I would be glad to answer any questions and I move for its adoption."

Speaker Daniels: "Representative Hannig."

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

Speaker Daniels: "She indicates she will."

Hannig: "Yes Representative, I just talked to somebody that represents the Illinois Education Association and they seem to be unsure as to what's in this Bill and whether or not they are for it, against it or neutral. Have you talked to them about the provisions about this and could you tell us on the record what their position is?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Pardon me, I'm sorry for the delay. As I explained when I first introduced this material, there are eight Sections in this Bill. The first six of them were contained in House Bill 995 which the Illinois Education Association did not oppose and which passed in this chamber 111 to 0. There is...those six as I say, we already know that the Illinois Education Association is not opposed to

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those things. Finally, the last provision, the one about Noncertified Speech and Language Pathologists, both the IEA and the IFT have been asked about that provided it applies only to Chicago, and both have said because of the severity of the problem, as long as it applies only to Chicago, it's okay. And finally, I will have to be perfectly honest with you, Representative, I don't know what the position of the IEA and the IFT may be on the subject of whether the board should be able to establish standards for principals."

Speaker Daniels: "Representative Hannig."

Hannig: "Mr. Speaker. An inquiry of the Clerk I think. I don't have a paper copy of the Amendment on my desk. Is this loaded into the system?"

Clerk McLennand: "It's available on the system."

Hannig: "Okay. Thank you, Mr. Clerk. Do you know if the CTU has taken a position of this Bill or any of the components?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative, my understanding was that House Bill 995 was not opposed by anybody, the IEA the IFT or the CTU. And since the IFT has no objection to the business having to do with Speech and Language Pathologists, I would presume the CTU being its largest member that that would be some indication of the fact that the CTU position would be similar if not exactly the same as that of the IFT."

Speaker Daniels: "Representative Hannig."

Hannig: "I think that the problem, Representative, is that we went into Rules Committee just a few minutes ago, a little bit after 10, and it was dropped in there and we didn't have a chance to analyze it. We're just having the opportunity to get it up on our systems and I think some of the people who have an interest in it one way or the other, perhaps, haven't had a chance to look at it. I would just

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suggest maybe in an effort to give everybody an opportunity to look at it, that maybe you could take it out of the record. It looks like we're going to be here for a long time. You know, it could be something that we can support on this side of the aisle, but the difficulty I have right now is that I really have not had a chance to analyze a very significant proposal. And, I would ask that maybe you would give us some time to consider. Would that be an unreasonable request, Representative?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "If the bulk of the material in this proposal was new, I would more than gladly comply with your request. However, as I have explained before, the major portions of this Bill were in House Bill 995 with which you must be familiar since it was passed through this chamber several weeks ago by a margin of 111 to 0. All the same things that are in this Bill were in that Bill. I'm sure your staff analyzed 995 so you know what those provisions are. The question about the Noncertified Speech and Language Pathologists has been debated repeatedly and most of all, of course, is something that I'm sure you could find if you looked up Senate Bill 1785 which was the statewide counterpart of what this does simply for Chicago. So, because there is nothing new in this Bill I really see no reason why we shouldn't just take action on it, try to do what we can and be of help to the people who are doing such an excellent job of improving the Chicago Public Schools and move on to the business of the day."

Speaker Daniels: "Further discussion? Representative Morrow, the Gentleman from Cook."

Morrow: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House. I also...so will the Lady yield?"

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Speaker Daniels: "She indicates she will."

Morrow: "Representative Cowlshaw, I'm representing the City of Chicago, and I'm also asking you to take this Bill out of the record because I just several minutes ago went out to the rotunda to talk to someone from the CTU and maybe I should ask this before I go on. Is there any language in this Bill dealing with the flat grants?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "If there were, I would have told you. But what I have now explained twice, is that this Bill contains eight provisions. Six of them are identical to House Bill 995 which passed here 111 to 0. The final provision has to do with permitting only the City of Chicago schools to employ Speech and Language Pathologists licensed under the Speak Language Pathology and Audiologist Practice Act rather than actually certified by the State of Illinois because of the severe lack of those people. That is not a new issue. It has been debated several times before and was the content of Senate Bill 1785 which has been acted upon by this General Assembly in this Spring Session. The final provision which was the seventh in this Bill is the one I tried to explain at some length having to do with permitting the Chicago School Reform Board to establish certain standards for the use of local school councils in the hiring of principals. I discussed that with Gary Cheeko yesterday at length. It is something that he believes is essential to improving the standards for principals and we all understand the importance of principals to our schools. They are the educational leaders in each building. That's all this Bill has. It...I cannot believe that anybody doesn't already know a good deal about what was contained particularly in House

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Bill 995."

Speaker Daniels: "Representative Morrow."

Morrow: "Yes, thank you, Mr. Speaker, since most of my time was used in that answer. You know, it's hard as a Legislator from the City of Chicago to see legislation being passed that affects my children by someone that does not live in the City of Chicago. I have been here 10 years and not one time have I tried to pass legislation that deals with school districts that you represent. Now the reason why I'm asking that you take this Bill out of the record, is because it is not your fault, it's not your fault. I'm going to make a statement right now that the Mayor of the City of Chicago needs to bring some better lobbyists down here and maybe the school board needs to bring some lobbyists down here that give us information in a timely fashion and not when the Bill is being called. So then maybe we could make a reasonable decision on a piece of legislation. Right now, we are getting confusing signals from the Board of Education and from the Chicago Teachers' Union. Now I, as a courtesy, should be given that. Otherwise, maybe I should introduce legislation such as the one for the Elgin School District that was asking us to draw their school boundaries for the high school. I mean...when are we going to have some respect? When are we going to have some respect for the individual legislation? I mean...I apologize for using that name..."

Speaker Daniels: "Representative Morrow."

Morrow: "I apologize..."

Speaker Daniels: "Representative Morrow. Representative Morrow, you will refrain from the usage of that language and I think you owe this Body an apology. Representative Morrow."

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Morrow: "I apologize, Mr. Speaker and to the Ladies and Gentlemen of this Body. But the frustration is, and it's not directed towards you, Representative Cowlshaw. It's not represented towards you. I highly respect you as a Legislator in this Body. My problem is when people come to you at a late minute when you haven't had a chance to look at the legislation and tell you this is that and this is that, and you really don't know. I'm getting crossed signals right now, Representative. That's the only reason I'm asking you to take this out of the record. For five minutes so I can get this straight."

Speaker Daniels: "Representative Morrow."

Morrow: "Representative Cowlshaw, I'm going to remove my request that you take the Bill out of the record. I hope we've gotten this straight. Like I said, this is no reflection on you. This is a reflection on the Third House. They need to do a better job of getting information to the Members of this Body."

Speaker Daniels: "Thank you. Further discussion? The Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker, fellow Members. Representative Morrow, this is something we've worked on all year. This is something we are all very proud of. What has happened in the City of Chicago is something that everybody in this chamber just has a lot of pride in because we were part of that. We passed that last year. I would like to go into the Bill and on page 6, Representative Cowlshaw, is the discussion dealing with Speech and Language Pathologists. And it says that the City of Chicago because of the problems they have with hiring these individuals can hire a Speech and Language Pathologist possessing a Masters Degree. I want to go on record strongly as saying that

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means a Speech and Language Pathologist who has gone through a Masters Degree in that field and has the credentials necessary for private speech and language as established by ISLPA, that's the Illinois Speech and Language Pathologist Association. So this is just not any Masters Degree, but is a Masters Degree in Speech and Language Pathologist. This is the intent of the legislation. This is a great Bill. We ought to pass it out of here so that we can continue the wonderful reforms that are now allowing the children in the City of Chicago to achieve so well. Thank you, Mr. Speaker."

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

Lang: "I just simply rise in support of the Lady's Amendment."

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

Currie: "Thank you, Speaker. I think this is a good Bill. I have one question, however, for Representative Cowlshaw, and that is, could you just explain to me what the purpose behind the changes having to do with pension investments is? Could you explain to me what those are and why they are included in this Bill? What will be the effect?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Certainly, Representative Currie, and that's an excellent question as a matter of fact. There was an explanation given of that when we passed House Bill 995, but please, you're right, I'll ought to give that over again. What this does by providing the Prudent Person Investment Authority for the Chicago Teachers Pension Fund, is to expand the investment authority of that fund so that it generally parallels the Investment Authority currently provided to the Downstate Teachers Retirement System and to

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several other state retirement systems. Rather than limiting authorized investments to a statutory list the pension fund could invest under this Prudent Person Rule which is a broad authority for the investment of funds whereby a trustee is authorized to make investments with the care, skill, prudence, and diligence under the circumstance then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and like aims."

Speaker Daniels: "Representative Currie."

Currie: "Thank you, for refreshing my memory. Could I just ask this final question? Was this language change requested by the Chicago School Teachers Pension Board or by another entity?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "This was a request that was put forward positively by both the Chicago Board and the Chicago Teachers Union."

Speaker Daniels: "Representative Currie."

Currie: "Briefly to the Bill, Speaker and Members of the House. I rise in support of this Amendment. Representative Cowlshaw is right, these were provisions we have already approved in 995 and they do have the support of the Chicago School Reform Board as well as of the employees of the Chicago Public School System. Let me just note however, that one important item is missing from this stew, and that is the opportunity for a change in the fiscal year date. A change that would, of course, save the Chicago Public School System some \$40 million a year. So I do rise in support of this measure, but I do want to note that perhaps the most important request made by the Chicago School Reform Board is unfortunately not included in Floor

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Amendment 2."

Speaker Daniels: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I also rise in support of this Amendment and ask for its adoption. The Lady has done a good job of bringing things together in trying to get this Bill passed, trying to get something done to correct the situations in Chicago and I applaud her efforts and ask for the adoption and also ask for the adoption of Amendment #2."

Speaker Daniels: "Representative Cowlshaw now moves that the House adopt Floor Amendment #2. All in favor say 'aye'; opposed 'no'. The 'ayes' have it, and Amendment #2 is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments have been approved for consideration. A Fiscal Note and a State Mandates Note have been requested on the Bill. And a Fiscal Note and Pension Impact Note have been filed. The State Mandates Note is still outstanding. The State Mandates Note has been filed."

Speaker Daniels: "Third Reading. Representative Cowlshaw, we're going to move this Bill to Third Reading. It is now on the Order of Third Reading. Mr. Clerk, call Senate Bill 1019 on the Order of Third Reading."

Clerk McLennand: "Senate Bill #1019, a Bill for an Act that amends the School Code. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Cowlshaw now moves for the passage of Senate Bill 1019. All those in favor will signify by voting 'aye'; opposed by voting 'no'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record Mr. Clerk. On this question there are 117 'aye', 0 voting 'no', 0

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voting 'present', and this Bill having received a Constitutional Majority, Senate Bill 1019 is hereby declared passed. Representative Biggert."

Biggert: "Thank you, Mr. Speaker. The Republicans would request an immediate caucus."

Speaker Daniels: "How long will you need approximately?"

Biggert: "Approximately 12:30 in Room 118."

Speaker Daniels: "That's approximately one and a half hours. Is that correct Representative Biggert? Yes."

Biggert: "In Room 114, excuse me."

Speaker Daniels: "Do the Democrats wish to have a caucus at this time? Representative Brunsvold."

Brunsvold: "Mr. Speaker, not at this time."

Speaker Daniels: "Okay."

Brunsvold: "Maybe later."

Speaker Daniels: "The House will now stand in recess until the hour of 12:30. Representative Holbrook."

Holbrook: "Thank you, Mr. Speaker. I rise on a point of personal privilege. Our youngest Member of the House is having his birthday today, Representative Smith, and he has the three favorite flavors of the House, chocolate, vanilla, and free. So come on over and get some cake before you head to your caucus."

Speaker Daniels: "Representative Phelps."

Phelps: "For his 30th birthday, it ought to be special shouldn't it. Representative Mike Smith. Here we go. Happy birthday to you, happy birthday to you, happy birthday on your 30th, happy birthday to you."

Speaker Daniels: "Happy birthday, Representative Smith. Many more. Representative Deuchler."

Deuchler: "The Members of COWL will please assemble for a group picture in front of the podium."

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Speaker Daniels: "The House will now stand in recess until the hour of 12:30 p.m."

Clerk McLennand: "Attention Members. Committee Notice. The Rules Committee will meet at 12:45 p.m. in the Speaker's Conference Room. Rules Committee will meet at 12:45 p.m. in the Speaker's Conference Room. Correction. The Rules Committee will meet in the Majority Leader's Office. The 12:45 Rules Committee will meet in the Majority Leader's Office."

Speaker Wennlund: "The House will come to order. Representative Wennlund in the Chair. All unauthorized personnel please remove yourselves into the Gallery and clear the floor so the House can proceed with business. Committee Reports, Mr. Clerk."

Clerk McLennand: "Committee Reports. Committee Report from Representative Churchill, Chairman of the Committee on Rules to which the following Joint Action Motions were referred, action taken on May 23, 1996, reported the same back 'do approve for consideration'. To the House floor: House Resolution 136. Floor Amendment #9 to Senate Bill 1278; Conference Committee Report #1 to Senate Bill 1122; Conference Committee Report #1 to Senate Bill 1414; Conference Committee Report #1 to Senate Bill 1912; and Conference Committee Report #1 to House Bill 3048."

Speaker Wennlund: "Supplemental Calendar Announcements."

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

Speaker Wennlund: "Mr. Clerk, on page 5 of the Calendar, appears HJR 81. And on that, the Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. House Joint Resolution 81 urges the United States Department of Energy to remove the Argonne National

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Laboratory from the list of possible sites for the disposal of radioactive and hazardous waste and to urge the members of the Illinois Delegation in Washington to contact the Department of Energy and request removal of Argone National Laboratory from the proposed list of potential sites. This is a House Joint Resolution which should include Representative Meyer and Representative Zickus."

Speaker Wennlund: "Is there any discussion? On that matter, the Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you. To the Resolution, Mr. Speaker. I just want to congratulate the Sponsors and the Republican Party with their new control over the legislative process. That we are here a day after deadline debating House Resolutions. I think it's very, very important we deal with these House Resolutions. We're urging Congress to do these things. I think the taxpayers of this state are being well served and I'm sure they'd be glad to see their tax dollars being well spent today. Thank you."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker. Will the Lady yield? Yes. Representative Biggert, how long as the Argone National Laboratory been on this high level nuclear waste list?"

Speaker Wennlund: "Representative Biggert."

Biggert: "I believe that the first hearings were held in last December. And this Resolution was filed early in the Session, so I've been trying to get this called to address this issue. It came to the attention of the community in December of 1995."

Speaker Wennlund: "Representative Novak."

Novak: "Thank you. To what extent is there stockpiles of nuclear

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waste or how much...let me rephrase that, how much nuclear waste, if any, is generated at the Argone National Laboratory?"

Speaker Wennlund: "Representative Biggert."

Biggert: "Let me answer first by saying that there are 17 possible sites to store this nuclear waste. Right now, Argone the waste is shipped to Oregon and that landfill is scheduled to be full I think, later this year so that...they are trying to determine other sites. Argone in comparison to other sites throughout the country produces a very low-level amount of the nuclear waste."

Speaker Wennlund: "Representative Novak."

Novak: "So Argone National Lab just produces low level nuclear waste? Can you describe some of the waste that Argone National Laboratory produces?"

Speaker Wennlund: "Representative Biggert."

Biggert: "When I spoke as far as being a low-level, I meant that there was a small amount in comparison to other sites, not that it is low-level. What we're talking about now is nuclear waste which is low-level radioactive waste and mixed with hazardous materials. So the waste that we're talking about would be such things as chemicals, volatile organic compounds along with anything that is radioactive. For example, the clothing that someone would wear when they are dealing with radioactive materials then has to be disposed of as radioactive waste."

Speaker Wennlund: "Representative Novak."

Novak: "You indicated that this waste is currently shipped to Oregon? I understand...I thought our low-level nuclear waste was being shipped to Barnwell, South Carolina?"

Speaker Wennlund: "Representative Biggert."

Biggert: "That may be true of the low-level radioactive waste."

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This is mixed waste that we're talking about in this Resolution which is radioactive waste mixed with the hazardous waste. There's two different types of waste and this Resolution deals only with the mixed."

Speaker Wennlund: "Representative Novak."

Novak: "What kind of fees were being charged by the repository or the depository in Oregon? Who borne the responsibility of the fees?"

Speaker Wennlund: "Representative Biggert."

Biggert: "This is all done through the Department of Energy."

Speaker Wennlund: "Representative Novak."

Novak: "So in essence, we're telling our...we're urging our Congressional Delegation to remove Argone National Laboratories from any possible listing as a site for any type of nuclear waste? High-level, low-level, mixed?"

Speaker Wennlund: "Representative Biggert."

Biggert: "We're asking them to remove Argone as a potential for mixed waste which is low-level radioactive waste and hazardous waste. Right now, Argone does store just low-level radioactive waste in that storage, but it's not a permanent depository and really is separate. This really is to remove them as a potential site, a permanent site for disposal. And the reason...the various factors that are used to determine a site are, demographics and the local geology, the ground water resources and the transportation. And certainly because of the population near Argone and the volatile water table which is a moving water table. This would not be a good area to store such waste. But we're not excluding any of just the radioactive material that is produced at Argone at this time, because some of it is stored there."

Speaker Wennlund: "Representative Novak."

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Novak: "Yes, Mr. Speaker, could we have a little more quietude here in the chambers? I could barely hear the Lady's response. Representative Biggert, you're well aware..."

Speaker Wennlund: "Ladies and Gentlemen of the House. Please give Representative Novak and Representative Biggert your attention please so we can get moving on with the business of the House."

Novak: "Yes Representative, you're well aware of the low-level radioactive task force that's been meeting for the last two years around the State of Illinois charged with the responsibility of determining...developing criteria for the development of a site to site a low-level nuclear depository in Illinois because currently we have a compact that was passed a number of years ago with the State of Kentucky that either Illinois or Kentucky can only accept out-of-state low-level nuclear waste. Was this...the reason behind this Resolution...did this subject by chance come up at one of these meetings around the state that was involved with the Department of Nuclear Safety?"

Speaker Wennlund: "Representative Biggert."

Biggert: "I'm well aware of the task force, Representative, and that's why I'm trying to be very careful to draw the distinction between this type of waste. This is something that has come up separate from what is being done with that task force and separate from the designation of that type of waste and this was something that came up quite quickly in December and there were hearings held within our area, but the distinction is drawn by the Department of Energy that has nothing to do with what that task force is dealing with."

Speaker Wennlund: "Please bring your comments to a close, Representative. Representative Novak."

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Novak: "Thank you, Mr. Speaker. You mentioned mixed waste. Can you give me an example of what type of materials comprises of this mixed waste?"

Speaker Wennlund: "Representative Biggert."

Novak: "I mean besides the nuclear waste what other type of materials are being mixed in?"

Speaker Wennlund: "Representative Biggert."

Biggert: "Well, again I draw your attention to the clothing that somebody is using dealing with the radioactive materials and then they're using chemicals at the same time. Let's say for example, the gloves, have both acids on the gloves and radioactive waste. So that would be a mixed hazardous and nuclear waste."

Speaker Wennlund: "Please bring your remarks to a close Representative Novak."

Novak: "Yes, one other question. I understand, is the Department of Nuclear Safety in support of this Resolution?"

Speaker Wennlund: "Representative Biggert."

Biggert: "The Department of Nuclear Safety is in favor of this, as well as, the County of DuPage and I know that the Attorney General did testify in support of this concept at hearings in DuPage County."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Will, Representative Meyer."

Meyer: "Thank you, Mr. Speaker. Representative, if I could further expand on some of the answers, I agree with what the Sponsor, the Chief Sponsor has said, but Representative..."

Speaker Wennlund: "Representative Meyer, address your comments to the House as a whole please."

Meyer: "Okay. Ladies and Gentlemen of the House. If I could expand further on some of the answers that the Chief

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Sponsor of this Resolution has made. I think it's important for everyone to understand the history of this. Prior to last year, all the waste from Argone which is a Department of Energy facility, were shipped to the Oregon site. With the closing of that site, the Department of Energy was looking for other places in which to store that waste which had previously been shipped to Oregon. And so, the Department of Energy arbitrarily placed all 17 facilities that were shipping to Oregon onto a list and they were to determine after evaluating each of the different sites which sites might be good for permanent storage. When we're talking about permanent storage of this, we're talking about thousands and thousands of years and I think it's important for us to understand that. If you look at the geology and the water tables of Oregon, they're very close...the geology does not lend itself to a long, long term storage. We're talking about half-lives up to 10 thousand years if you equate that with the history of this world we have pyramids that are only 5 or 6 thousand years old and you can see what kind of arid dry area that allows that type of structure to stand. To construct a permanent storage area in a metropolitan area that does not have the geology for it, that has a water table that is so close to the ground that you have springs coming up and wetlands in the area, it doesn't make any sense to expend further monies at the federal level on evaluating that as a good storage site. Again, we're dealing with radioactive waste that if it permeated into the water tables it would destroy the water tables of this state. It's not a regional issue, it's a statewide issue. It is an issue that is brought forward by the Department of Energy because 17 producers of this radioactive waste material, virtually

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all of which benefits the entire country, the use of the facilities benefits the entire country. We need to determine what a good storage would be or a permanent storage area would be. Therefore, those of us that have been close to the issue would ask you as Representatives of this state to look at it and say it doesn't make any sense to expend monies in an area where you can't obtain permanent storage because of the geology, because of the water tables, and therefore take that site off the list and look elsewhere."

Speaker Wennlund: "Further discussion? The Chair recognizes the Lady from Cook, Representative Kaszak."

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

Speaker Wennlund: "She indicates she will."

Kaszak: "I couldn't hear a major portion of the comments because it was so noisy in here. The question I have..."

Speaker Wennlund: "Ladies and Gentlemen of the House, please give Representative Kaszak and Representative Biggert your attention please, and move your discussions to the rear of the chamber. The sooner we can get on with the debate and let everybody hear, the sooner we get out of here. Representative Kaszak, proceed."

Kaszak: "Is there a hazardous waste site at Argone?"

Speaker Wennlund: "Representative Biggert."

Biggert: "No, the hazardous waste site is in Oregon at the present time. The materials are shipped there. There is a possible storage while they get the materials into a container to ship out. But there is not a disposal site for hazardous waste."

Speaker Wennlund: "Representative Kaszak."

Kaszak: "The question I have is, is Argone proposing to have this site, I mean, is this an immediate threat?"

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Speaker Wennlund: "Representative Biggert."

Biggert: "No. It has been cited as a potential permanent disposal site. One of 17 throughout the country. Argone produces a small amount of the mixed radioactive and hazardous waste and Argone would not like to see that be the repository of more hazardous and radioactive waste shipped into Argone which it would be if they were chosen as the site then hazardous waste and the nuclear waste would be coming into Argone from other sites throughout the country."

Speaker Wennlund: "Representative Kaszak."

