

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

93rd Legislative Day

January 13, 1994

Speaker Giglio: "The House will come to order. The Chaplain for today is Todd Magruder, the campus minister of the Christian Student Fellowship at Sangamon State University in Springfield. Todd Magruder is the guest of Representative Moseley. The guests in the gallery may wish to rise for the invocation."

Reverend Magruder: "Let's pray. God, thanks for Your presence here today and thank You that it's Your desire to just work through every man and women here. Lord, I just pray today that our allegiance would be to You, and to no one else. God, I pray that every person here would just be concerned with representing You and nothing else today. We pray these things in the name of Your son, Jesus. Amen."

Speaker Giglio: "We will be led in the pledge by Representative Balthis."

Balthis - 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 Giglio: "Roll Call for Attendance. Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representatives Brady and Deuchler are excused today."

Speaker Giglio: "Representative Currie."

Currie: "Thank you, Speaker. I'm aware of no excused absences among House Democrats today."

Speaker Giglio: "Take the record. On this question, there are 116 voting present, a quorum is present. The House is ready to do its business. Representative Weller in the Chair for the purpose of introduction."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Its always been a tradition of the Illinois General

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Assembly when we have state champions to have the opportunity to introduce them before the House. Have your attention, please. Today, we're proud to have with us, the Coal City Coalers, who are the Class A...Class 2A State Champions. I see Representative Ryder may not be on the floor, but I would point out that Representative Ryder represents the Carlinville Cavaliers who came in second place because of the big game on the Coal City Coalers became the state champs. I would like to ask Coach Ken Miller of the Coal City Coalers to briefly talk about the Coaler season and introduce his key players and team."

Coach Ken W. Miller: "On behalf of Coal City High School and our football squad, I would certainly like to thank Mr. Weller and the House of Representatives for this opportunity. It's a great opportunity for us to add a memory to our list of memories that keep growing throughout the season. It was like a dream come true, it was a dream season. The young men and women behind me certainly worked very, very hard to reach their goals and it's been a great accomplishment for our town as well as our school and for our football team. And it's certainly great to be here in Springfield and to be in the House of Representatives. Thank you, Mr. Weller. I would like to introduce Coach Ken Miller as one of our assistants, our defensive quarter is Jeff Fritchnicht, our cheerleading Sponsor is Deb Tkac, our two senior cheerleaders are Jessie DeAngelo and Meagan Thraen. Our...Dirk Morris is one of our players, Brent Davy is an offensive lineman. On this side, we have Cory Wingerter, Jacob Krull, Craig VanDuyne and Shane Beshoar. Again, on behalf of Coal City High School, I would like to thank you for this opportunity."

Weller: "Thank you, Coach. Before I ask the Clerk to read the

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Resolution, House Resolution 1752 which I would ask the House adopt, I'd like the other members of the team who are up in the Speaker's gallery if they would stand during the reading of the Resolution so everyone can recognize them. Mr. Clerk."

Clerk McLennand: "House Resolution 1752. WHEREAS, The members of this Body are happy to recognize the excellence of young athletes and wish to congratulate the Coal City High School football team on winning the I.H.S.A. Class 2A Championship; and WHEREAS, Led and inspired by Coach Ken W. Miller, with the assistance of Coaches Ken P. Miller, Jeff Fritchicht, Lenny Onsen, Mitch Hamann and Sean Posten and Managers Adam Kauffman, Michael Miller and Aaron Schimandle, the Coalers defeated the Carlinville Cavaliers 20-6; and WHEREAS, The team members are: Jeremy Kenney, Brad Schmitt, Ehren Brandau, Tim Cooper, Jason Wren, Nick Wolcott, Brad Skubic, Craig VanDuyne, Bryan Albrecht, Allan Wills, Tom Rogers, Mike Padavano, Mike Calderon, Dirk Morris, Keith Wharrie, Monty Shannon, Tim Micetich, Matt Powell, Joe Opyd, Cory Wingerter, Jon Erickson, Vince Beshoar, Joel Eaton, Brent Davy, Chad Darley, Joe Schmidberger, Shane Beshoar, Adam Rodriguez, John Golat, Jerry Cooper, Robert Leasure, Scott Miller, Jacob Krull, Tim Ryan, James Krug, Todd Francisco, Angel Serrano, Rikki Ferrara, Damon Gowdy, Steve Diehl, and Aaron Burger; and WHEREAS, The team was strongly supported by Sponsor Debbie Tkach and Cheerleaders Jessica Rawlins, Jenny Viano, Stacy Cordray, Jessie DeAngelo, ... Thraen, Meagan Thraen, Becky Perino, Jamie Kingman, Susie Tomlinson, and Amy Fatlan; and WHEREAS, Coach Miller as well as the faculty, students, and parents of Coal City High School share in this victory in that they have provided the instruction,

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inspiration, and support which contributed to this fine finish of a memorable season; therefore be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Coal City Coalers on winning the I.H.S.A. Class 2A Championship and that we extend our sincere best wishes for continued success in all future endeavors; and be it further RESOLVED, That suitable copies of this preamble and resolution be presented to the principal of Coal City High School and to each of the persons mentioned in this Resolution."

Weller: "Thank you, Mr. Clerk. All those in favor of adopting House Resolution 1752, congratulating the Coal City Coalers on winning the State Class 2A Football Championship, please say 'aye'. All those opposed? Well, thank you very much. Congratulation Coal City Coalers. Let's give them a big round of applause in their achievement."

Speaker Giglio: "Committee Reports."

Clerk Rossi: "The Committee on Rules has met and pursuant to Rule 14(a)5, House Bills amended in the Senate, recommends consideration, and the following Bill be placed on the Order of Concurrence, House Bill 1249. Signed by Chairman, Frank Giglio."

Speaker Giglio: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I move that we dispense with the reading of the Journals and the following House Journals be approved. The 86th through the 91st Legislative Days for the Regular Session, and the 19th through the 29th Legislative Days for the First Special Session of the 88th General Assembly."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed, 'no'. In the

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opinion of the Chair, the 'ayes' have it. Motion is adopted. Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I would like to at this time, announce that we are privileged to be visited by the former esteemed Senator Jerry Joyce, from Kankakee, up in the gallery. Former Senator Joyce, please..."

Speaker Giglio: "All right. We're not prepared to adjourn, but we're going to the Order of Agreed Resolutions. Mr. Clerk."

Clerk Rossi: "House Resolution 1789, offered by Representative Stroger; House Resolution 1790, offered by Representative Granberg; House Resolution 1791, offered by Representative Granberg; House Resolution 1792, offered by Representative Granberg; House Resolution 1793, offered by Representative Granberg; House Resolution 1794, offered by Representative Deering; House Resolution 1796, offered by Representative Dart; House Resolution 1797, offered by Representative Dart; House