Kaszak: "Who does the choosing of the site?"

Speaker Wennlund: "Representative Biggert."

Biggert: "The Department of Energy and because of their Waste Management Study, this is why Argone was a candidate for this permanent disposal site. So it is up to the Department of Energy. There have been a number of hearings in the area and the public has had an opportunity to have input into the Department of Energy's people that have been there, and that will all be taken into account. So this Resolution is just one more piece that we would like to send to the Department of Energy saying we don't want this, as well as, to our Illinois Delegation."

Speaker Wennlund: "Representative Kaszak."

Kaszak: "I may have misunderstood you. Before, did you say that the Department of Energy is opposed to...is in favor of this Bill?"

Speaker Wennlund: "Representative Biggert."

Biggert: "No. I said the Department of Nuclear Energy is in favor of the Resolution."

Speaker Wennlund: "Representative Kaszak. Further discussion?
The Chair recognizes the Gentleman from Effingham,

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Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. To the Bill. The question about low-level radioactive waste, whether it be mixed with toxic waste, is one of serious concern to all of us because at some point in time we'll going to have to address the issue on what to do with low-level radioactive waste. Low-level radioactive waste in today's definition is that which has a half-life of 1 hundred years. That means that its potential danger within 1 hundred years will be half the danger that it is today and in another 1 hundred years it will be at 1/4th the danger that it is today. So it will be thousands of years before the level of radioactive waste is gone from this material and will be plain nontoxic, nonhazardous to health. The Argone Laboratory does produce low-level radioactive waste as does other experimental laboratories, Fermi Lab and others throughout the nation. The Illinois Department of Nuclear Safety and a low-level radioactive waste task force or commission, has been studying the last two or three years trying to locate a position in the State of Illinois where we could store low-level radioactive waste. They have been up and down the state and so forth, and in speaking with Mr. Ortziger it's going to be a number of years before they determine where to place Illinois' low-level radioactive waste in the State of Illinois. Now, in the State of Illinois we have...we are producing not only low-level radioactive waste but also high-level radioactive waste. And much of the high-level radioactive waste is being produced in our nuclear generating stations most of those located in Northern Illinois. Northern Illinois now has high level radioactive waste stored on site at the nuclear generating stations. Illinois produces about 90%, maybe

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even 95%, of the low-level radioactive waste and the other partner in the compact is Kentucky and that produces very little. So Illinois will be the host state for low-level radioactive waste. Now that issue is just a little bit different than the proposition we're talking about here today with the Argonne Laboratory. The Argonne Laboratory produces low-level radioactive waste and toxic waste combined and is one of 16 produced throughout the nation. I'm sure that the Federal Department of Nuclear Safety is looking for a site and if what the Representative is saying that there are aquifers close to the surface, a dense population and so forth, it probably will not be chosen. I have mixed reviews, though, about this proposal because if we opt out DuPage County that means that there are 101 other counties that are suspect for this dump and no one wants this dump in their backyard. So, I'm reluctant to support this Resolution. I don't want to see other states bringing low level radioactive waste coming into the State of Illinois but yet I know that we must accept the responsibility of that site. I don't understand all the federal rules on the disposal of low-level radioactive waste mixed with toxic waste but it was my understanding that under the federal regulation each and every state must take care of their own low-level radioactive waste or sign a compact with another state to accept their low level radioactive waste. So, if the Sponsor will yield? Is this a different proposition then would apply since it is low-level radioactive waste produced here in Illinois? Should we not be taking care of that low-level radioactive waste here and what is the fear that we will have to accept low-level radioactive waste from other states when we have agreed with the federal government and signed a compact

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only with Kentucky?"

Speaker Wennlund: "Representative Biggert indicates she will answer that."

Biggert: "It's my understanding that this is completely separate. This deals only with mixed radioactive and hazardous waste. It has nothing to do with what you are talking about. There are only 17 potential sites and Argone is the only site in Illinois. So, regardless of what happens with this type of waste it either would be permanently disposed of at Argone or it would go out-of-state. As my understanding is, if Argone were to be chosen, nuclear waste and hazardous waste would come in from Ames, Iowa, is the other site that is the closest. So this has nothing to do with any other part of the state and it has nothing to do with what the work of the task force in finding possible sites for radioactive low-level waste. This is only mixed waste."

Speaker Wennlund: "Representative Hartke."

Hartke: "I heard a previous speaker talking about the half-life up to 10 thousand years. That doesn't sound like low-level radioactive waste to me. That sounds like high-level radioactive waste. It would seem to me that those areas that have enjoyed the employment and the economic development opportunities that have gone with the Argone Lab ought to look seriously at now what the downside of this may be. I don't want to accept any other state's low-level radioactive waste and/or toxic waste, but I think we ought to accept responsibility for that which we have produced here in Illinois. I don't know where the best place for it is, but I know that no one wants low-level radioactive waste or even toxic waste stored next to them or in my county or in your county or anywhere. That's why

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we have a commission to develop that site and I guarantee you when that proposition comes before this Body the vote will be 118 to 1 if it's downstate and other than that I'm not sure what the vote would be. Thank you."

Speaker Wennlund: "There being no one further seeking recognition, Representative Biggert has now moved for the adoption of HJR 81. All those in favor signify by saying 'aye'; those opposed will say 'nay'. In the opinion of the Chair the 'ayes' have it and the Resolution is adopted. On Supplemental Calendar #1 appears under Conference Committee Reports, appears House Bill 3048. The Chair recognizes the Gentleman from Logan, Representative Turner."

Turner, J.: "Thank you, Mr. Chairman. I am moving for the House to approve Conference Committee Report #1 to House Bill 3048. The last time we visited House Bill 3048 there were concerns by Probation Services. There was some concern by the Juvenile Justice Commission and there were some Members of the other side of the aisle that believe that the Illinois Sheriffs' Association may not be on board in 3048. I'm happy to report that the Juvenile Justice Commission, the Probation Services and the Illinois Sheriffs' Association have all given their approval to 3048 and I would ask for a 'aye' vote."

Speaker Wennlund: "And on that question is there any discussion? The Chair recognizes the Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Wennlund: "He indicates he will."

Hoffman: "Yes, Representative, I would just like you to briefly go through for the Members on both sides of the aisle, what exactly is in here with regards to the confinement of juveniles in a county jail. It is my understanding that

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you have reached an agreement with all the parties involved. Everybody is on board and it is something that everybody seems to be able to live with. Could you just run through it briefly? I know we've had a bunch of different proposals throughout the last two years."

Speaker Wennlund: "Ladies and Gentlemen, please give Representative Hoffman and Representative Turner your attention. The Chair recognizes Representative Turner to answer the question."

Turner, J.: "Yes, Representative Hoffman, the Bill as drafted through the Conference Committee Report actually has three separate tiers now for housing juveniles in local facilities. The first tier involves the first 36 hours of incarceration. The juvenile may be confined or separated by...from the adult population in a county facility for the first 36 hours as long as the county monitors and has training standards. There is a second tier. The second tier involves a time period between the 36 hour period and seven days. Added to the standards would be some temporary holding standards which include some educational requirements, counseling, visitation, use of telephone, recreational facilities and the like. And the third tier would be that period exceeding seven days up until the adjudicatory hearing in the third tier for a county jail to house a juvenile. The county would have to comply with the Department of Correction's standards as they are applied to regional facilities."

Speaker Wennlund: "Representative Hoffman."

Hoffman: "Is the Juvenile Justice Commission now in favor of this also or are they neutral on the Bill and not against it?"

Speaker Wennlund: "Representative Turner."

Turner, J.: "They have agreed to this language, Representative."

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Just like the Sheriffs' Association, myself and perhaps others. I don't know if anybody is 100% happy because we all did make some concessions but they have signed off on the language in the Conference Committee Report."

Speaker Wennlund: "Representative Hoffman."

Hoffman: "And in addition to those provisions regarding the housing of juveniles in the county jails, the frivolous lawsuit provisions are on here also I understand, is that correct?"

Speaker Wennlund: "Representative Turner."

Turner, J.: "Yes, Representative. And also I failed to mention that there is another change in the provision with regard to housing juveniles in jails. We have removed 10 and 11 year olds from consideration. If a 10 or 11 year old is picked up, that 10 or 11 year old can only be housed in a county facility for a maximum of six hours and if held after that they will have to go to a regional facility."

Speaker Wennlund: "Representative Hoffman."

Hoffman: "Essentially, the whole idea around the housing of juveniles in this Bill is that the first 36 hours that it is people's feelings that I guess that you need less of the type of programming...the programs for children. And I think that that makes a lot of sense because essentially that is just the initial period. After the 36 hours, then you have to meet a bit higher standard. Is that correct? Could you just be more specific as to what higher standard you need to meet?"

Speaker Wennlund: "Representative Turner."

Turner, J.: "Yes, I can be more specific, Representative. You probably have your analysis. I don't know if you have had a chance to read the entire Bill but on the last page of the Bill, on pages 26 and 27 it is spelled out.

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Essentially what we are looking for, we talk about standards in education, recreation, disciplinary standards, access to medical services, crisis intervention, mental health services, suicide prevention, health care, nutritional needs and visitation rights."

Speaker Wennlund: "Representative Hoffman."

Hoffman: "And then if you keep them over seven days, essentially what is going to happen is a practical matter is they will be kept in a juvenile facility, a detention facility, their regional facility or another county facility the way that they have to be now. So, if it is a long-term stay, what you are saying is that they have to have the schooling. They are going to have all the types of things that need to be present in the current juvenile facility and that wouldn't be able to be done generally on a county level. Is that correct?"

Speaker Wennlund: "Representative Turner."

Turner, J.: "That is correct Representative. I won't say that there aren't any counties that could house a juvenile after seven days. In fact, I believe that DuPage County may be able to do so, but I don't believe that there will be very many that will be able to comply with the terms and regulations of the department."

Speaker Wennlund: "Representative Hoffman."

Hoffman: "Yes, I understand the concerns of some of the counties and some of the individuals regarding this Bill. I understand the concerns of some of my own counties, Madison and St. Clair County that have made expansions and done things to the their juvenile facility, in anticipation of housing other out-of-county individuals. However, I think that this Bill is a good faith attempt. It has been good faith attempt and I think that it has come along way from

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where we began to insure that we do a couple of things. First of all, to insure that we maintain the type of services that need to be present for a juvenile in the detention center, such as the schooling services, such as the anti-drug type of programs and things like that to make sure when they get out that some changes have been made. In addition, I think it addresses the small rural county concerns. The concerns of the small counties that Representative Turner represents and many people in this Legislature represents when they're spending literally thousands of dollars to house people and run back and forth for court appearances. This is a common sense compromise that I believe we should all support, and I don't know of any opposition to the Bill, any remaining opposition to the Bill."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I had some concerns when this first came up. I just want to commend the Sponsor for the very responsible way that he has brought this up. I have a regional facility. I think that he has really worked hard to accommodate the best interests of the children of the State of Illinois. You mentioned that last time. It was their best interests that you were looking for. You've certainly done that. I commend you for it and I'm real pleased to support this and hope that it has a unanimous vote."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Dart."

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

Speaker Wennlund: "He indicates that he will."

Dart: "Representative, this Bill excludes Cook County, correct?"

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Speaker Wennlund: "Representative Turner."

Turner, J.: "That is correct."

Speaker Wennlund: "Representative Dart."

Dart: "And just for my clarification, one of the major concerns, and I realize that you have been working this for about two years now, was to in effect make sure that the juveniles are not in any way contacted with rapists, child molesters, pornographers. What is in this Bill that provides the guidelines and prevents juveniles who are picked up on an innocuous offense from being stationed near a child molester or pornographer?"

Speaker Wennlund: "Representative Turner."

Turner, J.: "Representative, the language in the statute I think we would have to look to specifically does prohibit that. It says that they must be confined separate from adults and they may not at anytime be kept in the same cell, room, or yard with confined adults."

Speaker Wennlund: "Representative Dart."

Dart: "So, does this say that they have to be in separate rooms then, too?"

Speaker Wennlund: "Representative Turner."

Turner, J.: "Yes. Also Representative, I might add that you will recall that the language as originally drafted used the term 'substantially separated by sight and sound'. We have taken out 'substantially' and left it 'separated by sight and sound'. Although frankly, my interpretation of the language as in here, would be consistent with the definition that we had originally assigned to 'substantially separated'."

Speaker Wennlund: "Representative Dart."

Dart: "So, then if there is numerous cells within a room, you would not be able to hold a juvenile and an adult in there?"

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They would have to be in separate rooms altogether different, right?"

Speaker Wennlund: "Representative Turner."

Turner, J.: "Correct. Not only separate rooms, but rooms separated enough so that they are out of sight and out of sound."

Speaker Wennlund: "Representative Dart."

Dart: "Well, I think you've done an outstanding job with this, Representative. I wish that you had more Bills, because you have put so much time into this one, when you did such a good job with it. I want to commend you. You have worked for about two years on this thing. I think you have done a great job."

Speaker Wennlund: "Further discussion? The Chair recognizes the Lady from Cook, Representative Currie."

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

Speaker Wennlund: "He indicates he will."

Currie: "You have worked very hard on this and speaking for groups like the Task Force on Juvenile Justice, let me tell you how much I appreciate the work that you have done to try to make sure that this Bill will be good for youngsters who are in detention. I know that you have added training requirements and the establishment of standards to govern how this provision with respect to youthful offenders in county jails will work. But, I also appreciate that under current federal law there is a risk that, should the federal standards not change, we would lose federal reimbursement if these provisions were to go into effect, for example, today. Is it your commitment, should the federal standards not have themselves changed by the time this program becomes effective, is it your commitment to work to see to it that changes are made in our law so that

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we not only don't lose federal funds, but that we offer whatever kind of protection that the federal program proposes as desirable?"

Speaker Wennlund: "Representative Turner."

Turner, J.: "Yes, Representative. I'm committed to that cause and concern."

Speaker Wennlund: "Representative Currie."

Currie: "Sir, I didn't hear the second part of your answer. I heard the yes, however."

Speaker Wennlund: "Representative Turner, please you repeat your answer."

Turner, J.: "Representative, I am committed to doing just the thing that you stated."

Speaker Wennlund: "Representative Currie."

Currie: "Thank you."

Speaker Wennlund: "Further questions? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I simply rise to support the Gentleman's Motion to accept the Conference Committee Report. I would like to thank the Members of the House for the courtesy they have extended me and to Representative Turner. Seldom have I ever stood before this House as I did a year ago and ask for a personal favor in asking you to vote for a Bill that was very important to a very dear friend of mine who took his life about a year ago this month. He had devoted a great deal of his life, in fact, most of his adult life was devoted to trying to figure out how to serve and protect juveniles as the adult probation officer in Vermilion County. And this matter was a long standing item of concern to Jerry Chrisman. And I think Jerry would be very proud of the compromise that John Turner has reached.

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I apologize for taking this issue somewhat personally. I know if you have been here any length of time, you know that when you do that, when you take any issue personally it can sometimes cloud your judgement and it has done that to me on occasion. And I certainly extend my apology to those of you that I might have offended with my outbursts and my intemperate remarks. But, if you knew Jerry Chrisman as I did, you would understand why I felt that way. I do appreciate the fact that you have worked with us on this. I appreciate the fact that I think that we finally have an agreement that we can live with. Mere words cannot express to you that have put up with me on this issue for several years, how pleased and how satisfied I am and I know that Jerry would be that we have reached this compromise. To John Turner, I thank him from the bottom of my heart because there comes a time in any issue when those of you that are closest to it have to back away because you lose your perspective. And, I lost my perspective on this. And while I do apologize for intemperate remarks I made the other day, I will never apologize for taking the issue as seriously and as personally as I did. Because, a very dear friend of mine worked on this since 1988 and I think he would be very pleased with this compromise. And I appreciate John Turner's efforts. I appreciate all of you who have had the patience and the fortitude and the patience to sit down and work with all of us on this. I would hope that you could give this your 'aye' vote. And John Turner to you, I say, thank you again."

Speaker Wennlund: "There being no one seeking further recognition, the Chair recognizes Representative Turner to close."

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Turner, J.: "I ask for a 'aye' vote. Thank you."

Speaker Wennlund: "The question is, 'Shall the House Adopt Conference Committee Report #1 to House Bill 3048?' All those in favor signify by voting 'aye'; all those opposed signify by voting '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 required Constitutional Majority, is hereby declared passed. Committee Announcements."

Clerk Rossi: "The House Rules Committee will meet today at 2:15 in the Speaker's Conference Room. The Rules Committee will meet at 2:15 in the Speaker's Conference Room."

Speaker Wennlund: "On Supplemental Calendar #1 under Conference Committee Reports, appears Senate Bill 1122. The Chair recognizes the Gentleman from Coles, Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House."

Speaker Wennlund: "Excuse me, Representative Weaver. Ladies and Gentlemen of the House. Please give Representative Weaver your attention. Remove your conferences to the back of the chamber so we can get on with the business of the House today so that we can adjourn at a reasonable hour and head home for a change. Representative Weaver please continue."

Weaver: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we accept the Conference Committee #1 on Senate Bill 1122. Basically what is left in this Conference Committee is a requirement of a waiver of confidentiality on legislative scholarships. This essentially sets forth a condition of nomination by General

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Assembly Members. Those that we nominate for legislative scholarships would be required to sign a waiver of confidentiality. In other words, their names would become public and we would then file those with our nominating forms with either the State Board of Education or the President of the University of Illinois, depending upon where those scholarships go. The Illinois Students' Assistance Commission has the responsibility for preparing a waiver document that we would use in disseminating to students who are applying for these scholarships and we would then therefore require a minimum of the name of the individual and the nominating Legislator. That's the minimum. Now if the Legislators want to require additional information such as address they can do that but we're establishing a minimum here of the name of the individual making application and the Legislator. I'll be happy to answer any questions, Mr. Speaker."

Speaker Wennlund: "And on this issue is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Lang."

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

Speaker Wennlund: "He indicates he will."

Lang: "Representative, if I understand it correctly, the First Conference Committee Report boils down to simply an issue of the scholarships and that each recipient must sign a waiver so that their names can become public. So that's all that's left here right?"

Speaker Wennlund: "Representative Weaver."

Weaver: "That's correct."

Speaker Wennlund: "Representative Lang."

Lang: "What is the effective date of this Conference Committee Report if it becomes law?"

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Speaker Wennlund: "Representative Weaver."

Weaver: "It's got an immediate effective date."

Speaker Wennlund: "Representative Lang."

Lang: "What happens to the Legislators that have already awarded their scholarships? Will we then this year have sort of a different system for some then for others? If I've already given mine and you have not given yours, then your scholarship recipients need to sign this document but mine do not?"

Speaker Wennlund: "Representative Weaver."

Weaver: "This is prospective piece of legislation so it would be from the point that the Governor signs it forward. Obviously we can't go back and require disclosure you know on students that we have already awarded scholarships to."

Speaker Wennlund: "Representative Lang."

Lang: "So any of us that want to beat the deadline as soon as Session is over we should run home and issue these scholarships before we have to make the names of these recipients public, is that correct?"

Speaker Wennlund: "Representative Weaver."

Weaver: "Well that...I don't know about beating the deadline. I'm sure that there are a large number of Legislators in this Body who have already awarded their scholarships and there's quite a few Members of this General Assembly who already require that student applicants sign a waiver of confidentiality now. So, it's going to be kind of a mixture until this gets signed into law anyway."

Speaker Wennlund: "Representative Lang."

Lang: "Does the Conference Committee Report report require a specific form for this waiver or will you allow each Legislator to create their own form for the waiver?"

Speaker Wennlund: "Representative Weaver."

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Weaver: "The Conference Committee specifies that the Illinois Students' Assistance Commission will design and provide a waiver form for us to use."

Speaker Wennlund: "Representative Lang."

Lang: "Thank you, Mr. Weaver. To the Conference Committee Report. I'm going to support it. But I find this pretty unusual. We've been talking on and off, mostly kiddingly, with Representative Moore about her ethics legislation. This whole issue of the scholarships was part of that and now I see in the newspaper today, 'Ethics legislation declared dead in Senate'. We never did get that report from Representative Moore, but the Senate Sponsor, Senator Klemm, said it's dead in the Senate. And he goes on to say that out of all this serious ethics legislation that the party of light and lightness wants to bring to us, the only thing they're still concerned about is legislative scholarships. No longer concerned with donations to campaigns, no longer interested with where you work, no longer interested with how much money we spend, no longer interested in the activities of special interest groups, only interested in legislative scholarships. And I find that pretty unique because we spent a lot of time on this floor suggesting that the ethics legislation wasn't going to go any place and that the Republican Senate was not going to allow that ethics legislation to go and, in fact, it hasn't. And so what we have here is the party that talks about not being able to look yourself in the mirror if you're from Cook County and all that business, the party that talks about passing legislation to protect citizens in our state from the horrors of campaign finance, now backs way off from that position. And the only thing in this state in the area of ethics that bears any kind of

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legislative action is making sure that your local scholarship recipients name is public. Well if that's the only thing that the Majority Party wants to move on, in terms of ethics, that'll be an albatross on their neck. I think we could have done much better. I think there are many things we could have done. There was much good in Representative Moore's Bill. I'm sorry she wasn't able to convince her friends in the Senate to move it along. We should do something in those areas. We should certainly do something about campaign finance reform. The amount of money we spend in this state on campaigns is obscene. The amount of money raised in this state is obscene. Something should be done about that. But instead of dealing with the real problems of ethics in government, let's deal with the lives of children and make sure their names are all public if they get a scholarship. I think this is real good legislation but it's just a thimbleful compared to what we should have done in terms of ethics in our state."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from McHenry, Representative Skinner."

Skinner: "Would the Sponsor yield for a couple of questions?"

Speaker Wennlund: "Yes he will."

Skinner: "Mr. Sponsor, one of the things that has been disturbing me in this debate over legislative scholarships, is the inability of state universities to follow the law. I do not understand why someone who is not from a given Legislator's district, who does not live in that district, can be given a scholarship waiver by a university. Can you shed any light on that question?"

Speaker Wennlund: "Representative Weaver."

Weaver: "I don't know that it's currently allowed under our laws as it exists now."

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Speaker Wennlund: "Representative Skinner."

Skinner: "Well, Representative and Members of the House. The law very specifically says that no one is allowed to have a scholarship waiver unless they are nominated by a Legislator in whose district the people live. Now it certainly seems that some Legislators have nominated people that are outside of their district. But for some reason the media seems to think that we are the only ones at fault. It seems to me that the universities are blatantly violating the law if they grant a tuition waiver to anyone who does not live in the district of the Legislator who has made the nomination. Thank you."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Washington, Representative Deering."

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

Speaker Wennlund: "He indicates he will."

Deering: "Representative, is this Conference Committee Report dealing with anything other than legislative scholarships?"

Speaker Wennlund: "For the eighth time. Representative Weaver, do you want to answer that question?"

Weaver: "No, it does not."

Speaker Wennlund: "Representative Deering."

Deering: "So all the scholarships that have been given away to university employees and given away by university presidents and everything, again we don't care about them, huh?"

Speaker Wennlund: "Representative Weaver."

Weaver: "I wouldn't say we don't care about them, they're just not addressed in this Bill."

Speaker Wennlund: "Representative Deering."

Deering: "Is there going to be money put up in the budget to fund these? Apparently we take a lot of criticism for that."

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Speaker Wennlund: "Representative Weaver."

Weaver: "Just as it has in the past years, no."

Speaker Wennlund: "Representative Deering."

Deering: "Maybe you could pull this out and we could do another Conference Committee and let's just take away all scholarships across the board for everybody and I think a lot of us can support that also."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. To the Conference Committee Report. I rise in support of this Conference Committee Report because I think it's probably the right thing to do. But let me address what we have not done. As my seatmate indicated, this does not talk about campaign finance reform. It is woefully short on addressing any serious problem, any serious issue that we should be addressing here today. During the course of this last Session, we have seen this House react to publicity. There is no public policy. It is public policy generated by press. We are not addressing the long term problems. We are not looking for long term solutions. We are driven solely by the press. Your side of the aisle has failed to come up with any substantial reform. Yet, you will not allow us on this side of the aisle to push forward our proposals to do long term reform. You will not even allow us to have a forum to address those issues. And this is your solution. This is your solution. You will not allow our proposals to put campaign limits. You will not allow our proposals to come forward to address any of these issues and this is what we have today. An example, we've seen issues in the newspapers, whether it be ethics, whether it be pensions, whether it be anything else and we push forward Bills that

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are meaningless because they die in the other chamber. They are generated solely for campaign brochures. And nothing happens. Nothing. You have done this time and time again this Session, whether it's pensions, whether it's ethics, whether it's mandates, whether it's taxpaying bodies to increase taxes. It's been a farce. This whole Session has been a farce on the public. Representative Klingler had a Pension Bill. You want to talk about campaign finance reform, her Pension Bill costs \$366 thousand for every state employee in her district. Let's put a limit on that. Let's deal with the real issues. Let's quit using taxpayers dollars for campaign fodder. Why don't we get to the real problems. Why don't we work together and solve these issues. But no, you have said no all Session. And you come up with these false promises, you raise the expectations of the public, and then you pull the rug out from underneath them. This is again what you have done and it is what you are continuing to do today. It is a scam. It is a farce on the people and Ladies and Gentlemen, they will find out, they are going to find out, and next year we will change it."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. One thing I can agree with the previous speaker, the ultimate referendum will be held in November. And so we don't have to worry about brochures and speeches on the floor. That referendum will be held and not even the Senate can derail that referendum. That will be held and we'll see what happens after that. But I find some of these speeches on the floor to be so interesting. My goodness, we're so worried about employee

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pensions and many of us on this floor are and it shouldn't be a partisan issue. The SERS Pension hasn't been revisited in 25 years. Twelve of those 25 years my good friends on the other side of the aisle controlled this House. Two of those years they had a Veto Proof Majority. They could have advanced any plan they wanted and they had a Democrat Majority on the other side of the aisle. So they could have addressed that Pension Plan at some point in the last 25 years but they didn't want to. They didn't want to. And you know, as for being driven by the press I think I stood before you four years ago and said we better do something about the legislative scholarships, but I was in the Minority. I was voted down by your side of the aisle. Don't tell me I'm a johnny-come-lately to this issue. Don't tell me I'm following the press. I found out about four years ago that we don't pay one penny on these legislative scholarships and that's wrong. And I tried to do something about it and your side of the aisle blocked it. So we have an opportunity to hear it today to say at least, I not happy with what the Senate did, but at least we have an opportunity to say, 'If you want to award free scholarships not paid for by one penny of appropriated dollars, you're going to release the names of those people'. Boy, that's a real tough issue. Okay, so my friends on the other side of the rotunda didn't agree with me but it's a start. Now are your going to work with us to start or would you rather pontificate and say, 'Oh no, we ran this chamber for 12 years but we were thinking about getting started, we were thinking about getting started'. You know, this is ridiculous. Why don't we just appropriate the \$4 million to ISAC, whoever controls the chamber. I'll be up saying the same thing next year and

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we'll be getting the same answers from some of the people that have been on both sides of this issue. If you want to get serious about ethics reform, fine, let's sit down as a group of bipartisan Legislators and we'll talk about what needs to be done. Do you want to limit what somebody can contribute to your campaign? That's fine with me. But then what are you going to do when you run against Steve Forbes' cousin and he's got \$20 million to put in the race? The Supreme Court has said you can't limit him or her, can't do that. So you know, we don't need all the rhetoric about this stuff. Around here we take some relatively small steps until we get to the issue at hand. And if you weren't willing to do that, and I remember a Gentleman on your side of the aisle who worked about 20 years on mandatory insurance. Twenty years it took him to get that and most of the years it took him to get that, your party was in the Majority so it doesn't make any difference who controls the chamber. It depends on who...individually whether we're going to sign on to some issues that are important. Not politically; individually. Ethics is not the primary responsibility of either party in this chamber. Don't make it a political issue. Ethics comes from right here in each and every one of us. In your heart. Are you going to do what it's right? Are you going to shave it? You going to cut corners? There isn't any ethics law in the world that stop that if your heart isn't in the right place, so don't make it a political issue. It is a personal issue that neither party has any proprietary rights to. And I remember some of you who complained the loudest today when I got up five years ago, joined by some colleagues on my side of the aisle and said, 'Accepting per diem payments in overtime Session is wrong.' Could we get

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that out of the House controlled by your Party? No. Some of us gave it back willingly. When we took over the chamber, we stopped that practice. That's ethical. If we go into Session on June 1, nobody in this chamber gets a per diem because that's then an overtime Session, and you can say whatever you want to about the integrity of the process, the taxpayers should not have to subsidize our inefficiency. So, we'll be done. We'll be done on May 31st. And if we're not, nobody's going to draw a per diem. And the final irony that I have, somebody earlier today said, 'Here we are, here we are in overtime Session.' Wow, May 23rd and you dare to call that overtime Session? Where was your indignation when we were here on July 15th when you controlled this chamber? Yeah, uh huh. Say whatever you want to. Yell and holler and go back in the bathroom and chuckle, but when we were here time after time after time in July and making the taxpayers subsidize our inefficiency, you ran this chamber. In the two years that we've run it, we will adjourn the earliest in 70 years. No matter when we adjourn. So spin it any way you want to spin it. Color it any way you want to color it. You don't have any proprietary rights to the word ethics anymore than this side of the aisle. If you want to vote for ethics reform, then take the first step today. If you don't want to vote for ethics reform and you would rather come up with some neat little press release, then vote 'no'. Put your votes where your mouth is. Vote 'no'. Put your vote where you want campaign brochures to be. Say, 'No, I'm not going to vote for any ethics reform, whether it's this much or that much. I'm not going to vote for it because my party isn't in charge of it.' You vote 'no', you go home and explain it to your constituents. I wouldn't care if you

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sponsored it or somebody else sponsored it. I'm going to vote 'yes' because ethics begins in this kind of a step, not that kind of a step. So frame it any way you want to. Most of you are hypocritical enough to rant and rave about it, but you'll vote 'yes', as most of us will. So stop the nonsense and let's get on with it."

Speaker Wennlund: "Further discussion? The Chair recognizes the Lady from Cook Representative Davis."

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

Speaker Wennlund: "He indicates he will."

Davis, M: "First of all I think that it's very good to be able to do something in this state for people who are not rich, and wealthy and have a lot of dollars. And one of the very few things that we're able to continue to do for people who are not wealthy or rich or with a lot of dollars, is to provide scholarships for students who live in our districts. I've been here a long time. There was a little old gentleman who was here some time ago, his name was Representative Nelson Rice. Nelson Rice sat right down in the corner over here and one day a young man came walking down the aisle because we would let visitors in during those days. Visitors could come in and observe and listen and watch what we did. Nobody was afraid for them to come in and see what we do here. So this young man walked down the aisle with his wife and his son and he said, 'I'm looking for Representative Nelson Rice'. He said, 'I am a podiatrist today because that's the person who gave me a four year scholarship so that I could earn a degree in podiatry.' He had never met him. He said his mother had submitted his letter. He had submitted some information about his behavior in the community and the church, and Nelson Rice awarded him a scholarship but he'd never met him. And

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that's what these scholarships are really all about. He said he would never have been permitted to go to college had he not received that scholarship because his mother had a number of children and he would never have been able to afford it. So that's what these scholarships are all about. Even though this young man didn't go to the Aurora Math and Science Academy at \$19 thousand per student, even though he didn't go to some of these other prestigious places, he was permitted a scholarship and admitted into a university to get a doctorate degree. Why some people want to not only deny that, but to set up a situation where these people can be ridiculed is beyond me. It is truly baffling to me when some people feel that because you get a government grant to become educated, then this information relieves you of any constitutionally guaranteed privacy. It just amazes me that poor people or working-class people have to fight so hard, so darn hard for the same kind of rights and privileges that those with money have. Now, of course, this little gentleman who came down the aisle would not have wanted to be treated differently in that university by his peers or classmates, so that information was private. The fact that he was there on a government grant was nobody's business. I am really concerned when this privacy issue does not tell us who gets the road builders' contracts. I'd like to see that privacy issue addressed. I'd like to know exactly which companies benefit from road builder contracts from the State of Illinois. I'd also like to know which hotel owners were forgiven their debt. I'd like to know a lot about them and their families, who were forgiven that debt, who owed those hotel borrowed dollars from the State of Illinois. Well, should we say that was a state scholarship? I think it

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was. I believe that students who get government scholarships are just as important as students who receive anything else from the state on the basis of contracts or what have you. I am really tired of having to stand here and argue for the people who don't have a lot of dollars, for the people who go to work for their living, for the people who are not big inheritors of large incomes from well-known families - from people who just are barely making it but want to have their children highly educated. Now we know it puts them in competition. They do become competitors with those who don't have to have their privacy invaded. It does make them in competition with some of your friends. For that, we do not apologize. I urge my colleagues to protect the privacy rights, protect the privacy rights of young people who are attempting to do what we say they should do, get an education. And if you can't afford it come to us, and if I have one, I'll try to help you get one."

Speaker Wennlund: "The Chair recognizes the Lady (sic - Gentleman) from Cook, Representative Pugh."

Pugh: "He said Lady. Excus...Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have a couple of questions. Will the Sponsor yield?"

Speaker Wennlund: "He indicates he will."

Pugh: "Representative, could you explain to me the powers...First of all, if this piece of legislation is designed merely to address the legislative scholarships, what other powers and duties will be allocated to nonteaching personnel to be replaced by the utilization of volunteers?"

Speaker Wennlund: "Representative Weaver."

Weaver: "I have no idea what you're talking about."

Speaker Wennlund: "Representative Pugh."

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Pugh: "Okay. I apologize, I had some negligent information. Representative, are you aware or could you tell me whether or not the Freedom of Information Act applies to inmates in the penal system? Can an individual acquire information about an inmate through...inmates records through the Freedom of Information Act?"

Speaker Wennlund: "Representative Pugh, please confine your comments and questions to the issue at hand. It deals with legislative scholarships, Representative Pugh. Representative Pugh."

Pugh: "Excuse me, Mr. Chairman (sic - Speaker), but according to the Constitution of the State of Illinois under the Article IV, Section 12 of the Constitution, we have the liberty to ask any question that we feel that's germane to the issues."

Speaker Wennlund: "Representative Pugh, according to Robert's Rules, under which this House operates, the Chair has the option and discretion of controlling the debate and you were recognized to speak on this question. It's an issue of germaneness of the debate. We are...This Bill deals only with legislative scholarships. Please confine your remarks and your questions to that issue alone. Representative Pugh."

Pugh: "Sir, this Bill deals with the Freedom of Information Act. My question is regarding the Freedom of Information Act."

Speaker Wennlund: "Representative Pugh, it does not deal with the Freedom of Information of Act. Representative Pugh."

Pugh: "Sir, the role...the role of the Chair, according to Robert's Rules of Order, the role of the Chair is not to structure the debate. The role of the Chair is to identify and allow speakers to speak to the issues. Your role is not to construct debate. If...and if the Representative

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feels that the question is not germane, it's up to the Representative to say that. That's not your role as the Chair. Your role is to be fair...your role is to be fair to both sides of the aisle."

Speaker Wennlund: "Representative Pugh, the role of the Chair is to determine the germaneness of the debate and the Chair requests that you confine your questions and comments to the issue that Representative Weaver has presented to the House. Now, you may proceed."

Pugh: "Let me restate...let me restate my question. Are you aware of the fact that an inmate in a penal institution - records cannot be accessed through the Freedom of Information Act?"

Speaker Wennlund: "Representative Weaver, do you care to respond to that? It's not germane to the issue."

Weaver: "I just...just to tell him that I'm not aware of that."

Speaker Wennlund: "Representative Pugh."

Pugh: "Well...well, it's the truth. And we're talking ethics here and we do...I think Webster explains ethics as moral values and issues relative to those kind of things regarding the values that an individual might have. When we look at the...at ethics, if we're going to allow ethics to be reduced to a legislative scholarship, I think that we're doing a disservice to our constituency, a disservice to the State of Illinois and a disservice to the United States as a whole. I think when you talk about ethics - and one of our foremost civil rights leaders spoke of seven things that might destroy an individual. One of those is wealth without work, knowledge without character, pleasure without conscience, business without ethics, science without humanity, religions without sacrifice and more than anything, Representative, politics without principle. I

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submit to you that this is an unprincipled piece of legislation. It is unethical and we're bordering on insanity when we're talking about reducing ethics to a level of taking away a privilege from an individual who is striving to become a part of a just and humane society."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, I've listened to this debate and it just is hard to believe. It really is hard to believe. Now, first of all, I agree with my friend and colleague, Representative Black, this is not a perfect Bill. Frankly, I'd like to see these things abolished altogether. But this is a compromise and this is a part...this is a step in the right direction. This is a step forward in this process. But to listen to the debate about how we're somehow discriminating against people because we're requiring that their names be released to the public is laughable. There are no requirements other than the fact that you live in a Legislator's district to get one of these things. There are no financial requirements. There are no scholarship requirements. You just have to live there. And as we all know, by the newspaper reports that we've read, that requirement is being violated. So, you know, to start this whole debate about how we're discriminating against people is ridiculous. All we're saying is, if you want to accept the scholarship, you should be the...the name should be revealed. If you don't want your name revealed, you don't accept the scholarship. Now, how silly to be debating this Bill on the merits of discrimination. That is absolutely ridiculous. If you're a poor individual, a working-class person, et cetera, you

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have the option of a lot of financial aid program. And in those cases your name isn't given out to the public because there's a legitimate reason why, it's a financial aid scholarship. This is not a scholarship based on financial aid; it's a scholarship based on legislative discretion. So, you may be worth \$500 thousand or you may be worth \$15 thousand. It doesn't matter. It's up to the individual Legislator to make that decision. All we're saying is that because there's a perceived, and I would emphasize 'perceived', because there are a lot of people on both sides of this rotunda who have very, very good scholarship programs set up, but there's a perceived abuse of these scholarships. And Ladies and Gentlemen, all we're doing is shedding some sunshine on that process. I don't think this is a tough vote. As a matter of fact, I think this is going to pass overwhelmingly. Let's get on with it. This is really...give it a rest folks. I mean, this is ridiculous. It's a good compromise. Let's pass it out of here, put it on the Governor's desk and put some sunshine on this process."

Speaker Wennlund: "Further discussion? The Chair recognizes the Lady from Cook, Representative Wojcik."

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

Speaker Wennlund: "Representative Wojcik has moved that the previous question be put. The question is, 'Shall the main question be put?' All those in favor signify by saying 'aye', all those opposed signify by saying 'nay'. In the opinion of the Chair the 'ayes' have it and the main question is put. Representative Weaver is recognized to close."

Weaver: "Thank you, Mr. Speaker. I feel like I'm inside a teapot because of the tempest that's seems to have sprung up about

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this very simple and very direct piece of legislation. A previous speaker mentioned on the other side that we could do much better. Well, certainly we can. As a matter of fact we did do much better, we passed a more comprehensive Ethics Bill out of this chamber only to see it die in the Senate. Well, we obviously can't control the Senate, they have their own minds. But what this Bill will do, is to shed some of that sunlight on the scholarship program that has become more cloudy than many of us would wish, even though it's done some great things in the past, it now has a reputation that has been soiled. Now you can be more ethical. This Bill establishes some basic minimums which are really only the name of the individual applying for the scholarship, the name of the Legislator - it doesn't even require that their address be listed. Now, if you wish, as individual Legislators, to be more ethical by requiring that the address as well become public knowledge or if you want to take it even a step further, like several of us have, and simply do away with the awarding of these scholarships. You can do that as well. But what we are doing in re...with this piece of legislation, is responding to some abuses that have been uncovered, some abuses that have cast a real dark shadow over the scholarship program. And I think at this point I'm going to stop debate. I think to vote 'no' on this Bill is to continue the shroud of secrecy that has brought a dark cloud over the Legislative Scholarship Program and go ahead and vote 'no' if you don't think it goes far enough. But I think a vote 'yes' is...as Representative Black has already stated, is a smaller step than we wanted to take, but a step, nonetheless, towards a bit more ethics and how the Legislative Scholarship Program is to be operated from this

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point forward. I ask for your 'yes' vote on the Conference Committee First Report."

Speaker Wennlund: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1122?' All those in favor signify by voting 'aye', all those opposed signify by voting '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 103 voting 'aye', 11 voting 'no', 0 voting 'present' and this Bill, having received the required Constitutional Majority, is hereby declared passed. Committee Reports, Mr. Clerk."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman from the Committee on Rules to which the following Joint Action Motions were referred, action taken on May 23rd, 1996, reported the same back 'do approve for consideration' to the House floor Conference Committee Report #1 to House Bill 3451 and Conference Committee Report #1 to House Bill 3670. Members are advised to run an update on their computer system at this time."

Speaker Wennlund: "Supplemental Calendar announcements, Mr. Clerk."

Clerk McLennand: "Supplemental Calendar #2 is being distributed."

Speaker Wennlund: "The Chair recognizes the Gentleman from Washington. Representative Deering, for which purpose do you seek recognition?"

Deering: "Thank you, Mr. Speaker. Inquiry of the Clerk. I just found out from some of the computer personnel that for those of us who are going to take our computers home this summer that we have modems built into the computer, but leadership has decided that we can't use those modems to access updates throughout the summer. Will we be

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turning...will we be including them in the operating program so we can access our computers through the summer or what will be happening?"

Speaker Wennlund: "Mr. Clerk."

Clerk McLennand: "At present there are plans that in six weeks to two months there will be the ability for you to call in to download current data to the chassis system."

Speaker Wennlund: "Representative Deering."

Deering: "Thank you."

Speaker Wennlund: "Mr. Clerk, any further comments regarding the use of computers? On Supplemental Calendar #1, Conference Committee Report, Senate Bill...on Senate Bill 1912. The Chair recognizes Representative Durkin."

Durkin: "Mr. Speaker, Conference Committee #1 with respect to Senate Bill 1912 is a Bill...a Conference Committee Report which has absolutely no opposition right now. The Conference Committee Report does three things. First, it amends the Consumer Fraud and Deceptive Practice Act. It provides that no coupons shall be offered in connection with any retail sale of a motor vehicle. That is agreed language between the Illinois Automobile Dealers and the Illinois Attorney General. This Bill also amends the Motor Vehicle Retail Installment Sales Act by stating that primary liability ensues when a person receives a motor vehicle upon signing the installment contract and also signing the Secretary of State as a...certificate of title as a co-owner of the automobile. And, also, this report amends the Retail Installment Sales Act and states that a person actually receives the goods sold or services furnished in a retail installment transaction when he or she physically possesses the goods or benefits from the goods or services when someone authorized by the person

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physically possessing the good benefits from the goods or services. As I said, there is no opposition to this Bill. This is...as of yesterday the...all the parties interested in the consumer side are...they are neutral on this and I will take any questions right now."

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

Lang: "Thank you, Mr. Speaker. Just to rise in support of Senate Bill 1912. The First Conference Committee Report. Representative Durkin has worked hard on it. It's a good piece of legislation. It should be passed."

Speaker Wennlund: "There being no one further seeking recognition, the Chair recognizes Representative Durkin to close."

Durkin: "Mr. Speaker, as I've said previously, this is a Bill which has been worked on and has been agreed on between the parties involved to finance the bankers and also the Consumer Justice League. I believe that this is reasonable and I would ask for a favorable vote."

Speaker Wennlund: "The question is, 'Shall the House adopt Conference Committee Report #1 to Senate Bill 1912?' All those in favor signify by voting 'aye', all those opposed signify by voting 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on this question there are 113 voting 'aye', 0 voting 'nay', 3 voting 'present' and this Bill, having received the required Constitutional Majority, is hereby declared passed. Supplemental Calendar #1 under the Order of Resolutions appears HR 136. The Chair recognizes Representative McAuliffe."

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

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House. House Joint Resolution 136 congratulates the City of Skokie on being selected as the national civic league to be the finalists in the All American City and Community Awards Contest."

Speaker Wennlund: "And on that is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of House Resolution 136. There are four Legislators in the House that represent parts of the Village of Skokie. That would be myself, Representative Schoenberg, Schakowsky and Capparelli. However, I'm the only one that lives in the Village of Skokie. I've lived there for 40 years. It's a village of which I'm very proud. We have great ethnic diversity, wonderful services, police and fire and library and most important of all, terrific schools. And so we're very proud of the Village of Skokie. There are only 20...20 cities or municipalities in the United States of America that have been nominated as all American cities and Skokie is one of those 20 and is the only one in the State of Illinois. Is it 30? Okay, it's 30. So, the only one in the State of Illinois, however, and so we thought it appropriate to bring this Resolution today to get a Resolution from the House of Representatives urging the National Civic League, who'll be giving this award, to bestow the honor of All American City on the Village of Skokie. And I would ask for your support on this and I would ask that all Members of the House be named as Cosponsors."

Speaker Wennlund: "With leave of the House all Members will be added as Cosponsors. Representative McAuliffe now moves for the adoption of HR 136. All those in favor signify by

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saying 'aye', all those opposed will say 'nay'. In the opinion of the Chair the 'ayes' have it and the Resolution is adopted. Mr. Clerk, on page 3 of the Calendar appears Senate Bill 1251. What is the status of that Bill?"

Clerk McLennand: "Senate Bill #1251. The Bill's been read a second time previously. Floor Amendments #1, 2 and 3 were referred to Rules. All notes that have been requested have been filed."

Speaker Wennlund: "Third Reading. On page 3 of the Calendar appears Senate Bill 1278. Mr. Clerk, what's the status of that?"

Clerk McLennand: "Senate Bill 1278 has been read a second time previously. Floor Amendment #8, offered by Representative Andrea Moore, has been approved for consideration."

Speaker Wennlund: "Representative Moore, do you wish to proceed with the Amendment?"

Moore, A.: "Yes, Mr. Speaker, thank you. Ladies and Gentlemen of the House, Floor Amendment #9 is an IDOT land conveyance to the city of East St. Louis..."

Speaker Wennlund: "Representative Moore, Amendment #8."

Moore, A.: "Thank you, Mr. Speaker. Amendment #8 contains the underlying language that was in the Bill originally from Senator Geo-Karis and it provides that property that is either annexed or disconnected through a court order must be the...the people paying the taxes on the property must be notified by certified registered mail. Also this includes the Fort Sheridan language for the Joint Plan Commission for the base of Fort Sheridan in Lake County. Those two provisions are in Amendment #8. Thank you, I'd be happy to answer any questions."

Speaker Wennlund: "And on Floor Amendment #8, is there any discussion? There being none, Representative Moore to

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close."

Moore, A.: "I would request an 'aye' vote on Floor Amendment #8."

Speaker Wennlund: "Representative Moore moves for the adoption of Floor Amendment #8 to Senate Bill 1278. All those in favor signify by saying 'aye', opposed say 'nay'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Third Reading. Any further Amendments? Further Amendments? Mr. Clerk."

Clerk McLennand: "Floor Amendment #9, offered by Representative Andrea Moore, is approved for consideration. Representative Moore is recognized on Floor Amendment #9."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #9 is an IDOT land conveyance to the city of East St. Louis. This is a request from Senator Clayborn and I would be happy to answer any questions."

Speaker Wennlund: "And on that is there any discussion? The Chair recognizes the Gentleman from St. Clair, Representative Holbrook."

Holbrook: "To this Floor Amendment; this is nothing more than a piece of property that got lost in the shuffle when a large purchase was made and this small piece wasn't conveyed and now there is a bank wanting to build there and they did a title search and found out that it had been passed over. And IDOT is in favor of this. I know of no opposition and I support it."

Speaker Wennlund: "Representative Moore now moves for the adoption of Floor Amendment #9 to Senate Bill 1278 and all those in favor signify by saying 'aye', opposed signify by saying 'nay'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Further Amendments, Mr. Clerk?."

Clerk McLennand: "No further Amendments."

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Speaker Wennlund: "Third Reading. Mr. Clerk, on the order of Senate Bills Third Reading appears Senate Bill 1278. The Chair recognizes...read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1278, a Bill for an Act that amends the Illinois Municipal Code. Third Reading of this Senate Bill."

Speaker Wennlund: "And on that the Chair recognizes Representative Moore."

Moore, A: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The three provisions we have just discussed are included in Senate Bill 1278. I would request an 'aye' vote."

Speaker Wennlund: "And on that issue is there any discussion? And on that the Chair recognizes the Gentleman from Kankakee, Representative Novak."

Novak: "Yes, thank you, Mr. Speaker. Will the Lady yield?"

Speaker Wennlund: "She indicates she will."

Novak: "Representative, how many Amendments are on this Bill?"

Speaker Wennlund: "Representative Moore."

Moore, A.: "There are currently two Amendments on this Bill."

Speaker Wennlund: "Representative Novak."

Novak: "Could we discuss a little bit about Amendment #1, if we may? Just for a minute or two?"

Speaker Wennlund: "Representative Moore."

Moore, A: "Actually, #8 became the Bill so Amendment #1 is no longer relevant."

Speaker Wennlund: "Representative Novak."

Novak: "Let me rephrase my question. Excuse me. Is there any provisions in this Bill, in one of the Amendments, that deals with annexing land that jumps over one community to get to land in another community?"

Speaker Wennlund: "Representative Moore."

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Novak: "Like specifically in Southwest..."

Speaker Wennlund: "Representative Novak. Did you complete your question, Representative Novak?"

Novak: "Yes, I'm sorry, Mr. Speaker. Representative, is there any provisions in this Bill, included in the Amendments, that deals with annexing property, about 5 hundred acres of property that's owned by a private corporation around the community of Elwood, which is in southwestern Will, that eventually would be annexed by the City of Wilmington in southwestern Will County?"

Speaker Wennlund: "Representative Moore."

Moore, A.: "No, Representative, there is no provision in the Bill such as you are referring to."

Speaker Wennlund: "Representative Novak."

Novak: "Okay, well, I was just advised that there may be some language in there that a certain waste company owns about 5 hundred acres of land that was to be annexed over and above one community and into another community. Could we be a little surer on that?"

Speaker Wennlund: "Representative Moore."

Moore, A.: "Yes, the provisions that are in the Bill currently is the land...the IDOT land conveyance to the City of East St. Louis and then also the underlying language that requires notification for annexation or disconnection through the courts."

Speaker Wennlund: "Representative Novak."

Novak: "Thank you, Representative, you've satisfied my curiosity."

Speaker Wennlund: "And on that issue, further discussion? The Chair recognizes the Gentleman from Cook, Representative Dart."

Dart: "Will the Sponsor yield?"

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Speaker Wennlund: "She indicates she will."

Dart: "Representative, I understand Amendment #9, but if you can explain Amendment #8 to me again?"

Speaker Wennlund: "Representative Moore."

Moore, A.: "I'd be happy to, Representative. There are two provisions. The first provision is the language that was introduced by Senator Geo-Karis. And it provides that when a territory is proposed to be annexed by court order under the Municipal Code, that the corporate authorities or the petitioners initiating the action shall notify each person who pays real estate taxes on the property within that territory, unless the person happens to be the petitioner. The same is true also of a disconnection. It further...it also includes language that was a Senate Amendment to another Bill, 3041, that provides for Joint Plan Commissions for Fort Sheridan and Lake County. This was lang..."

Speaker Wennlund: "Representative Moore, proceed."

Moore, A.: "This was language that was requested by Senator Parker and Representative Lachner and Representative Gash."

Speaker Wennlund: "Representative Novak. I'm sorry. Representative Dart."

Dart: "Thank you. Those provisions then for the Fort Sheridan Redevelopment Act, those were ones that were required to be done because Lake Forest had not...had opted not to participate in the intergovernmental agreement. Is that correct?"

Speaker Wennlund: "Representative Moore."

Moore, A: "I'm sorry, Representative, I could not hear your question."

Speaker Wennlund: "Ladies and Gentlemen, please give Representative Dart and Representative Moore your attention

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so we can move on with business of the House and the sooner we do that, the sooner we get out of here and go home. Representative Dart, please repeat your question."

Dart: "The reason why we need that provision dealing with the Fort Sheridan Redevelopment Commission, is that because of the fact Lake Forest had opted not to participate in the intergovernmental agreement, is that why?"

Speaker Wennlund: "Representative Moore."

Moore, A.: "I believe that there has been really exemplary cooperation between all of the municipalities and the counties regarding the Joint Plan Commission for the base reuse process. It's been a process that's been going on for a number of years and at this point in time, Highwood and Highland Park wish to be able to form a region where they might be able to form a plan commission for the base reuse. I think this is all supported by all of the municipalities and the county and it is just something that they need to go forward for the redevelopment."

Speaker Wennlund: "Representative Dart."

Dart: "Thank you, Representative. As a point of order, I was going to suggest that we might want to table Amendments #1, 2, and 3 since they were gutted anyways and that way we do not have to worry about the Senate concurring in Senate Amendments 1...or House Amendments 1, 2, and 3. And there would not be any problems that then?"

Speaker Wennlund: "The Chair recognizes Representative Moore."

Moore, A.: "Mr. Speaker, could I please take this Bill out of the record for a moment?"

Speaker Wennlund: "Leave is granted. Mr. Clerk, remove this Bill from the record."

Moore, A.: "Thank you very much."

Speaker Johnson, Tim: "Representative Johnson in the Chair."

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Representative Scott, do you have an announcement?"

Scott: "Thank you, Mr. Speaker. Despite the fact that we were in here yesterday for what seemed like two weeks, we neglected one very important piece of business. It seems...not Groundhog Day. Close. It seems we overlooked a birthday for one of our colleagues here. A Gentleman two seats to my left celebrated his 34th birthday yesterday. He's now old enough to shave. Whether or not that's an issue for him or not, we haven't determined. But I'd like to join, have everyone join me in wishing a happy birthday to Representative Tom Dart."

Speaker Johnson, Tim: "Representative Phelps. Representative Phelps, do you wish to lead the chamber in traditional 'Happy Birthday'? Phelps."

Phelps: "Do you have this recorded? Maybe we can just play the recording."

Speaker Johnson, Tim: "No, we love to hear you in person. Go for it."

Phelps: "Sings Happy Birthday, et al."

Speaker Johnson, Tim: "Representative Wennlund in the Chair."

Speaker Wennlund: "Mr. Clerk, what is the status of Senate Bill 1278?"

Clerk McLennand: "Senate Bill #1278 is on the order of Third Reading."

Speaker Wennlund: "Representative Moore, do you wish to return this Bill to the Order of Second Reading for the purpose of a Motion?"

Moore, A.: "Thank you very much, Mr. Speaker. I thank the indulgence of the House and, yes, I wish to return this Bill to Second Reading."

Speaker Wennlund: "Mr. Clerk, return the Bill to the Order of Second Reading. Representative Moore, is it your desire to

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Table Amendments 1, 2, and 3 to Senate Bill 1278?"

Moore A.: "Mr. Speaker, yes I would move to table Amendments...House Amendments #1, 2, and 3."

Speaker Wennlund: "All those in favor of tabling Senate Amendments 1, 2, and 3, will say 'aye', opposed will say 'no'. In the opinion of the Chair the 'ayes' have it and Amendments...Senate Amend...House Amendments 1, 2, and 3 to Senate Bill 1278 are tabled. Are there further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments. No further Motions."

Speaker Wennlund: "Third Reading. Mr. Clerk, please read Senate Bill 1278."

Clerk McLennand: "Senate Bill #1278, a Bill for an Act that amends the Illinois Municipal Code. Third Reading of this Senate Bill."

Speaker Wennlund: "Prior to proceeding with debate, for the edification of the Membership, when Floor Amendment #8 was adopted, Senate Bill 1278 had been amended. Therefore, Amendment #8 was proper as to the form at the time of its adoption. Accordingly, notwithstanding the tabling of Amendments 1, 2, and 3, adopted Amendments to Senate Bill 1278 are proper as to form and the Bill may be considered by the House. Representative Lang, state your point, please."

Lang: "I have two points, Mr. Speaker. Firstly, there were people on this side of the aisle that wish to speak to the Motion to Table. You heard us very clearly and ignored us, Sir. Second, and more to the point, there's been a long-standing rule in this House that any Amendment adopted by electronic vote needs to be tabled by electronic vote, and I would like a ruling as to whether the initial Amendment was adopted by electronic vote."

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Speaker Wennlund: "They were Committee Amendments, Representative Lang. They were not adopted by an electronic vote. Representative Lang."

Lang: "Then I would like an answer from the Chair as to why we were ignored at the time we were trying to be heard on the Motion to Table, Sir?"

Speaker Wennlund: "The Chair apologizes. We didn't see your light, Representative Lang. Representative Moore, please proceed with Senate Bill 1278. Representative Moore."

Moore, A.: "Thank you very much, Mr. Speaker. Senate Bill 1278, Amendments #8 and 9, deal with the three issues as previously discussed and I would respectfully ask for an 'aye' vote."

Speaker Wennlund: "And on that Bill, for the purpose of discussion, the Chair recognizes the Gentleman from Vermilion, Representative Black. For purposes of discussion the Chair recognizes the Gentleman from Kankakee, Representative Novak."

Novak: "Yes, will the Lady yield?"

Speaker Wennlund: "She indicates she will."

Novak: "Representative Moore, would you be willing to take this back to Second Reading so we can get a Roll Call on the Motion to Table those Amendments?"

Speaker Wennlund: "The Bill is on the Order of Third and will remain on the Order of Third, Representative Novak. Representative Novak."

Novak: "Representative Moore, you are the Sponsor of the Bill. I believe you can take that Bill back to Second any time you wish, with the leave of the Body."

Speaker Wennlund: "Representative Moore."

Moore, A.: "Mr. Speaker, we are now on Third Reading and I would be happy to answer any questions about the Bill."

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Speaker Wennlund: "Representative Novak."

Novak: "Okay. Once again, Representative, for the record, for legislative intent. Is there anything in this Bill, now as is, that deals with any annexation agreement that would deal with any land that's owned by a private waste company that does business in Illinois within southwestern Will County, the close proximity of Elwood and dealing with city of Wilmington?"

Speaker Wennlund: "Representative Moore."

Moore, A.: "This Bill has the three provisions that we discussed. One was for East St. Louis, a land conveyance; the other dealt with the Municipal Code Amendment that required notification if a court was going to connect or annex; and also the provision for Fort Sheridan."

Speaker Wennlund: "Representative Novak."

Novak: "You're an honorable person and I can take your word for it. So there is nothing in this legislation that deals with any annexation agreements between municipalities of Elwood and the City of Wilmington dealing with property that's owned by a private waste corporation? Correct?"

Speaker Wennlund: "Representative Moore, for the sixth time."

Moore, A.: "There are no agreements that you are talking about. I've never heard of such agreements."

Speaker Wennlund: "Representative Novak."

Novak: "Thank you."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Livingston, Representative Rutherford."

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

Speaker Wennlund: "Representative Rutherford has moved that the previous be put. The question is, 'Shall the main question be put?' All those in favor signify by saying 'aye', all

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those opposed signify by saying 'nay'. In the opinion of the Chair the 'ayes' have it. The main question is put. The Chair recognizes Representative Moore to close."

Moore, A.: "Vote 'aye', please."

Speaker Wennlund: "The question is, 'Shall Senate Bill 1278 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. And on this question there are 113 'ayes', 0 voting 'nay', 1 voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Moore, for what purpose do you seek further recognition?"

Moore, A.: "Thank you, Mr. Speaker. It's just a point of personal privilege. There are 60 students from North School in Waukegan, who would love to be recognized, that are in the gallery and we welcome them to Springfield. Stand up and wave."

Speaker Wennlund: "Please join Representative Moore in welcoming them. Representative Lang, for what purpose do you seek recognition?"

Lang: "Mr. Speaker, having voted on the prevailing side, I move to reconsider the vote by which Senate Bill 1278 passed, and should you recognize anyone for a tabling Motion, I would also ask that that be verified, Sir."

Speaker Wennlund: "Mr. Clerk, prior to proceeding with the Motion to Table, are there any other Motions filed with respect to Senate Bill..."

Clerk McLennand: "A Motion filed by Representative Lang moving to return Senate Bill 1278 to the Order of Second Reading."

Speaker Wennlund: "Pursuant to Rule 74 that Motion is now

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referred to the Rules Committee. What is currently pending, a Motion to reconsider the vote by which Senate Bill 1278 passed, and on that, the Gentleman from Kendall, Representative Cross."

Cross: "Thank you, Mr. Speaker. I move to table that Motion."

Speaker Wennlund: "There has been...Representative Cross has moved that the Motion to reconsider be tabled and on that Motion there is no debate or discussion. All those in favor say 'aye'...will vote 'aye'...all those in favor will vote 'aye', those opposed vote 'nay' and the voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on this there are 63 'ayes', 45 'nays' and 0 'present'. The Motion to Table...Mr. Lang, do you persist in your Motion to...for a verification?"

Lang: "Sir, not only do I persist in my Motion, but you ignored me completely on my parliamentary point of order. May I state it now before you proceed?"

Speaker Wennlund: "State your point."

Lang: "Thank you. You committed the Motion to reconsider to the Rules Committee."

Speaker Wennlund: "That is incorrect, Mr. Lang. He filed...two Motions were filed. Two Motions were filed. One was to change the order of business which was referred to Rules. This Motion was not referred to Rules, Mr. Lang. Mr. Lang."

Lang: "Well, that's not what you said, Sir, but let's go ahead and verify this vote. Mr. Clerk, poll the affirmative."

Clerk McLennand: "Those Representatives voting in the affirmative are: Ackerman. Balthis. Biggert. Biggins. Black. Bost. Brady. Churchill. Ciarlo. Clayton. Cross. Deuchler. Doody. Durkin. Erwin. Goslin. Hassert."

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Speaker Wennlund: "Representative Lang, Representative Pedersen wishes to be verified, please. Thank you."

Clerk McLennand: "Hoeft. Hughes. Tim Johnson. Tom Johnson. John Jones. Klingler. Krause. Kubik. Lachner. Lawfer. Leitch. Lindner. Lyons. McAuliffe. Meyer. Mitchell. Moffitt. Andrea Moore. Mulligan. Maureen Murphy. Myers. Noland. O'Connor. Pankau. Parke. Pedersen. Persico. Poe. Roskam. Rutherford. Ryder. Salvi. Saviano. Skinner. Spangler. Stephens. Tenhouse. John Turner. Wait. Weaver. Winkel. Winters. Wirsing. Wojcik. Zickus and Mr. Speaker."

Speaker Wennlund: "Mr. Lang, Representative Zickus and Moffitt and Hoeft request leave to be verified. Thank you. Representative Lang."

Lang: "Thank you. Representative Saviano?"

Speaker Wennlund: "He's right here. Right at the well. Not feeling well, but he's here."

Lang: "Representative Wennlund. Oh, Representative Wennlund's in the Chair and not even voting. That's...so you can't be verified off, Sir."

Speaker Wennlund: "Proceed. Proceed."

Lang: "Representative Salvi?"

Speaker Wennlund: "There he is right in the back of the chamber. Representative Lawfer requests leave to be verified, Representative Lang. Thank you."

Lang: "Representative O'Connor?"

Speaker Wennlund: "Right in his chair where he usually is."

Lang: "Can't see him. Too many people in the aisle conversing with the Speaker of the House of Representatives."

Speaker Wennlund: "Anything further, Representative Lang?"

Lang: "Representative Maureen Murphy?"

Speaker Wennlund: "She's right down here at the well with

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Representative Kubik."

Lang: "Representative Mulligan?"

Speaker Wennlund: "Representative Mulligan. Representative Mulligan. Mr. Clerk, remove her from the roll."

Lang: "Representative Persico?"

Speaker Wennlund: "Representative Persico. Representative Persico. Mr. Clerk, remove him from the roll."

Lang: "Representative Tenhouse?"

Speaker Wennlund: "Representative Tenhouse. He's in budget negotiations. He is not here. Remove him from the roll, Mr. Clerk."

Lang: "Representative Biggins?"

Speaker Wennlund: "Representative Bob Biggins is standing right over by his chair."

Lang: "Representative Erwin?"

Speaker Wennlund: "Representative Erwin. Pardon? Representative Erwin is not...Erwin is not in the chamber. Remove him from the roll. Restore Representative Mulligan who returns to the chamber. Representative Lang, just to remind you that the rules provide that on this Motion requires just a simple majority, so you got a long way to go."

Lang: "Well, I'm sure the majority is simple, but I'll be back to you in a minute. Mr. Speaker, I'm going to ask for another vote on this. The board is wrong. The board says table Amendment. There was no Motion to Table any Amendment, this was a Motion to reconsider the vote by which Senate Bill 1278 passed. There may be Members in this Body who are confused as to what that Motion to Table was. In fact, Mr. Speaker, yourself didn't know it. You may have been confused. And so I would ask that this...new vote be taken on this."

Speaker Wennlund: "Representative Lang. Representative Lang, let

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me remind you that the board does not have the ability to say to table a Motion to reconsider. So, therefore, it cannot. It was clearly pointed out by the Chair that this was a Motion to Table the Motion to reconsider. Representative Persico was removed. Return him to the roll call. Representative Lang."

Lang: "I would like to request of the Clerk whether the board could say table Motion?"

Speaker Wennlund: "The Clerk will answer the inquiry. Please, Mr. Clerk."

Speaker Wennlund: "Representative Lang, the Motion was properly presented by the Chair. Please proceed with your verification."

Lang: "Mr. Speaker, if we were voting on Senate Bill 1178 and the board said 1278, would what you just said make any sense? The board doesn't say the right thing. This is not a Motion to Table an Amendment and I'm afraid I must insist that we do this the right way, Sir."

Speaker Wennlund: "Proceed with your verification."

Lang: "Because even under..."

Speaker Wennlund: "Representative Lang, proceed with your verification. We already gave you the answer. The board cannot say table...a Motion to table...a Motion to reconsider."

Lang: "You never answered that question, Sir, and I ask the Clerk..."

Speaker Wennlund: "It is answered."

Lang: "...to answer the question."

Speaker Wennlund: "Representative Lang, please proceed with your verification. Proceed with the verification if you wish."

Lang: "Mr. Speaker, I move to adjourn."

Speaker Wennlund: "You're right in the middle of a verification."

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Do you wish to terminate the verification? Withdraw it?"

Lang: "Mr. Speaker, a Motion to adjourn is in order at any time under Robert's Rules of Order. I move to adjourn until tomorrow morning at 9 o'clock."

Speaker Wennlund: "Representative Lang has now moved that the House stand adjourned. All those in favor signify by saying 'aye', all those opposed 'nay'. In the opinion of the Chair the 'nays' have it and the...the 'nays' have it and the House remains in Session. Now either proceed with your verification...Do you wish to proceed with your verification, Representative Lang?"

Lang: "Representative Klingler?"

Speaker Wennlund: "She's in her chair."

Lang: "Oh. Nothing further, Sir."

Speaker Wennlund: "Thank you. And on the Motion...on the Motion to Table the Motion to reconsider there are 61 voting 'yes', 45 voting 'no', 0 voting 'present' and the Motion to reconsider is tabled. Mr. Clerk. Committee announcements, Mr. Clerk."

Clerk McLennand: "The following committees will meet at 4:45 p.m.: Executive Committee in Room 114. Higher Education Committee in Room 118 and Judiciary for Criminal Law in Room D-1. Again, the following committees will meet at 4:45: Executive Committee in 114. Higher Education in Room 118 and Judiciary for Criminal Law in Room D-1 in the Stratton. Committee notice. Rules Committee will meet immediately in the conference room in the Speaker's Conference Room. Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Wennlund: "On Supplemental Calendar #2 appears Conference Committee Reports to House Bill 3670. The Chair recognizes the Lady from Sangamon, Representative Klingler."

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Klingler: "Thank you, Mr. Speaker and Members of the General Assembly. This Conference Committee Report contains Bills with which we're all familiar and have heard before. It contains the Child Sex Offender Notification Bill, the Child Murderer Notification Bill and the Criminal Bills that have been part of the earlier Senate Bill 721. I would like to thank my colleagues, Representative Tom Dart and Representative Jay Hoffman, for signing the Conference Committee Report on this matter. Although we argued this at length in the past, I'd certainly be glad to answer any questions."

Speaker Wennlund: "Is there any discussion? On this matter the Chair recognizes the Gentleman from Cook, Representative Dart."

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

Speaker Wennlund: "She indicates she will."

Dart: "Representative, because this has gone back and forth so many times and there has been some changes, can you maybe run through what is in this one because there was differences in some of the different ones. Can you run through what's in this one?"

Speaker Wennlund: "Representative Klingler."

Klingler: "Certainly, Representative Dart. The first part is the Child Sex Offender and Child Murderer Notification Bill and which is similar to what we passed earlier. The second provision is a provision...they're provisions as part of the Governor's crime package. The first is known as predatory criminal sexual assault and it concerns individuals who sexually assault with an act of penetration, children under 13 years of age or under and cause great bodily harm. The next provision concerns juveniles 15 years of age or older who commit the acts of

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aggravated car hijacking with a firearm or first degree murder during the course of aggravated criminal sexual assault and it provides for transfer to criminal court. The Bill also provides that testimony of a minor may be held by closed circuit television if the defendant is charged with predatory criminal sexual assault of a child."

Speaker Wennlund: "Further discussion? Representative Dart."

Dart: "Yes. There was some provisions in a couple of the other Bills that dealt with the hearsay statements collected from children not being excluded because they came about as a result of interviews conducted pursuant to the Child Advocacy Advisory Board? I don't believe that that's in here. If not, can you explain why that's not in here? Is it in another Bill or something?"

Speaker Wennlund: "Representative Klingler."

Klingler: "No, it's not in this provision."

Speaker Wennlund: "Representative Dart."

Dart: "Is it maybe...is it in another Bill that's out there somewhere? I could expect there's another Conference Committee and if not, is there...is there a reason why we're not putting that in here?"

Speaker Wennlund: "Representative Klingler."

Klingler: "No, that provision is not in any other Conference Committee at this time."

Speaker Wennlund: "Representative Dart."

Dart: "Were there some problems with that or is that something we're going to see next year or...is there some other reason why it was pulled out of there, though? It seemed to make sense."

Speaker Wennlund: "Representative Klingler."

Klingler: "This...provisions in this Bill came over from the Senate from Senator Bomke and that provision was not

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included in this."

Speaker Wennlund: "Representative Dart."

Dart: "Was there any reasons why he gave why that they pulled that out of there?"

Speaker Wennlund: "Representative Klingler."

Klingler: "I don't know the reasons for these inclusions. Primarily, the offenses that were included in this Conference Committee Report were Articles I and Articles II of Senate Bill 721."

Speaker Wennlund: "Representative Dart."

Dart: "Now, you and I have talked before about the way this Bill will work or not work in the City of Chicago based on the way they divided geographically. What is it the process is going to be to insure that this can be more workable in the City of Chicago because the original language of the Bill, breaking it up by police districts, is really not that workable. Is there some study going on or is there some latitude given the State Police as far as implementation?"

Speaker Wennlund: "Representative Klingler."

Klingler: "Representative, the State Police are finalizing the regulations for the implementation, but I can give you the basic overview that child sex offenders living in Chicago shall be sorted by police district. Child sex offenders living in Cook County, but outside the City of Chicago shall be sorted by municipality or by township and child sex offenders living outside of Cook County shall be sorted by county."

Speaker Wennlund: "Representative Dart."

Dart: "Now on the federal level they just passed and it was signed into law that the 'Megan's Law', which was very similar to this. It's my understanding from reading that Bill that this legislation here that we have today does not

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contain all of the provisions that are in there. Namely, 'Megan's Law' would require us to also notify in cases of all sexual attacks. Is that the case and if not, can you...and if so, can you explain to me why we are not up to the level of the federal law that was just passed recently?"

Speaker Wennlund: "Representative Klingler."

Klingler: "Representative, as I understand the federal law that was just signed by President Clinton, requires that states shall establish a system for registration and notification for sex offenders, and if they do not establish such a system by a certain date, that certain federal monies will be withheld. I don't know beyond that exactly what specifics that will be required. I do think that the Members of the General Assembly and those who were here in 1987 should be very proud that they worked very hard to establish the Child Sex Offender Registry at that time, so we're certainly well ahead of most states."

Speaker Wennlund: "Representative Dart."

Dart: "Just finally. You're understanding of it is pretty much on target. We wouldn't be jeopardizing losing money. My reading of it though, shows that our Bill is a little lacking and it doesn't quite hit on everything, namely that their definitions are different than ours in this Bill and that they would require us to have a more expansive notification so that we would also be required to notify individuals on all sexual attacks, which would be adults as well as children. Is that your understanding as well? Because I looked through the law, it looked as if the definition as ours and theirs are our different, so that we would be required to raise ours a little bit, expand the notification. Is that your understanding as well, and if

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so, is there a plan afoot to try and to expand ours to come within the federal requirements?"

Speaker Wennlund: "Representative Klingler."

Klingler: "Well, Representative, certainly the Attorney General's Office is going to be looking very carefully at what the exact federal requirements will be, and if necessary, we would expand it. I don't know that they were laying out the exact procedures for each state, but simply that the registration and notification system be in place."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Bureau, Representative Mautino."

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

Speaker Wennlund: "She indicates she will."

Mautino: "Representative, first of all, I'd have to say I don't have a copy of the analysis on this, but I know that in 721, when the Bill was actually struck down, there was a provision which dealt with increasing the penalties under the Cannabis Control Act. That was adversely impacted by the decision on the Same Subject Rule and I believe for some point in time that was set to be in with this legislation. Is it there now?"

Speaker Wennlund: "Representative Klingler."

Klingler: "No, Representative, that was not included in this legislation."

Speaker Wennlund: "Representative Mautino."

Mautino: "Since that was a provision of the original Bill and many of the downstate counties have started indicting basically on those grounds and asking for those stiffer penalties which we placed into law, which are now in conflict with Chicago, would you be amenable to setting up a second conference and putting that language in because it's going to cause a lot of havoc throughout downstate

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Illinois if someone goes and appeals those cases that were in your original Bill."

Speaker Wennlund: "Representative Klingler."

Klingler: "Representative, I don't believe at this point we could get a Second Conference Committee regarding that particular provision, but it's certainly very possible that that law would be upheld. As you know, that matter would be under appeal."

Speaker Wennlund: "Representative Mautino."

Mautino: "As to your comments, certainly we could do that if you would pull the Bill out of the record. We could get a Second Conference Committee Report. This is...the reason I ask this, this is not a political question. I mean, just in the real world, people who are large volume cannabis dealers are going to walk because that single subject was struck down in your original Bill and it's something that's needed by all the downstate state's attorneys where we have high volume cannabis trafficking going on. So I would ask...since it is possible to do this and this is not a political question, it's just the real world. People are going to walk if we don't do it or find some place for it. So I'd ask your indulgence on that."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Wennlund: "Representative Black now moves the previous question be put. The question is, 'Shall the main question be put?' All those in favor signify by saying 'aye', all those opposed signify by saying 'nay'. In the opinion of the Chair the 'ayes' have it and the main question is put. Representative Klingler to close."

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Klingler: "Thank you, Representative (sic - Speaker). I would like to respond to Representative Mautino before I close, that the law that you mentioned on cannabis is valid law and it cannot be struck down until so held by an appellate or a Supreme Court. So that law is enforceable. I would ask everyone's favorable vote on this very important legislation. Thank you."

Speaker Wennlund: "The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 3670?' All those in favor signify by saying 'aye'...voting 'aye', all those opposed signify by voting '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 113 voting 'aye', 0 voting 'no', 2 voting 'present' and this Bill, having received the Constitutional...required Constitutional Majority, is hereby declared passed. Representative Mautino, for what...for what purpose do you rise?"

Mautino: "Mr. Speaker, while I was discussing the point on...that I'd asked Representative Klingler about, I did not get the opportunity and I would like to be recorded 'yes' on that roll call."

Speaker Wennlund: "The record will reflect with leave of the House. Thank you."

Clerk McLennand: "Committee announcements. At 5:00 p.m. Executive Committee will meet in Room 114. Again, at 5:00 p.m. Executive Committee will meet in Room 114. At 4:45 Executive Committee will meet. At 4:45 Higher Education Committee will meet in Room 118 and at 4:45 Judiciary Criminal Law Committee will meet in Room D-1."

Speaker Wennlund: "House Calendar Supplemental 2, and on that, appears the First Conference Committee Report to House Bill

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3451. The Chair recognizes Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. I move to adopt the First Conference Committee Report on House Bill 3451."

Speaker Wennlund: "And on that is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Dart."

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

Speaker Wennlund: "He indicates he will."

Dart: "Representative, can you maybe explain to us what's in this Conference Committee that you want us all to vote for, send over to the Senate and then to the Governor?"

Speaker Wennlund: "Representative Bost."

Bost: "Yes, Representative, this Conference Committee was on what was Senate Amendment #3 and it basically amends the Illinois Public Aid Code and provides that the Department of Public Aid enter into...enter into intergovernmental agreements so that the Department of Corrections and the local counties can notify the Department of Public Aid if there is someone being incarcerated that is on public aid."

Speaker Wennlund: "Representative Dart."

Dart: "Thank you. Representative, is...I'm looking at this Bill from...has numerous...like three or four different parts to it. One of the parts that I'm concerned about, there was a provision that was going to prohibit prisoners from receiving cable television in prison. Why did we remove that provision?"

Speaker Wennlund: "Representative Bost."

Bost: "We removed that for two reasons. Well, when talking with the wardens, they...First off, it should be known that those cable t.v. fees are not paid for with tax monies, they're paid for with a fund that is generated from the

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sale of vending machine sales to friends and family of incarcerated people and out of those funds is how it's paid for. But not only that, it's used by the Department of Corrections quite often as a penalty if someone is acting up, they will remove their cable t.v. And they would like to have that lever and that's the reason why they kept it."

Speaker Wennlund: "Representative Dart."

Dart: "You're saying that the money that comes through is generated from, was that the sale of videos did you say that they made in prisons or what was that?"

Speaker Wennlund: "Representative Bost."

Bost: "No, it's through vending machines and it has nothing to do with videos."

Speaker Wennlund: "Representative Dart."

Dart: "Sorry, my mistake. The...I guess I'm wondering about - but I mean, in one hand we've been talking about how the prison officials, well, we can't really trust them with the curtains, they won't take those down even though we all know they should be taking those down and we're taking away prisoners stamps to mail stuff, too. I just...I mean...why...where do we draw the line as far as what is the frills that we're going to let them have and what are the ones we're not going to have? I mean, we've been...and I'm all for...I'm not...I mean, we can't make these places country clubs. I'm very much opposed to that notion, but, I guess, where's the line? Why is it that we...it's okay for cable, but it's not okay for stamps and curtains and...I mean, its obvious why curtains, but why stamps? Why are we taking away their stamps to mail letters, but we're going to let them have cable t.v. Where's the distinction there? Can you help me with that?"

Speaker Wennlund: "Representative Bost."

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Bost: "Yes, I sure can. Thank you, Representative, for bringing that up because the stamps are paid for by the taxpayer. And that's what we're trying to do is shift those stamps cost off of the taxpayer and onto the burden of the incarcerated person, where the cable is already being paid for by something other than tax dollars and that's the difference there."

Speaker Wennlund: "Representative Dart."

Dart: "What about like with the weights and the books and stuff like that in the prisons? There's been a lot of discussion about taking those away from the prisoners as well. Would those come under the things where we should take them away because taxpayers are paying for them? Are those the ones where they're paying themselves and so we can let them have those?"

Speaker Wennlund: "Representative Bost."

Bost: "I think as those come up in other Bills, I would be in agreement with you that we should remove those, not for the cost, but actually for the weights and things like that, for danger that is involved with the weights, just in the danger themselves, and the fact that we're letting incarcerated people build themselves up to possibly fight our guards."

Speaker Wennlund: "Representative Dart."

Dart: "Representative, I agree with you. When it comes to taxpayer's money, we should definitely clamp down on it. But, I mean, I think that we all are in agreement here that...that prison's suppose to be punishment, not a day camp or summer camp. And so, whether or not it's for...it's coming out of their pocket or it's coming out of our pocket, I don't think we should be setting an environment there that is that hospitable. I mean, cable

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t.v. There's people I know in my district that can't afford cable t.v., but yet, you go to the joint and you have the opportunity of getting it because the sales in a vending machine...I think that's a perk that frankly should not be offered. I mean, if they want to have a...educational videos, not like Richard Speck videos, educational ones, but regular educational videos, that would make sense. They could use some to learn. But cable t.v. and the garbage that's on that, I have a problem with that. Is there anything though that we're going after to try to deal with the picnics and the banquets they have in the prisons? Is there anything in this Bill that's going to try cut back on the number of picnics and banquets they throw for the prisoners?"

Speaker Wennlund: "Representative Bost."

Bost: "Not in this particular Bill, there's not. I think there are some others that are being talked about back and forth in the Senate and have been. But with this particular Bill, you know when we..."

Speaker Wennlund: "Proceed, Representative Bost."

Bost: "When we moved on this Amendment it was so it would give us the opportunity to look into the 'curtained' Bill as well, that we had talked about earlier, but it went on to another Bill and we were glad that went there. But I don't know what other things have gone on those other Bills. I just know that this one has a lot of important things to it that I would like to go ahead and get onto the Governor's desk."

Speaker Wennlund: "Representative Dart."

Dart: "Well thank you, Mr. Speaker. Just...to the Conference Committee Report. I agree with all the provisions in here. I just find it troubling that we pulled off the provision dealing with the cable t.v. I just don't think that's

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something that we should be...Whether they're paying for it or we're paying for it, I just don't...I think that's so far beyond the norm. I mean, if it was a regular television program with the five or six channels, that's fine, but I just don't think that that should be an option for them. I mean, this is a place where they're suppose to be paying the penalty for their actions, whether it was murder or rape, and I don't think cable's one of them."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from McHenry, Representative Skinner."

Skinner: "I wonder if the Gentleman would yield for a question or two?"

Speaker Wennlund: "He indicates he will."

Skinner: "I was trying to ask this question when the Bill was first being considered, but didn't get a chance. In the original Bill there is language saying that 'pornographic materials shall be prohibited from being...'"

Speaker Wennlund: "Representative Skinner, excuse me. Ladies and Gentlemen of the House, please give Representative Skinner and Representative Bost your attention so we can get this debate moving and move along with the business of the House so we can get out of here and return home. Thank you. Proceed, Representative Skinner."

Skinner: "Is the provision still in that will require wardens to prohibit entry of pornographic material into the prisons?"

Speaker Wennlund: "Representative Bost."

Bost: "Yes, Representative, that is still in there."

Speaker Wennlund: "Representative Skinner."

Skinner: "Does this include pornographic movies that have been shown at the Danville Prison on Saturday night on the Department of Corrections cable channel?"

Speaker Wennlund: "Representative Bost."

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Bost: "I would say that would fall under that, yes, it would."

Speaker Wennlund: "Representative Skinner."

Skinner: "Good."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Pugh."

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

Speaker Wennlund: "He indicates he will."

Pugh: "Representative Bost, can you tell me which channels are...which cable channels are currently available in the Department of Corrections?"

Speaker Wennlund: "Representative Bost."

Bost: "I do not have that information, Representative."

Speaker Wennlund: "Representative Pugh."

Pugh: "Could you tell me how an individual who is in need of medical services and does not have the ability to pay, will prove that he does not have the ability to pay, will he be judged based on his...the monies that he has currently on the books or would it be based on a bank account that he has somewhere? Will it be based on previous inheritances that he might have had? Could you tell me exactly how an individual would be proven indigent?"

Speaker Wennlund: "Representative Bost."

Bost: "The Department already keeps those accounts and those records, and based on that, he would be able to, he or she would be able to pay out of that fund and he can also incur a negative balance so that as the accumulated funds, later on, that debt could be paid off."

Speaker Wennlund: "Representative Pugh."

Pugh: "So...so you're saying that if an individual does not have the money on the books, if the individual does not have the money...have money on his personal account, then he would

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be considered indigent."

Speaker Wennlund: "Representative Bost."

Bost: "If he does not have money in his personal account, he can not and will not be refused or denied the opportunity to go to seek medical treatment, but there will be a negative balance applied to that account."

Speaker Wennlund: "Representative Pugh."

Pugh: "Can you...can you also speak to the higher education degrees? Why are we targeting baccalaureate and associate degrees? Why don't we just...I mean, if we're going to make prisons unbearable and if we're going to make prisons a place for punishment and cruel treatment, why don't we not educate them at all? Why don't we not allow them to receive the basic GED?"

Speaker Wennlund: "Representative Bost."

Bost: "They can receive the GED. They can also receive these degrees. All this allows them to do, as we discussed on the floor the other day, all this says is that they would be required to pay back for those degrees above...above associates degrees. And the reason being is because everyone else out here in society have to pay for their education. All we're saying is that if they're going to receive those degrees, then that money needs to be paid back. They need to feel like they have an investment in that degree and as far as the base...We don't want to discourage them from getting any of these degrees, including their GED, or any of their education. But all we're saying is, we don't think it's right that for them to receive free college education when many of our own youth cannot receive that education."

Speaker Wennlund: "Representative Pugh."

Pugh: "Can you tell me, Sir, in what manner an individual who

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would be deemed indigent and has a desire to seek a...some additional education, once he's released, how would he pay to receive...in order to receive his degree or the certificate if he is deemed indigent? Has there been any provisions in place for that? I mean, if he's indigent, he can't pay for a degree, if he does not have the degree he will not be included or allowed in the work force? How and what kind of arrangements have been made to address that issue?"

Speaker Wennlund: "Representative Bost."

Bost: "The only way that you would be able to collect money to repay these loans is the same as any other student loan and that's through lawful ways of doing that, that is either after they do...after they do start making some form of income that can be garnished or other methods that might be available."

Speaker Wennlund: "Representative Pugh, please bring your remarks to a close."

Pugh: "But is it not true that if an individual is going to seek gainful employment, that he should...he will need that proof of his education before he can be hired in the outside world?"

Speaker Wennlund: "Representative Bost to respond."

Bost: "It depends on which particular job he is looking for whether he needs proof of that or not."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Morrow."

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

Speaker Wennlund: "The Chair will recognize that. Proceed, Representative Pugh."

Pugh: "Thank you, Representative Morrow. Representative Bost,

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the portion in the Bill regarding the pornographic material. It's stated now that the Director will determine which pornographic material is pornographic and which is not?"

Speaker Wennlund: "Representative Bost."

Bost: "That is correct. He can exclude things he considers to be pornographic."

Speaker Wennlund: "Representative Pugh."

Pugh: "So have you determined what costs this would be to the state? I mean, it seems to me as though we're going to be hiring an additional staff person or do you think that the Director himself will be responsible for reviewing the mail, the mail of 36,000 inmates on a daily basis? Who will be responsible for reviewing the periodicals that come in on a daily basis to determine the pornographic...whether they're pornographic or not?"

Speaker Wennlund: "Representative Bost."

Bost: "We already have in place those people that as the mail comes through they check it to make sure that there's no security breach. At that time they would check this, as well."

Speaker Wennlund: "Representative Pugh."

Pugh: "Well Sir, I think if you take into account...if you take into account the level of contraband that has been recently uncovered within the penal system, that we would have a real big problem identifying or separating which mail is pornographic or not. If we can't stop drugs, if we can't stop video cam-corders from coming into the prisons, I think that we will be having a more than a difficult time trying to determine which materials are pornographic or not. But to the Bill, Mr. Speaker. When we consider that the Department of Corrections has become a leviathan, the

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Department of Corrections has become a department that is...that has spinned out of control as a result of the misguided legislation that we as Legislators so thoughtfully have developed. At some point we're going to have to deal with the fact that the prisoners that we are creating are going to be part of the community at some point in time. These individuals who we refuse to provide rehabilitative services, these individuals who we refuse to take away the incentives or we take away the incentives that are designed to allow for an individual to rehabilitate and therefore be reintegrated back into society, I think we have to relook or take a real close look at the level of legislation that we're developing and we're adding to an ever increasing problem. If I might, Mr. Speaker, I have one last question. Will the Sponsor yield?"

Speaker Wennlund: "He will yield. Proceed. Please bring your remarks to a close, Representative Pugh."

Pugh: "Representative, can you tell me the logic behind the Department of Corrections? What is their purpose..."

Speaker Wennlund: "That is not to the issue, Representative Pugh, but I will let Representative Bost answer it if he wishes. Representative Bost."

Bost: "I..."

Speaker Wennlund: "Representative Pugh. Representative Pugh. Representative Pugh. The Chair will determine what is germane to the issue being presented. Representative Bost, if you care to respond, if not..."

Bost: "Respond. Representative, I would like to respond because I responded the other day. The...in the same way. The main job of Corrections is to protect and incarcerate these individuals to protect the safety of the citizens of the

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State of Illinois. It is also important to try to rehabilitate these individuals so that they can become an active and important part of society once they are released. But the first and primary goal is the safety of our citizens."

Speaker Wennlund: "Representative Pugh."

Pugh: "Once again, Mr. Speaker, I don't think...I don't think..."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Wennlund: "Representative Black has moved the previous question. The question is, 'Shall the main question be put?' All those in favor signify by saying 'aye', all those opposed signify by saying 'no'. In the opinion of the Chair the 'ayes' have it and the previous question is put. Representative Bost to close."

Bost: "This Bill has been discussed several times on this floor. It's a good Bill. It by no means cures all the problems that we have in Corrections, but it's a definite step in the right direction and I'd appreciate your 'aye' vote."

Speaker Wennlund: "The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 3451. All those in favor signify by voting 'aye', all those opposed signify by voting 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on this question there are 104 voting 'aye', 7 voting 'nay', 5 voting 'present' and this Bill, having received the required Constitutional Majority, is hereby declared passed. Committees have been announced. The House will stand in recess until the hour of 5:30 p.m.

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Representative Lang, for what purpose do you seek recognition? We don't have an electrician now. You're going to have to wait, Representative Lang."

Lang: "Thank you, Mr. Speaker. Just to inform the Body that the board says the Illinois House of Representatives is recessed till 5:30 p.m., Lee A. Daniels, Speaker. Underneath it says 5:59. The House Democrats are assembled and ready to do the people's business at 5:30 p.m., Sir. I don't know what's happening in this House, but I don't know how it's being run, but it's not being run real well."

Speaker Wennlund: "We thank you for your presence, Representative Lang. We do. We appreciate that cooperation as usual. The Chair recognizes Senator...Representative Salvi."

Salvi: "I think we should inform Representative Lang that the board is not capable of doing anything past 5:30. It's the board...it's a problem we're having with the board today, Lou, so please bear with us."

Speaker Wennlund: "Thanks, Senator..."

Clerk McLennand: "Committee Notice. Rules Committee will meet at 6:45 in the Speaker's Conference Room. Rules Committee will meet at 6:45 p.m. in the Speaker's Conference Room."

Speaker Daniels: "The House will come to order. The Members will please be in their chairs. Those not entitled to the floor will please retire to the gallery. Committee Reports Mr. Clerk."

Clerk McLennand: "Committee Reports. Committee Report from Representative Stephens, Chairman from the Committee on Executive to which the following Joint Action Motions were referred, action taken on May 23, 1996, reported the same back 'do approve for consideration': Conference Committee Report #1 to Senate Bill 1684. Conference Committee Report #1 to House Bill 2695. Committee Report from

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Representative Tom Johnson, Chairman from the Committee on Judiciary for Criminal Law to which the following Joint Action Motion was referred, action taken on May 23, 1996, reported the same back 'do approve for consideration': Conference Committee Report #1 to House Bill 3448. Committee Report from Representative Wirsing, Chairman from the Committee on Higher Ed, to which the following Joint Action Motions were referred, action taken on May 23, 1996, reported the same back 'do approve for consideration': Conference Committee Report #1 to House Bill 2406. Members at this time should update their laptop system."

Speaker Daniels: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to have the chamber welcome our Attorney General. Jim Ryan is in the back of the chamber."

Speaker Daniels: "Welcome. Supplemental Calendar Announcement."

Clerk McLennand: "Supplemental Calendar #3 is being distributed."

Speaker Daniels: "Mr. Clerk, on Supplemental Calendar #3 appears House Bill 2406, Conference Committee Report #1. Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. Conference Committee Report #1 is to House Bill 2406, has three different issues involved in it. The first issue creates a State Cooperative Extension Service Trust Fund to receive funds appropriated to the Department of Agriculture to match county expenditures for Cooperative Extension Services. This money provides that the fund will be held by the State Treasurer separate from the operating appropriation request of the department and transferred by the Treasurer upon request to the U of I for appropriate distributions to counties as part of the State Extension Service Program. Part #2, is that it is a transfer of the Illinois Institute

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for Entrepreneurialship Education from Northern Illinois University to the Illinois Community College Board. Part #3, gives the University of Illinois authority to develop a 30 acre area south of the East Campus of the University of Illinois at Chicago without certain restrictions. This development would include, but not be limited to residential facilities for staff and students and commercial operations providing services needed by the university community. And I would be pleased to answer any questions."

Speaker Daniels: "Any discussion? Representative Davis."

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

Speaker Daniels: "He indicates he will."

Davis, M.: "Okay, is the Urban Health Program in this budget?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "No."

Speaker Daniels: "Representative Davis."

Davis, M.: "I'm sorry that I was busy talking and I didn't hear you explain. Just give me a brief synopsis of what is in this Bill."

Speaker Daniels: "Representative Davis, does your staff have a synopsis of the Bill there? While Representative Davis is reviewing the Bill, we'll call on Representative Schoenberg. We'll get back to you. Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. A question for the Sponsor. Will he yield?"

Speaker Daniels: "He indicates he'll yield."

Schoenberg: "Mr. Wirsing, I'd like to ask you about the portion of the Bill, you indicated there are three portions. I'd like to ask you about the portion that relates to the proposed real estate transaction for the University of

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Illinois at Chicago Campus. It would seem, if you look at page 6 of the Bill, and if you look at the relevant Sections that, for example, in subsection 2 the acquisition is done over a lease-to-own agreement, is it not?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "I'm not clear on your question, I'm sorry. Do you want to ask again so I can give you the right answer?"

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "My question is, isn't the purchase and development of this property done through a lease-to-own transaction where the university circumventing many of the existing laws that we already have? They would be exempted out through this and be able to develop this property through a lease-to-own arrangement?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "Yes, that is one way they could do it would be the lease-to-own and there is a variety of combinations as to how this 30 acres could be developed. And that is the reason because of the uniqueness of this situation that the University of Illinois at Chicago needed these exemptions from certain overseeing entities."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "And the financing mechanism for this? Is this a public, quasi-public, or private mechanism for financing the development of this property?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "The intent here is to...this property was purchased two years ago with some tax dollars. The intent here now is to, through the private public partnerships leasing arrangements, possible sale would generate income so that there would not have to be a need for it to come back for tax dollars to ultimately develop that part of that 30

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acres."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "As I read this portion of the Conference Committee Report, it also enables the university to circumvent the five year limitation that we currently have within the statute for executing leases, is that not correct?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "Yes, that is correct."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "And it also enables the university to sell the property without compliance with the state's Property Control Act and retain the proceeds for the university, is that not correct?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "Yes, that is correct and that is relative to the uniqueness of this whole situation in developing that area."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "Who has the oversight over the RFQ and the RFP and the execution of the development of this property? Is it the...and over the...ultimately over the moneys involved in the property? Is it the University of Illinois at Chicago? Is it the State Board of Higher Education?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "The overseeing board is the University of Illinois Board of Trustees relative to those areas. The Illinois Board of Higher Education does come into play when it comes into the academic area which in a connected area also can evolve from some buildings that they might build but basically the academic requirement."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "Is the development of this property, Mr. Wirsing,

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going to be exclusively institutional or will it also be developed for private commercial use?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "It would be both."

Speaker Daniels: "Representative Schoenberg, your time is expired, Sir."

Schoenberg: "Thank you, Mr. Speaker. I have explored this issue and I understand that in the Senate there was an issue over where the review would lie on this and I understand that some language was read into the record for legislative intent on where the oversight would be. Could you tell the Body about that and that will conclude my questioning? Thank you."

Speaker Daniels: "Representative Wirsing."

Wirsing: "Yes. And what that is, nothing in this Act is intended to lessen the oversight authority of the Board of Higher Education. The university will continue to recognize and comply with all existing oversight responsibilities."

Speaker Daniels: "Further discussion? Representative Granberg."

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

Speaker Daniels: "He indicates he will."

Granberg: "Representative Wirsing, that was my concern as well and you read the intent into the record. It is my understanding that the university has no intention of trying to avoid any of the oversight functions that are currently in existence under current law. Is that also correct, Sir?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "Yes. Not only what I read, I received a call yesterday from the President of the University of Illinois emphatically assuring me that that was the fact, that was the case, they did not intend to just go off on their own

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on this particular project because that was a concern of mine, as well, when I first saw this legislation."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, could you just briefly explain for the Members why that language was not part of the Conference Committee Report and why you're taking this step right now to address that concern?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "Yeah. I had to remind myself. What occurred was the lateness of this development. Some things I'm told were in a discussion basis. They weren't sure whether they were going to have this ready and so just, the late you know, running out of calendar time. Not the best answer, but it is the accurate and correct answer."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you. And Representative, I believe they are initiating a separate fund for this development. Can you explain to the Body where the 'seed' money or where those initial funds would come from?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "It was 19.7 million two years ago is what purchased the project, purchased the property at that point in time."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Representative. We just wanted to clarify because there was another measure out there. So I thank the Representative."

Speaker Daniels: "Further discussion? Representative Pugh."

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

Speaker Daniels: "He indicates he will."

Pugh: "Representative Wirsing, the crux of this legislation has to do with the expansion of the University of Illinois. Am

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I correct?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "It is a part of the continuing program at the University of Illinois at Chicago in expanding their campus there."

Speaker Daniels: "Representative Pugh."

Pugh: "And their expansion is designed to make use, it includes making use of commercial properties and the development of those properties?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "Yes. Two years ago when the proposal for purchasing that land came forth, there was a plan laid out at that point in time what the university was planning to do and how they were going to develop that. Not only to build buildings for the academic needs of the growth of the university but also create some green space as well as develop...offer the opportunity to develop existing businesses or new businesses who might want to come in that would facilitate, would be a part of the mission and the goal of the University of Illinois at Chicago."

Speaker Daniels: "Representative Pugh."

Pugh: "So in essence, this is an economic development initiative spearheaded by the University of Illinois designed to redevelop an impoverished community. Then why is the Illinois Board of Higher Education opposed to this piece of legislation?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "Their concern and appropriately so, is because this legislation in allowing the University of Illinois to move forward with this development does exclude IBHE, the Illinois Board of Higher Education, from some aspects of what they are charged to do, okay? And that's why they are

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opposed to it. I will mention though, that when we ran this Bill through the Higher Education Committee just a couple of hours ago, that there was some good intense questioning on the part of the Committee from the University of Illinois as well as the Representative from IBHE. That was a concern of mine okay, when I first saw this. I am now very comfortable that everybody has made commitments that it is not the intent to walk away from what this public university is to do like any other, whether it's the Champaign campus or whatever it might be."

Speaker Daniels: "Representative Pugh."

Pugh: "Representative, could you tell me why don't we just do this with bonds and therefore waive all of the purchasing requirements?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "Simply because it's 30 acres. It has some existing facilities on it that are going to be renovated and kept. One is a fire station that is a historic and in fact, it has firemen in it, okay? But the ability to have the flexibility to develop not only the academic aspect of it, to develop a business community for the area, and thirdly, and I think extremely important for that particular area, is the local development of that area. I talked about green space, sports activities, that would not only be for the use of the university but would also be for the use of the people in the general area."

Speaker Daniels: "Representative Pugh."

Pugh: "If this project was done through the development of bonds, would it also allow for the commercial development and the other housing and the sports developments that you just mentioned? Would that also be able to be done?"

Speaker Daniels: "Representative Wirsing."

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Wirsing: "It certainly would be possible, but it would be extremely difficult to do that if you got into private and public partnerships, leasing, whatever it may be. But the intent here is to not become a financial drain on the taxpayers in the State of Illinois. The uniqueness of this is not only the area but what is intended to be done. The flexibility is needed. Bonding would not allow that."

Speaker Daniels: "Representative Wirsing, have you finished here? Representative Davis."

Davis, M.: "Mr. Speaker, and thank you very much for honoring me again. Representative, I'm concerned with the Illinois Institute for Entrepreneurialship Education. Currently, would you describe that program and its funding?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "First of all, what the Illinois Institute for Entrepreneurialship Education, it was founded in '89, fostered the growth and development of entrepreneurial education in the State of Illinois. The purpose of the institutions are to improve the preparation of teachers, increase the quality of entrepreneurialship through educational programs, and prepare leaders in the field of entrepreneurial...that's difficult for me to say, education. Further the institute promotes the entrepreneurialship as a career option. Supports the development of an innovative entrepreneurial education materials and delivery system. Promotes business, industry, education, partnership, collaboration, and involvement in entrepreneurialship education. It encourages and supports in-service and preservice teacher education. Now, the way it is set up now and what is being proposed in this legislation is to move it out of Northern Illinois University and move it into the...under the guise

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of the Illinois Community College Board. That moves it under the realm of the Illinois Community College Board. This gives it a broader base statewide than it currently has. It has been funded by \$100 thousand under the current system, but this has nothing to do with the money."

Speaker Daniels: "Representative Davis."

Davis, M.: "Where is it located? Where is it housed?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "Primarily in Chicago."

Speaker Daniels: "Representative Davis."

Davis, M.: "Where?"

Speaker Daniels: "Representative Wirsing."

Wirsing: "I don't know."

Speaker Daniels: "Representative Davis."

Davis, M.: "Well, to the Bill, Mr. Speaker. This particular funding mechanism was supposed to have decreasing state funds with an increase in the private funds. Now, that's what current law says. Now, I want you guys to listen up. The law says, currently, that private funds was supposed to kick in and take over the funding of this program. But what we're asking is \$100 thousand. You're asking, aren't you asking \$100 thousand, Representative? Well, according to my analysis you are requiring \$100 thousand. I understand that it is not in this Bill, but appropriation wise, to fund this Section of this Bill you're asking for \$100 thousand. Now, why would anybody object to that? Why would anyone object to entrepreneurial education from the universities to help private industry? Why would anybody object to the state giving them \$100 thousand in our appropriations? Well, the only reason that I would object is because my community could use some state dollars too. My community would like to be a participant in using state

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funds, be it at the university level, be it at entrepreneurial levels, or any of these avenues. Now, \$100 thousand being provided to a program that current state law says private industry was supposed to fund. When this Bill passed, it was passed based upon private industry dollars kicking in. It is extremely surprising to some of us that, very often, when private industry is supposed to fund a portion of a state Bill like they were supposed to fund the Illinois Math and Science Academy, we find that the state just gives them a bigger amount of our budget, and it means that some of us don't get cut in at all. Some our communities can't get a little \$250,000 project and we're very concerned about that, Representative Wirsing. Perhaps you can help me to get something for my community or this community in the state budget and not put on a \$100 thousand for an entrepreneurialship program at universities that should teach in the first place without an addition...."

Speaker Daniels: "Representative Skinner. Representative Lyons. Representative Durkin."

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

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

Wirsing: "Thank you, Mr. Speaker. There is one thing that I do need to read for legislative clarification. This is regarding the agreements between the University of Illinois at Chicago and the City of Chicago. It says that we should note that the University of Illinois commits to work closely with the City of Chicago in South Campus development in areas designated in this legislation and to honor the intergovernmental agreement with the city. The

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university will not exercise its power of eminent domain on any of the United Parcel lots in this area and the university has no intention and has not used its power of condemnation on any of the commercial properties on Halstead. In closing, I would like to respond that in fact this program has decreased its dollars. It initially was \$300 thousand, \$250 thousand that was going into it from state dollars. It is now down to \$100 thousand because of the entrepreneurship and because of businesses putting dollars. The total bill for that is over \$500 thousand. A \$100 thousand of that is state dollars. So it has accomplished, what...it is accomplishing what it was intended. I think that this Conference Committee Report has some interesting and very important issues in it and I would just ask for your 'aye' vote."

Speaker Daniels: "Representative Wirsing has moved for the adoption of Conference Committee Report #1 to House Bill 2406. All those in favor signify by voting 'aye'; opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 'aye', 0 voting 'no', 2 voting 'present'. The House does adopt Conference Committee Report #1 to House Bill 2406. This Bill having received the Constitutional Majority, is hereby declared passed. Committee Reports."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman from the Committee on Rules, to which the following Joint Action Motions were referred, action taken on May 23, 1996, reported the same back 'do approve for consideration', to the Order of Concurrence, House Bill 3380; to the Order of Nonconcurrence, Senate Bill #1246 and

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Senate Bill #1260."

Speaker Daniels: "Mr. Clerk, on the Supplemental Calendar #3 appears House Bill 3448. Representative Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3448 the Conference Committee Report, is a real collaborative effort. I've worked with Senator Petka and in conjunction with the State's Attorneys Office and I have to commend the State's Attorney for attending statewide task force hearings on gang crime. And as a result of those hearings this legislation is addressing the increasing problems of gang crimes. It provides for a pilot Gang Crime Witness Protection Program to assist victims and witnesses for aiding in the prosecution of perpetrators of gang crime. It establishes reporting of firearms in schools and creates the new offense of street gang criminal drug conspiracy which enhances penalties for those found guilty of drug related offenses in the furtherance of gang activity, conspiracy, and the organizer of three or more persons. I'd be happy to answer any questions."

Speaker Daniels: "Representative Dart."

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

Speaker Daniels: "She indicates she will."

Dart: "Representative, on the school reporting incidents when they find a gun in the school, does that apply to public as well as private schools?"

Speaker Daniels: "Representative Lyons."

Lyons: "No. At this point it's just public schools."

Speaker Daniels: "Representative Dart."

Dart: "Was there a reason why we excluded the private schools from this?"

Speaker Daniels: "Representative Lyons."

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Lyons: "Yes. We weren't quite sure how to do the process to take place. The superintendent does not have control over private schools. So, at this point we decided we would just do the public schools and perhaps expand at some point to include private schools."

Speaker Daniels: "Representative Dart."

Dart: "It just seems strange to me because we tell private schools about the sex offenders too, but if they are bringing guns into those schools it seems that we should probably be informing people about those as well. The provisions dealing with...did you make the changes necessary in this in regards to eavesdropping?"

Speaker Daniels: "Representative Lyons."

Lyons: "The eavesdropping portion of the original Bill was dropped."

Speaker Daniels: "Representative Dart."

Dart: "Well, my concern is that by failing to have that portion in here that the eavesdropping is still allowed under law...under statute, that if eavesdropping is utilized in this area, then anything found out as a result of eavesdropping is going to be thrown out of court. Can you explain that?"

Speaker Daniels: "Representative Lyons."

Lyons: "If there is a violation of the law, yes, that's true but..."

Speaker Daniels: "Representative Dart."

Dart: "Well, I mean you're allowed to do the eavesdropping but because there was no change in regards to this Section here, they didn't make the appropriate change here. If someone does do eavesdropping on street gang criminal drug conspiracies the fruits of that would be thrown out in the court."

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Speaker Daniels: "Representative Lyons."

Lyons: "The court is going to consider all evidence and there can be motions that can be filed to suppress."

Speaker Daniels: "Representative Dart."

Dart: "Yeah, and the problem is that when they file these motions to suppress they'll probably throw it out though because it doesn't...your statute didn't make the appropriate change to reflect this."

Speaker Daniels: "Representative Lyons."

Lyons: "That's up to the discretion of the judge. That's not necessarily true. That would be up to the judge."

Speaker Daniels: "Representative Dart."

Dart: "But because of the way it is written he won't have any discretion, he'll have to throw it out."

Speaker Daniels: "Representative Lyons."

Lyons: "It would if it complies with the statute."

Speaker Daniels: "Representative Dart."

Dart: "But it won't comply with the statute I guess is my point. My point is that it needs a change in the eavesdropping portion of this so it will comply with the rest of the statute, so that anything that comes about as a result of eavesdropping will be able to be utilized in court. Right now, you need exceptions for the eavesdropping to apply and it's not here. And so, they can technically eavesdrop but they won't be able to use anything they find because this change wasn't made. That's a concern I have with this. In regards to the street gang criminal drug conspiracy, does that apply to juveniles as well as adults?"

Speaker Daniels: "Representative Lyons."

Lyons: "It does apply to juveniles."

Speaker Daniels: "Representative Dart."

Dart: "I'm sorry, it does or does not?"

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Speaker Daniels: "Representative Lyons."

Lyons: "It does."

Speaker Daniels: "Representative Dart."

Dart: "So then any juvenile that commits the offense which would be in furtherance of a gang activity and a conspiracy of two or more people, if this is a 15 year old and the amount is 10 grams of heroin or morphine then that juvenile would be looking at 10 to 30 years in prison, is that correct?"

Speaker Daniels: "Representative Dart, was that a question?"

Dart: "Yeah, that was a question, I mean I..."

Speaker Daniels: "Alright. Representative Lyons, can you answer that question?"

Lyons: "If they're transferred to the adult court, it is a rebuttable presumption."

Speaker Daniels: "Representative Dart. Representative Pugh."

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

Speaker Daniels: "She indicates she'll yield."

Pugh: "Representative, let me preface my remarks by saying that I, too, think that drug dealing, drug use, is a major cause of the problem that we're having with the crisis in corrections, and I think that the gang members are the perpetrators of this criminal escapade. Although oftentimes we tend to reach a certain means by using unresearched methods. And that leads me to my question. Can you tell me what constitutes a conspiracy?"

Speaker Daniels: "Representative Lyons."

Lyons: "A conspiracy is an agreement in action for a violation of crime."

Speaker Daniels: "Representative Pugh."

Pugh: "And how would an individual, if you can bear with me, I'm not an attorney, if you can take me through a typical

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conspiracy, point out the conspirator, what constitutes conspiracy, how an individual and what he has to do or say to make him a conspirator?"

Speaker Daniels: "Representative Lyons."

Lyons: "That is up to a case by case basis, Representative, and I'm not a lawyer either and I'm conceding to the experts and the statutes that are in place right now."

Speaker Daniels: "Representative Pugh."

Pugh: "So would it be, Representative, would it be safe to assume that an individual was being attempted to be recruited by XYZ gang and during the course of that activity he's told that he's going to have to be a watch or a lookout as part of his role in the gang if he agrees to become a member. And let's say that that youth does not want to become a member, but somebody overheard them conspiring or talking about selling narcotics. Would that individual who does not intend to be part of a gang, would that individual be be a conspirator, be classified as a conspirator?"

Speaker Daniels: "Representative Lyons."

Lyons: "I'll read from the Bill, Representative, 'He or she occupies a position of organizer, a supervising person or any other position of management with those persons identified as a gang member.'"

Speaker Daniels: "Representative Pugh."

Pugh: "And who identifies, who does the identification? Who does in the case scenario that I just mentioned, who would do the actual identification and who would determine with this individual...with this youth who has no inclination? And I'm just trying to point out the flaws that might be inherent in the legislation, not saying that the intent is not honorable, is not purposeful, they're not very much needed, but I'm pointing out to you the problem that we

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will incur once we begin to talk about conspiracy, because conspiracy as it is defined in this piece of legislation is saying, 'a person who occupies the position of organizer or supervising organizer, management of two or more individuals.'

Speaker Daniels: "Representative Lyons."

Lyons: "It would be up to the state's attorney prosecuting the case to prove that conspiracy, and yes it would be difficult to prove but what we're after are gang leaders. That's the purpose of this legislation. It will be difficult to prove but we want to go after gang leaders and focus on them. Career criminals."

Speaker Daniels: "Representative Pugh."

Pugh: "Representative, and I commend you for that effort and that's who we need to be targeting, but this piece of legislation does..."

Speaker Daniels: "Please finish your remarks Sir. Representative Pugh."

Pugh: "This piece of legislation does not speak to gang...it speaks to gang members and also it identifies youthful members. It identifies the transfer of minors to adult systems and what my concern is ma'am, that in your net that you might capture youth who have no intention of becoming part of a conspiracy."

Speaker Daniels: "Further discussion? Representative Black."

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

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'no'. The 'ayes' have it. Representative Lyons now moves that the House adopt Conference Committee Report #1 to House Bill 3448. All those in favor will signify by voting 'aye'; opposed by

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voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? I'll wait. Okay, Representative Flowers, 'present'. Anyone else? Everybody done? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 100 'ayes', 9 'noes', and 2 voting 'present', and the House does adopt Conference Committee Report #1 to House Bill 3448. This Bill having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on Supplemental Calendar #3 appears Senate Bill 1684. Read the Bill, Mr. Clerk. Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1684 is a Bill upon which Members of the General Assembly, certainly Majority Leader Churchill, Steve Nemerovski, Charlie Cook on our legal staff and others have spent an enormous amount of time trying to work out a Bill on a point and a dispute between the brewers and the distributors. I think it's a good idea to understand what the problem is and why the problem is occurring. Like many industries in the United States today, the brewing industry is in a state of consolidation. And in the course of that consolidation, very often a number of the smaller brands that are held by different, usually small town distributors, are put in a position where the brewer prefers to move that small brand to another distributor. And this is a problem that is creating a great deal of friction because normally these small brands represent a relatively small percentage of the amount of a brewer's business. And so, as you may recall, when Senate Bill 1684 came over from the Senate, the remedy for leveling the playing field between the brewers and the

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smaller distributors was a mechanism that would of in effect granted the distributors a mechanism for super injunctive relief. In the course of trying to find an alternative that was preferable to superinjunctive relief we have arrived at Senate Bill 1684, Conference Committee #1. And among the provisions of this Bill is that this Bill is limited to its application in cases where the amount of business within a distributorship is 20% or less. And the Bill then goes on that in the case of after what are called 'good cause' or 'not for good cause' terminations or cancellations and that matter is resolved, the issue then becomes narrowed to options for getting paid for the distributors to be compensated for the taking of that brand by a distributor. In the past several years as a brewer has taken away the small percentages of brands it has been a great impediment for the distributor to be able to go to court, fight, and have a level playing field because when this happens these pieces of his business are taken away. It's not that significant, oftentimes, a piece of the business but he loses the income from it and then he is faced with going to court and he is faced with sometimes a court fight of sometimes three or four or five years to try and get paid and get relief at a time then when his brand if already gone. In this case we have several alternatives and we have worked very hard to create what we think is a fair solution which levels the playing field. Under this Bill, either side may choose an expedited binding arbitration process. If a brewer says, 'Yes, let's go and have the binding arbitration', and a distributor objects, then the distributor can take the money and sue for the difference, but if he does that he loses his right to an injunction. In the second case, he has 90 days to

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file an action. If he brings a lawsuit and it's not resolved in two years, then he is entitled to keep that brand during that two year period when he would be in court. If the brewer says it wants arbitration but the wholesaler declines the arbitration, then the brewer has 90 days to go to court to bring an action. If the brewer brings action in 90 days then the distributor has the brand for two years. If the brewer does not bring it in 90 days, then the wholesaler keeps the brand while this is fought out in court. Another provision that has been added is that in the case either party acts in bad faith under this Act, the court or the arbiter can prescribe penalties and the offending party shall pay the court costs and legal fees of the other. This has been a very hard Bill. It's been one of great controversy and disagreement, and Mr. Speaker, I would recommend its approval to you."

Speaker Daniels: "Any discussion? The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I commend Representative Leitch and I rise in support of the Conference Committee Report and ask all Members to vote 'aye'. I would like to ask a few questions here for legislative intent. What's the basic difference between Senate Bill 1684 as passed in the Senate and the Conference Committee Report?"

Speaker Daniels: "Representative Leitch."

Leitch: "As I mentioned in my explanation, both Senate Bill 1648 passed by the Senate and Conference Committee Report address the problem of wholesalers having brands cancelled by brewers and the brewers not compensating the wholesalers for the cancelled brands as required by the Act. The Conference Committee Report does not change the injunctive provisions of the Act, instead the Conference Committee

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Report creates a procedural process for resolving of amount of compensation and when that compensation will be paid."

Speaker Daniels: "Representative Mautino."

Mautino: "The Conference Committee Report limits the cancellation resolution process to cancellations by a brewer that is 20% or less of the wholesaler's total volume. Why was the 20% level used?"

Speaker Daniels: "Representative Leitch."

Leitch: "A recent court case involving distributors losing small volumes less than 20% of their total business through brewer termination and violation of the Act were unable to obtain an injunction because the court held that because of the small volumes it did not meet the irreparable harm and inadequacy of remedy injunctive test. Large volume distributors will be able to establish irrefutable harm and the inadequacy of legal remedy in line with current judicial decisions in the event of a large volume termination and violation of the Act."

Speaker Daniels: "Representative Mautino."

Mautino: "Does the Conference Committee Report change the basic requirement of the Beer Industry Fair Dealing Act which prohibits brewers from terminating a wholesaler without cause?"

Speaker Daniels: "Representative Leitch."

Leitch: "No. The Conference Committee Report clearly continues to recognize that under the Beer Industry Fair Dealing Act, a brewer may only terminate a wholesaler for cause and that any termination without cause continues to be a violation of the Act."

Speaker Daniels: "Representative Mautino."

Mautino: "Does the Beer Industry Fair Dealing Act continue to supersede the agreement between the brewer and the

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wholesaler?"

Speaker Daniels: "Representative Leitch."

Leitch: "Yes. If the agreement between the brewer and the wholesaler is inconsistent with the Act, the Beer Industry Fair Dealing Act controls."

Speaker Daniels: "Representative Mautino."

Mautino: "And finally, if the wholesaler has been terminated in violation of the Act, will the wholesaler be entitled to seek an injunctive or receive fair market value for the brands terminated?"

Speaker Daniels: "Representative Leitch."

Leitch: "Yes. Nothing impairs a wholesaler's right to continue to use all of the available remedies including seeking an injunction and damages for wrongful termination. In the case of wrongful termination by a brewer, the actual damages received by a wholesaler will be the fair market value for the terminated brands as defined in the Act."

Speaker Daniels: "Representative Mautino."

Mautino: "Thank you. To the Bill. I simply rise in support of this. I think Representative Leitch has explained the problem as it exists in the current industry and I would ask all Members for support."

Speaker Daniels: "Representative Leitch to close."

Leitch: "I'd ask for an 'aye' vote."

Speaker Daniels: "Representative Leitch moves for the adoption of Conference Committee Report #1 to Senate Bill 1684. All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Everyone done? Take the record Mr. Clerk. On this question there are 107 'ayes', 1 voting 'no', 2 voting 'present'. This Bill having received a

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Constitutional Majority, is hereby declared passed and the House does adopt Conference Committee Report #1. Supplemental Calendar announcement."

Clerk McLennand: "Supplemental Calendar #4 is being distributed."

Speaker Daniels: "Mr. Clerk, on Supplemental Calendar #1 appears Senate Bill 1414. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. This was Senator Adeline Geo-Karis' initiative for Lake County which currently has to compete with respect to bingo with the State of Wisconsin. Now the State of Wisconsin has virtually unlimited bingo including bingo on indian reservations and when people in Lake County go to play bingo and they want to play the higher stakes they go across the border into the State of Wisconsin which is virtually unlimited. The State of Illinois currently has three counties which have increased the limits, the nightly limits from \$2250 to \$3250. We've done it in Monroe County. We've done it in Madison County and St. Clair County in the City of Redbud because they are close to the State of Missouri and those bingo players would have to compete with the State of Missouri and that's why we increased it for those counties. It would put Lake County on a par almost with the State of Wisconsin even though we would still be limited to one night a week. In Wisconsin, you can play every night of the week. This is a Bill that was requested by the various Veterans of Foreign Wars who conducted bingo and conduct bingo in the County of Lake. And Senator Geo-Karis asked for House approval of that measure. Basically what it does is, it increases the limit from 2250 to 3250 which actually just gives it an additional two games with prizes up to \$5 hundred per game. Puts them on the par with the State of Wisconsin and it will help the Antioch VFW and several

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other VFW's in Lake County that conduct bingo. Ask for your approval."

Speaker Daniels: "Representative Skinner."

Skinner: "We don't have any video poker in here or anything like that?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "No, no. The only thing that's in here is bingo for the County of Lake."

Speaker Daniels: "Representative Skinner."

Skinner: "How much does the prize go up?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "It just provides that they can play an additional two games with prizes up to \$5 hundred per game which is the current limit."

Speaker Daniels: "Representative Skinner."

Skinner: "Thank you."

Speaker Daniels: "Representative Davis."

Davis: "Mr. Speaker, I would simply like to say I would have voted 'yes' on Senate Bill 1684 had I been in my seat and I would like to be recorded as voting 'aye' on that Bill."

Speaker Daniels: "The record will reflect that if you had been able to vote your switch you would have voted 'aye'. Further discussion? Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker. I also was off the floor when Senate Bill 1684 was being voted on. I would like the record to reflect I would have voted 'aye' on that Bill too."

Speaker Daniels: "The record will so reflect. Representative Novak."

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

Speaker Daniels: "He indicates he will."

Novak: "Representative Wennlund, does this now only apply to Lake

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County?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "Correct."

Speaker Daniels: "Representative Novak."

Novak: "Can you give us an idea why the Senate made those changes? I mean, wouldn't it be more fair to sort of have it apply to all counties?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "When this Senate Bill left the House it did apply to all counties. However, when it got over to the Senate, the Conservative Branch of the GOP side of the Senate decided that they really didn't like that."

Speaker Daniels: "Representative Novak."

Novak: "Well, I can understand that. Who is the Senate Sponsor?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "Senator Adeline Geo-Karis."

Speaker Daniels: "Representative Novak."

Novak: "Oh yes, we all know Adeline. The reason why I brought this question up because I supported this Bill in the past and I'm kind of reluctant to support it now is because we have a lot of counties on the eastern side of Illinois that border Indiana. And I think Indiana's bingo limit is God, I think 5 or \$10 thousand. I know it's much larger than our limit in Illinois. I've had a few of the Catholic priests approach me about trying to get the law changed so we can have a little parity since our communities in my district, that borders Indiana, would have a little more of a level playing field. So it's unfortunate that the Senate yanked this language out. So it just applies to Lake County, right?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "That's correct. Well, it already applies to Madison

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County, St. Clair County and Monroe County. This would add Lake. We would have 4 out of 102 counties. That brings us down to 98 and if we keep working on them one at a time Representative, and I'll work with you to expand this, it won't take us long before we get all 102 of them in there."

Speaker Daniels: "Representative Novak."

Novak: "Yes. Thank you, Representative. You mentioned the City of Redbud. Is that in Randolph County or is that in Madison County?"

Speaker Daniel: "Representative Wennlund."

Wennlund: "You're correct. I never heard of it before but I'm informed that it's in Randolph."

Speaker Daniels: "Representative Novak."

Novak: "Okay. Well, thank you very much. No further questions."

Speaker Daniels: "Further discussion? Representative Hannig."

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

Speaker Daniels: "He indicates he will."

Hannig: "Yes, Representative, when this Bill passed the House initially, we had all the state in the Bill, and it's my understanding that when it was discussed by the Revenue Committee at that time that that was their preference and I think the preference of this chamber. Why should we just grant this special exemption to one county?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "Because I want to do everything I can possibly do to please Senator Geo-Karis."

Speaker Daniels: "Representative Hannig."

Hannig: "Well, Representative, I understand your dilemma, but I think in our role as policymakers that we should be looking at what is good really for the whole State of Illinois. Now you're trying to address a real problem I guess that does exist in Lake County but I think all you're doing is

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transferring that problem to the neighboring counties. Now I happen to border some of these counties where they have the higher bingo licenses and what we find is that what is happening in Lake County now, where people are traveling across the state line because they want to go into Wisconsin, will now be a problem for the counties next to Lake County. Some of the counties, I think it's McHenry and Cook County, you'll find those people suddenly not wanting to play in those Illinois counties. They will want to go up where they get the higher limit. So it seems to me that you're just transferring the problem that exists now in one county to some of the adjacent counties in the northern part of the state and if indeed this is a good idea that as policymakers we ought to adopt it for the whole state. That if we want to allow gambling in at a higher level, fine, let's do it. I have no problem with that. I voted for the Bill, but I think just to narrowly define it and give one area of the state this extra power certainly if I was a Representative on the bordering counties with McHenry...or Lake, I would be very concerned that people in my county are now going to be going to the next county to gamble and play bingo and consequently I have to rise in opposition to this proposal and ask that Members reconsider. We could have a Second Conference Committee Report at some point and do this statewide. But in my mind, the best way to address it is a statewide level, not a level that just addresses one county. So I would ask Members on both sides of the aisle that believe that we should make policy in this Body that we should be consistent, that we should do things because they are right not because some Senator or Representative or some person in our district wants us to do something special for them,

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but because it's the right thing for the state. Those are the reasons we ought to be passing legislation and I would ask all Members to oppose this proposal."

Speaker Daniels: "Representative Balthis."

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

Speaker Daniels: "He indicates he will."

Balthis: "Representative, in the Revenue Committee there was quite a bit of discussion about this issue on the fact that it was only going to affect Lake County when Members felt that there was some question as to why it should not affect the state as a whole. I believe you agreed in the Committee that it should if everyone wanted it, affect the entire state. We now have a situation where the Senate has disagreed with you and we from the Revenue Committee would like to know why you have given into the Senate?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "Representative Balthis, first and foremost, I have not given into the Senate. I have agreed to accommodate Senator Geo-Karis with good reason. She believes that the other three counties that have it have it because of competition from adjoining states and that we had this...this will be the fourth county and that only leaves 98 left and I have agreed to work with Representative Novak to chip away at it and add counties in as we go and pretty soon we will have all 102 in. It hasn't been changed since 1982 and I agree with you. It ought to be statewide, however, when...I will have Senator Geo-Karis contact you personally to discuss it."

Speaker Daniels: "Representative Balthis."

Balthis: "Representative, would you be willing to not accept this and then you and I sit down with the Senator and talk about this and the other Members of the Revenue Committee to see

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if we can't come to some accommodation because many of the Members of the Revenue Committee felt they could vote for this issue if all of their communities were involved in it."

Speaker Daniels: "Representative Wennlund."

Wennlund: "I will be happy to ask Senator Geo-Karis to personally visit with both you and your seatmate to discuss this issue, but we're moving ahead with this and from there, you can discuss this with Senator Geo-Karis. Thank you."

Speaker Daniels: "Representative Balthis."

Balthis: "I hope you're not talking about Representative Andrea Moore who I know is in the district or in the area of Senator Geo-Karis, but there are more people than just the Senator's representatives that were concerned about this. And I really think we should get the Senator to understand that the Revenue Committee and the House felt strongly, in fact, you came back the second time to the House Revenue Committee in order to get this Amendment passed, this Bill out of Revenue and so I think you understand how serious the Revenue Committee of the House was about expanding this gambling issue into the entire state and not just doing it to Lake County. So I would encourage you to take that message back to the Senator that the House Revenue Committee felt strongly that this shouldn't happen unless it happened throughout the state. And I would ask you to respond to whether or not you can convince the Senator to do that?"

Speaker Daniels: "Representative Wennlund."

Wennlund: "Yeah, I thank you for all those words of encouragement and I couldn't agree more that it should belong statewide. But frankly...you know, you can do that. You ought to do that as an initiative of your own but this is Senator

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Geo-Karis' initiative for the VFW's in Lake County and there is no reason...this is not a big deal. This is not a big deal at all. Senator Geo-Karis wants it increased for Lake, fine, let's do it."

Speaker Daniels: "Representative Balthis."

Balthis: "Representative, I think that Members of the Revenue Committee would like to support you and I would encourage them to consider their vote in the Revenue Committee and I know that you're serious about wanting to help the Senator, but I'm a little concerned about this because no Senator from...no Representative from her district is supporting this and I would just like to say to you that I'd like to support you but I think Cook County is being left out of this and so for that reason I have a little problem with this."

Speaker Daniels: "Further discussion? Representative Cross."

Cross: "Thank you. I move the previous question."

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'no'. The 'ayes' have it. And Representative Wennlund, would you like to close Sir? Representative Wennlund. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is really no big deal. So it expands it for Lake. We did it for Madison, we did it for several other counties."

Speaker Daniels: "Excuse me. Ladies and Gentlemen. Please give this Gentleman your full attention."

Wennlund: "Thank you. It's not a big deal. It just expands it. We've done this on a countywide basis before. Let's just do it again and pass the Bill out and then be done with it and next year we'll work on expanding it to all 98 other

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counties in Illinois. Thank you."

Speaker Daniels: "On behalf of Senator Geo-Karis, Representative Wennlund moves for the adoption of Conference Committee Report #1 to Senate Bill 1414. All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Wennlund, is this your first Bill? Have all voted who wish? Representative Black, did you seek to be recognized?"

Black: "Yes. If we could get about 53 people to change their votes maybe he could get postponed consideration."

Speaker Daniels: "Representative Johnson."

Johnson, Tim: "A kind of point of personal privilege in memory for the Speaker and those of us who have been around a little while. You recall when we had a 177 Members we used to have the Century Club and since we reduced it to 118, it's very difficult to make the Century Club, but for the first time in this Session, in this Session or my memory, Representative Wennlund has joined the Century Club. Congratulations."

Speaker Daniels: "Representative Pugh."

Pugh: "Mr. Speaker, I was wondering if this Bill had anything to do with the Freedom of Information Act?"

Speaker Daniels: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 3 voting 'yes', those three are Representative Churchill, Representative Wennlund and Representative Pugh, there 106 voting 'no', and 2 voting 'present', and Mr. Clerk, read the Affirmative Roll."

Clerk McLennand: "Those Representatives voting in the Affirmative are: Churchill. Pugh. and Wennlund."

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Speaker Daniels: "Representative Stephens."

Stephens: "Mr. Speaker. I would ask for an investigation. I don't know how my name got on that Bill."

Speaker Daniels: "Mr. Clerk, remove Mr. Stephens from the Bill. Representative Wennlund, do you wish to still remain on the Bill?"

Wennlund: "Yes."

Speaker Daniels: "Okay. This Bill having received 3 'ayes', 106 'no', 2 voting 'present', and the First Conference Committee Report fails. Representative Churchill found out a long time ago that he needed to get off the Bill. Committee Notice."

Clerk McLennand: "Committee Notice. Rules Committee will meet at 8:00 p.m. in the Speaker's Conference Room. Rules Committee will meet at 8:00 p.m. in the Speaker's Conference Room. Introductions: Senate Joint Resolution #96, offered by Representative Mitchell, has been referred to the Rules Committee. And a message from the Senate: Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of House Bill 3696 together with Senate Amendment #1 in the adoption of which I am instructed to ask the concurrence of the House."

Speaker Daniels: "Mr. Clerk, on the Supplemental Calendar #4 appears Senate Bill 1260. Representative Tenhouse."

Tenhouse: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1260 is a vehicle Bill that I would like to move to refuse to recede from House Amendment #1 and ask for a Conference Committee."

Speaker Daniels: "Representative Tenhouse has moved that the House refuse to recede from House Amendment #1 to Senate Bill 1260. All those in favor say 'aye'; those opposed say

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'nay'. In the opinion of the Chair the 'ayes' have, and the House does refuse to recede from House Amendment #1 to Senate Bill 1260 and the House requests that a Conference Committee be appointed. Mr. Clerk, on the Supplemental Calendar #4 appears Senate Bill 1246. Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I refuse to recede from House Amendment #1."

Speaker Daniels: "Representative Mulligan has moved that the House refuse to recede from House Amendment #1 to Senate Bill 1246. All those in favor will say 'aye'; those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the House does refuse to recede from House Amendment #1 to Senate Bill 1246 and the House requests that a Conference Committee be appointed. Mr. Clerk, on the Order of the Confer...on Supplemental Calendar #4 appears House Bill 3380. And Representative Black."

Black: "Yes, thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House refuse...nonconcur in Senate Amendment #1 of this Bill."

Speaker Daniels: "Representative Black has moved that the House nonconcur in Senate Amendment #1 to House Bill 3380. All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it and the House does nonconcur in Senate Amendment #1 to House Bill 3380. Representative Woolard."

Woolard: "A point of personal privilege if I may, Mr. Speaker. I just was talking to my wife a few minutes ago and she was wondering if we were coming home tonight and I told her I didn't know. And the second question was, have you had supper? And I said, 'No'. And she said, 'When do you believe you'll have it?' And she is genuinely concerned

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for my well-being, and so I was wondering if you could tell me so that if she calls back I'd be able to inform her. Have you ordered supper for us or are we going out to eat? Are we leaving right away, what is the plan?"

Speaker Daniels: "Well, your wife should know that you'll be home when you get home. Representative Woolard."

Woolard: "How about dinner? What are we going to do for dinner?"

Speaker Daniels: "Does anybody have any suggestions? I think Representative Woolard, you're going to have to make your dinner plans on your own tonight. Unless the Attorney General is still here, but I think he's gone. I think Skip Saviano is handling the Attorney General's bill food. Maybe Skip should pick up dinner for tonight for everybody. Representative Saviano."

Saviano: "Where's the Attorney General at?"

Speaker Daniels: "Representative Saviano says he's eaten already."

Saviano: "I'm eating light, salad."

Speaker Daniels: "Representative Saviano suggests you all have salads. Representative Woolard."

Woolard: "Let's take a two hour break."

Speaker Daniels: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker. I'm reasonably sure that you sent this messenger from heaven to take care of my personal needs."

Speaker Daniels: "There's another present coming down towards your way too, from Representative Winters."

Speaker Wojcik: "Representative Wojcik in the Chair. Representative Wennlund."

Wennlund: "Madam Speaker. There's some question about why I am leaving the House floor for a few minutes?"

Speaker Wojcik: "Yes there is."

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Wennlund: "I got a telephone call."

Speaker Wojcik: "Telephone call?"

Wennlund: "Yes."

Speaker Wojcik: "Would you like to share it?"

Wennlund: "Senator Geo-Karis wants to visit me ASAP on the Senate floor. I tried to convince Representative Churchill to go in my stead and the Majority Leader said, 'Wennlund, you will handle this in a good fashion, I know you will.' So, I'm heading over to the Senate to visit with Geo. Thank you."

Speaker Wojcik: "I suggest that you have somebody to secure your safety as you go in there. Representative Zickus. Representative Zickus. Would you step up to the podium please. Mr. Clerk, Committee Reports."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman from the Committee on Rules to which the following Joint Action Motion was referred, action taken on May 23, 1996, reported the same back 'do approve for consideration': Conference Committee Report #1 to Senate Bill 1490. Attention Members. Committee Announcements. The following committees will meet at 9:15. Elections and State Government in Room 118. Executive Committee in Room 114. Judiciary for Criminal Law in Room D-1 in the Stratton. Again, at 9:15 p.m. the following Committees will meet. Executive Committee in Room 114. The Elections and State Government in Room 118 and Judiciary for Criminal Law in Room D-1 in the Stratton."

Speaker Wojcik: "Representative Wennlund. You have arrived safe and sound in the House. Do you have a message from the Senate? Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. I'm pleased to report that I have returned in one piece. She was actually very nice,

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but she was glad that Larry and Bobby voted...Bobby voted for her Bill, but she requested that I come back and immediately send Representative Andrea Moore to visit with Senator Geo-Karis on the Senate floor."

Speaker Wojcik: "She didn't ask for Representative Lachner?"

Wennlund: "Him too. Anybody who represents any part of Lake County except...and Verna too."

Clerk McLennand: "Introduction of Resolutions. Senate Joint Resolution #108, offered by Representative Lindner. Referred to the Rules Committee."

Speaker Wojcik: "Representative Lachner. Are you seeking recognition?"

Lachner: "Yes, Madam Speaker. I'm informed by Representative Wennlund that Senator Geo-Karis does want to see both myself and Representative Moore and in fact she also wants to see Representative Clayton. And I just wanted to report to you that Representative Moore for some reason has vanished from the chamber. I've checked under her desk and she's not there and Representative Clayton being the Senior Member in the House of Lake County, therefore should report to the Senate and I being the Freshman Member from Lake County will have to stay here. Thank you."

Speaker Wojcik: "Representative Clayton, would you like an escort to the Senate?"

Clayton: "Spangler."

Speaker Wojcik: "Representative Spangler. Representative Spangler. Remove him. Representative Noland."

Noland: "Speaker..."

Speaker Wojcik: "Yes, Representative."

Noland: "We have seemed to misplaced Representative Spangler temporarily."

Speaker Wojcik: "How could he ever be misplaced."

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Noland: "We suspect it's the Rathskeller."

Speaker Wojcik: "I think they ran out of food. He's down there.

Representative Davis, are you exercising back there? For what purpose does the Lady from Lake seek recognition? Representative Clayton."

Clayton: "I would like the record to show that I would have voted 'yes' on Senator Geo-Karis' Bill if I'd known I had to go over there."

Speaker Wojcik: "Representative, that'll be so noted. For what purpose does the Gentleman from Cook, Representative Balthis rise?"

Balthis: "Representative, I would like to have the record reflect that I would have voted with Representative Wennlund on that Bill except my switch wasn't working so I'm not going to see Senator Geo-Karis."

Speaker Wojcik: "So noted. For what purpose is the Gentleman from Lake, Representative Lachner seeking recognition again?"

Lachner: "Yes, thank you, Madam Speaker. After having consulted with Representative Wennlund after he has returned from the Senate chamber, I voted on the prevailing side of that Bill and I would like to seek the advice of the Chair as to whether or not it would be appropriate for a Motion to reconsider?"

Speaker Wojcik: "The Chair wishes you wouldn't. Representative Lachner."

Lachner: "Thank you, Madam Speaker. Then would you escort me over to the Senate?"

Speaker Wojcik: "No, actually, Representative, I'm going to bring her over here. For what purpose is the Gentleman from Bureau, Representative Mautino, seeking recognition?"

Mautino: "Thank you, Madam Speaker. Just a question of the

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Chair. For some of the Members that might have checked out of their hotels and are looking at your schedule for adjournment, should they seek accommodations or does the Chair have extra couches around the House or what should we do?"

Speaker Wojcik: "Senator Geo-Karis would be happy to put you up. And she's serving chicken. Senator Karpel, do you have a message from Senator Geo-Karis? Representative Wennlund says that he was a little nervous a bit ago because Senator Geo-Karis summoned him. Do you really have a message from the Senate so we know what is going on? They adjourned. That's kind of nice. For what purpose does the Lady from Cook, Representative Currie seeking recognition?"

Currie: "With a parliamentary inquiry, Speaker. You were just mentioning messages from the Senate and I wonder if the Chair could inform us whether we have yet received a message from the Senate with respect to Senate Bill 1288, the House Amendment which of course would be the ethics package. Has the Senate yet acted upon that program?"

Speaker Wojcik: "Representative Currie, Representative Moore just returned from the Senate. Perhaps she has a message. Representative Moore."

Moore, A: "Thank you, Madam Speaker. Actually I was not in the Senate yet. I've been over in my office just deliberating and trying to think of what I could possibly do before I went over to the Senate to visit with my Senator, and I decided that since I voted on the prevailing side of this issue, I should make a Motion to Reconsider and we could all vote again and be on record. Then I could tell Senator Geo-Karis that we made every effort to try and pass her Bill this evening."

Clerk McLennand: "Supplemental Calendar #5 is being distributed."

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Speaker Wojcik: "Representative Noland, are you seeking recognition?"

Noland: "Speaker, Representative Spangler has returned to the chamber."

Speaker Wojcik: "Representative Spangler. Representative Spangler. Did you take care of Senator Geo-Karis? I'm sure you had one-upmanship. Mr. Clerk, announcements."

Clerk McLennand: "Attention Members. Members of the Executive Committee should be informed that they will be meeting at 9:00 a.m. We do not have a posting yet, but the Executive Committee will be meeting at 9:00 a.m. tomorrow morning. That is in addition to the 9:15 posting for this evening."

Speaker Daniels: "The House will come to order. The Members will please be in their chairs. Those not entitled to the floor will please remove themselves. Senator Karpiel, welcome to the House. Former Member of the House, Senator Karpiel. All those Members that are within hearing of this announcement, please return to the House. Mr. Clerk, on Supplemental Calendar #5 appears Senate Bill 1490. Representative Winkel. Representative Winkel."

Winkel: "Thank you, Mr. Speaker. I would like to adopt First Conference Committee Report on Senate Bill 1490. This Bill was debated a couple of weeks ago. Senate Bill 1490 codifies the Illinois Supreme Court's decision in Kryzenski vs. United Parcel Service regarding legal protections provided to employers in providing references for employment purposes. As I stated in debate then and for purposes of this Conference Report, I repeat that this language does not go beyond what the current law does in protecting employers in providing references. An employee's rights or ability to sue and have an employer held liable for their comments related to job reference are

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in no way diminished. And, I would appreciate a favorable vote. The other half of the Conference Committee Report will be presented by Representative Bill Black. And, I would defer to him at this point."

Speaker Daniels: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I appreciate Representative Winkel yielding some of his time to me. The second part of this Conference Committee Report is something very important to me. I hope it is very important to all of you. In a perfect world I'd like to see this run on its own. We did that at one time in this House a few weeks ago and it got a 113 votes. I think it's unconscionable in the State of Illinois that we created back, in 1975, the Rate Adjustment Fund that would pay the spouses of those workers fatally injured on the job, for whatever the reasons, and I don't want to debate the reasons, we can get into that next year I hope. That fund is not meeting its obligations. The second part of this Conference Committee Report would increase the amount paid by business in the State of Illinois by 1/4 of a percent from 1/2 to 3/4 of a percent into the Rate Adjustment Fund. It is estimated that that will raise sufficient dollars that we can pay what is commonly referred to as the widows and orphans in this State who are due money under the Rate Adjustment Fund. And, for many of them that cost of living increment is what they live on. And, I think all of you would have constituents in your district as I do who have not been paid since October of 1995 and they are suppose to be paid quarterly. I think that is unconscionable. I don't think it is political in nature. I don't think it is partisan in nature. We voted it out of this House once before and with

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113 'aye' votes and 1 'nay' vote. Representative Winkel and I would be glad to answer any questions you have. I would urge your support of this Conference Committee Report #1 to Senate Bill 1490, so that 15 hundred people, mostly widows and orphans in the State of Illinois, can get the money that is due them, that is promised to them, and that they deserve. Thank you, Mr. Speaker."

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

Hannig: "Yes, thank you, Mr. Speaker. Mr. Speaker, could I have a request for a verification, should this vote get 60?"

Speaker Daniels: "Could you have a request? Yes, you could have a request."

Hannig: "I would request a verification Roll Call."

Speaker Daniels: "Thank you, Sir."

Hannig: "Yes, thank you Mr. Speaker and Members of the House. We just heard the last Gentleman talk about a proposal that passed this House a few weeks ago perhaps by a unanimous vote or near unanimous vote. And, it was one of those kind of issues that we on this side of the aisle could have gotten up and talked about how this would raise the cost of business to the business community. That it could have been considered a fee increase or a tax increase, but we chose not to politicize the issue at that time. We chose to work with the Majority in an effort to pass a Bill over to the Senate to try to address some very legitimate problems here in the State of Illinois with the Rate Adjustment Fund. But, what we see today is an effort from the other side of the aisle to now take that fund and put it with a very controversial Bill that barely squeaked out of this House with 60 votes and failed over in the Senate. And, I would say to the Members of both sides of the aisle,

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that we should not be playing politics with the Rate Adjustment Fund and putting it with these Bills that are controversial, when we passed a clean Bill out of this House with a near unanimous vote. So, I would say to the Members of both sides of the aisle that we have a First Conference Committee Report here that does many things that we on this side of the aisle object to. That we think are bad. And we would ask that this Conference Committee Report be defeated, that we send the Members back to reconsider their legislation and then come back to us with a clean Bill to address the Rate Adjustment Fund. But, I don't think that we should here tonight, be taking something that we have passed out of this House with a near unanimous Roll Call and putting it on this legislation that we so strenuously object to and I would urge a 'no' vote on both sides of the aisle."

Speaker Daniels: "Further discussion? Representative Granberg."

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

Speaker Daniels: "He indicates he will."

Granberg: "Representative Winkel, I think you indicated that the UPS language was contained in this Conference Committee Report. Is that the language that was passed by this chamber earlier that would restrict the right to sue for overtime provisions?"

Speaker Daniels: "Representative Winkel."

Winkel: "No, it is not in the language."

Speaker Daniels: "Representative Granberg."

Granberg: "So, the language you are referencing is just the employer, the record disclosure? Because, you mentioned UPS, so that is what you are talking about, Sir?"

Speaker Daniels: "Representative Winkel."

Winkel: "Yes, that's correct."

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Speaker Daniels: "Representative Granberg."

Granberg: "Well, thank you, thank you, Representative. Mr. Speaker, Ladies and Gentlemen, to the Bill. My good friend from Danville allowed me to Sponsor the Rate Adjustment legislation with him. We joined in that bipartisan effort to help resolve this very, very serious issue. And that legislation passed out of this House successfully and rightfully so. Tonight, and I just, I frankly, I just don't understand this. I keep looking and it's like you just don't get it. You don't get it. Last year, Representative Klingler used sexually abused children to pass a gas tax. Tonight you are using widows and orphans to pass a business break. When do you actually get it? When do you understand that people should not be used for political purposes? You used sexually abused kids. Now, you use widows for business breaks. When do you say enough is enough? When do you start rising up for people? When do you quit saying 'yes' to big business and start taking care of working people? This is an outrage. My friend said it was unconscionable. Well, it certainly is. And, I will not be a part of it. It is time to say 'enough.' It is time to say 'no'."

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

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

Speaker Daniels: "He indicates he will."

Parke: "Representative, I have a question. There seems to be a talk about some kind of a business break with this truthful reference aspect. Is this a business break of any kind?"

Speaker Daniels: "Representative Winkel."

Winkel: "Representative, no of course not. What it is, it's a codification of current existing case law. The Kryzenski

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case makes it very clear what the standard is and what we're attempting to do is reach a clear, meaningful statement, public policy statement, in the statute books that accurately reflects the Kryzenski case, and that's precisely what this Bill does."

Speaker Daniels: "Representative Parke."

Parke: "Yes, you're saying this codifies current law. So, in essence there is nothing really seriously...there is no serious real flaws to the system. All we are just simply saying is that an employer has the right to give a truthful reference on an employee's performance in his work place. I mean, is there anything more than that or is this what it is about?"

Speaker Daniels: "Representative Winkel."

Winkel: "Representative, you have it exactly right. If an employer gives a truthful reference, this Bill offers some protection against a frivolous lawsuit. Now, if that employer chooses to act in bad faith or lie about an employee, there is no safe haven or protection found anywhere within the four corners of this Bill."

Speaker Daniels: "Representative Parke."

Parke: "Mr. Speaker, thank you. To the Bill. Look, Ladies and Gentlemen, I think there's people seeing a lot of ghosts in this Bill that is not there. This Conference Committee is taking two ideas that are similar, put them together because they are both good ideas and which is not uncommon in a Conference Committee Report. It is simply saying that we are going to make sure that Illinois is a good place to do business, that jobs are going to be secure in knowing that an employer is going to hire somebody that is not of bad reputation or that has a bad job-related experience, that it's got to be truthful, if it isn't, then that

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employee has the right, through the courts, to have regress (sic-redress). It's nothing more than that. Ladies and Gentlemen, this is a good easy vote to vote for."

Speaker Daniels: "The Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Hoffman: "Yes, Representative, this is the Bill I believe that we debated earlier. The first part of the Bill is the Bill that we debated, it went through Executive Committee and ultimately, I believe, passed out of this House. Is that correct?"

Speaker Daniels: "Representative Winkel."

Winkel: "That is correct. The difference, of course, Representative, is that the Bill that we debated in Exec. also contained Section 15, which by Amendment #4 we have deleted from Senate Bill 1490."

Speaker Daniels: "Representative Hoffman."

Hoffman: "But what did the Senate do with regard to your piece of legislation that allows regarding the interview process and the information that can be given?"

Speaker Daniels: "Representative Winkel."

Winkel: "They chose to approve a Nonconcurrency Motion, which precipitated the Conference Committee Report."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Now, the previous Speaker indicated that these two ideas were similar. Do you believe that the ideas are similar, the interview process and the widows and orphans fund?"

Speaker Daniels: "Representative Winkel."

Winkel: "Well, that was certainly the opinion and the belief of the Conference Committee that issued this report."

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Speaker Daniels: "Representative Hoffman."

Hoffman: "Well, to the Bill. I think that this is probably one of the main reasons I'm happy I'm leaving this institution. I'll tell you what. To be very, very honest with you, I've seen a lot of things over the six years that I have been here. I've seen a lot of things over the six years that I have been here. But, I don't think that I have ever seen a situation where we have used the widows and orphans of this state. Something that absolutely has to be done, needs to be taken care of. Representative Black is absolutely, absolutely right. That is something that has to be taken care of. It should be done for the widows and orphans of working men and women in this state. But, what we are doing is using something that is allowing employers to essentially lie and get away with it in this state on a business application. Now, I think it stinks. I think it is absolutely wrong. It is incomprehensible that we would do this. Now, we have done a lot of things over the last two years. The Scaffold Act out the window. You know, you've taken away...you put caps on damages, so people get hurt at work. It doesn't matter. You said UPS is going to get special breaks and now you are using widows and orphans in order to pass a Bill for big business. Well today, today, 77 Republicans in the United States House of Representatives voted for a minimum wage increase. They saw that middle-class Americans are saying something has to be done for working men and women. They are sick and tired of seeing this type of stuff where you use poor people, widows and orphans to pass something for big business. We are sick of it. We are voting 'no'."

Speaker Daniels: "Representative Cross."

Cross: "Thank you, Mr. Speaker. Representative Black, there were

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accusations or have been accusations made that there has...we have been politicizing the Rate Adjustment Fund. Can you explain to us, if you know what that means?"

Speaker Daniels: "Representative Black."

Black: "Thank you very much, Representative. I will try. As I said earlier, in a perfect world, I wouldn't want this Rate Adjustment Fund rolled into anything. This is not my idea. We passed it out of here. It got to Third Reading on the Senate. It didn't work. We have been working on this for the last two days and everyone has compromised and everyone has given a little bit. There were people who said we couldn't run this Bill unless we dumped the Industrial Commission upside down and redid the entire Industrial Commission. There were people in this chamber on both sides of the aisle that said that is not debatable at this point in time, maybe later. So, what we have done is we have tried to come up with the most reasonable package that we can come up with. Everything in life is a compromise. There are no guarantees. If it was a perfect world I would be 6'6, a heck of a lot better looking and weighed 50 lbs. less. But it isn't a perfect world. Now, I don't know how you want to spin this and I don't know what your problem is. Sure, I know labor is not in love with this Bill. I know labor isn't in love with this Bill. But you know, there is sometimes we have to swallow hard and do what is right. Does everything happen down here just the way that we want it? No. Absolutely not. You can yell all you want, Sir. The issue is not whether you can yell louder than I can, or whether you can spin it better than I can. The issue is this and if it is politicized then let me be the first to say, you blame me. I'll take the blame. I will politicize it. I will walk through this chamber in my

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bare feet on crushed glass if that is what you want. I'll sit down there in the front and I will beg and I will cry, if that is what you want. If that makes you feel any better send out a brochure to everybody in my district and say what a no good, evil, double dealing downstater I am. If that makes you feel better, you do that. But the bottom line is this, I would like to go home tomorrow and see Shirley Golden, a widow, and say, 'Shirley, I did everything I could do to see that you get paid what is due you, because your husband died while fighting a fire in Vermilion County in 1983.' Is it perfect? No. Did I have to swallow hard for one of the other parts of the Bill? Maybe, I did. But you come with me, Representative and you look Shirley Golden in the eye and you tell her, 'Oh I couldn't do that. I know you are not going to get paid. I know you haven't been paid since October of 1995, but there was a part of this Bill I didn't like.' It doesn't give business any break. There is no tax break in here. And since you have compliant judges, who knows, it may be ruled unconstitutional on Monday. But the bottom line is this, and if you want to politicize it, blame me. You go home and blame me. But I want each and every one of you that is going to rant and rave, you come with me to Shirley Golden's house and you look her in the eye and say, 'I'm sorry your husband died fighting a fire, but I just couldn't bring myself, I just couldn't bring myself to vote for the Rate Adjustment Fund to bail out the system and pay you and your children the money that this Body, this political Body, set up in 1975'. You know sometimes we have to sit down, hold our nose, breathe through one side of our nostril and vote 'yes' because there is something right involved in the process. In a perfect world we

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wouldn't have to do it, but this isn't a perfect world. This isn't a perfect Body. And, I'm sure as heck not a perfect individual. But I'm going to vote 'yes', because there is 15 hundred people in this state that deserve to get paid on what this political Body told them they would get paid in 1975. And, I wasn't even here to vote on it. It is the right thing to do. Don't spin it any other way. Because if you do, you are going to come with me to Shirley Golden and five others and you look them in the eye and say, 'I would have liked to have paid you, but I just thought that it was political.' You tell that to the widows. You tell that to the people who are permanently and totally disabled. And, better yet, you tell that to their children. I'm not going to do it. I'm going to vote the right way. I'm going to vote my conscience. I'm going to vote for what is right. And that is to put the Rate Adjustment Fund on a solid financial basis. And a break for business, business is paying the tax. You think they like that? Well, you better look again. You know what is right and I know what is right. Vote 'yes'."

Speaker Daniels: "Representative Tenhouse."

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

Speaker Daniels: "The question is, 'Shall the Main question be put?' All in favor say 'aye'; opposed 'no'. The 'ayes' have it. Representative Winkel to close."

Winkel: "I urge a 'yes' vote to adopt the First Conference Committee Report on Senate Bill 1490."

Speaker Daniels: "Representative Winkel moves that the House adopt the First Conference Committee Report to Senate Bill 1490. All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Have all voted who wish?
Have all voted who wish? Take the record, Mr. Clerk. On
this question there are 63 'ayes'; 6 voting 'no'; 43 voting
'present'. Representative Hannig, persist in your
verification?"

Hannig: "Yes, Sir."

Speaker Daniels: "I think that was Representative Hannig that
said 'yes'. Mr. Clerk, read the Affirmative Roll."

Clerk McLennand: "Representatives voting in the Affirmative are:
Ackerman. Balthis. Biggert. Biggins. Black. Bost.
Brady. Churchill. Ciarlo. Clayton. Cross. Deuchler.
Durkin. Erwin. Gash. Goslin. Hassert. Hoeft. Hughes.
Johnson, Tim. Johnson, Tom. Kaszak. Klingler. Krause.
Kubik. Lachner. Lawfer. Leitch. Lindner. Lyons.
McAuliffe. Mitchell. Moffitt. Moore, Andrea. Mulligan.
Murphy, Maureen. Myers. Noland. O'Connor. Pankau.
Parke. Persico. Poe. Roskam. Rutherford. Ryder. Salvi.
Saviano. Schoenberg. Skinner. Spangler. Stephens.
Tenhouse. Turner, John. Wait. Weaver. Wennlund.
Winkel. Winters. Wirsing. Wojcik. Zickus, and Mr.
Speaker."

Speaker Daniels: "Representative Hannig. Representative Hannig."

Hannig: "Representative Klingler."

Speaker Daniels: "Is the Lady in the chamber? Remove her, Mr.
Clerk. Representative Hannig."

Hannig: "Representative Saviano."

Speaker Daniels: "Rear of the Chamber."

Hannig: "Representative O'Connor."

Speaker Daniels: "Representative O'Connor. He is in his Chair as
always."

Hannig: "Representative Roskam."

Speaker Daniels: "Representative Roskam is in his chair."

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Hannig: "Representative McAuliffe."

Speaker Daniels: "Representative McAuliffe. Representative McAuliffe. He is in the back of the chamber. Representative Hannig. Further questions?"

Hannig: "Representative Tim Johnson."

Speaker Daniels: "Representative Tim Johnson is in the aisle."

Hannig: "Representative Ciarlo."

Speaker Daniels: "Representative Ciarlo is in the back of the chamber."

Hannig: "Representative Rich Myers."

Speaker Daniels: "Representative Myers is in his chair."

Hannig: "Representative Cross."

Speaker Daniels: "Representative Cross in the chamber? He is in his Chair. Further questions? Anything further, Sir?"

Hannig: "Representative Meyer."

Speaker Daniels: "Representative Jim Meyer. Not voting. Further questions?"

Hannig: "No further, Mr. Speaker."

Speaker Daniels: "This issue having received 62 'aye': 6 'no'; 43 voting 'present'. The House does adopt Conference Committee Report #1 to Senate Bill 1490. This Bill having received a Constitutional Majority, is hereby declared passed."

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

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

Clerk McLennand: "The following committees will meet immediately upon adjournment. Judiciary for Criminal Law in D-1 in the Stratton. Executive Committee in 114. Elections in State Government in Room 118. Again, the following committees will meet immediately upon adjournment. Elections in State

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Government in Room 118; Executive Committee in 114; Judiciary for Criminal Law in D-1 in the Stratton. The Executive Committee Members should note that they will meet in Room 114 at 9:00 a.m. tomorrow morning. Executive Committee will meet at 9:00 a.m. in Room 114 tomorrow morning."

Speaker Daniels: "Representative Churchill now moves that the House stand adjourned until Friday May 24, 1996, at the hour of 10:00 a.m. All those in favor signify by saying 'aye'; opposed 'nay'. In the opinion of the Chair the 'ayes' have it, and allowing Perfunctory time for the Clerk, the House now stands adjourned until Friday, May 24, 1996, at the hour of 10:00 a.m."

Clerk McLennand: "Executive Committee is meeting immediately in Room 114. Elections and State Government is meeting immediately in Room 118. Judiciary for Criminal Law immediately in Room D-1 in the Stratton. The House Perfunctory Session is in order and the House Perfunctory Session will stand at ease. Rules Committee will meet immediately in the Speaker's Conference Room. Rules Committee will meet immediately in the Speaker's Conference Room. Posting. House Perfunctory Session will be in order. Posting. Executive Committee will meet at 9:00 a.m. Friday, May 24th in Room 114. Executive Committee will meet at 9:00 a.m. Friday, May 24th in Room 114. The House Perfunctory Session will be in order. Committee Reports. Committee Report from Representative Stephens, Chairman from the Committee on Executive to which the following Joint Action Motions were referred, action taken on May 23, 1996, reported the same back 'do approve for consideration': Floor Amendment #9 to Senate Bill 15. Committee Report from Representative Tom Johnson, Chairman

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from the Committee on Judicial for Criminal Law, to which the following Joint Action Motions were referred, action taken on May 23, 1996, reported the same back 'do approve for consideration': Conference Committee Report #1 to House Bill 1249 and Conference Committee Report #1 to House Bill 548. Committee Report from Representative Andrea Moore, Chairman from the Committee on Elections and State Government to which the following Joint Action Motions were referred, action taken on May 23, 1996, reported the same back 'do approve for consideration': Conference Committee Report #1 to House Bill 2421. Being no further business, the House Perfunctory Session stands adjourned. The House will reconvene in full Session on Friday, May 24th at the hour of 10:00 a.m."

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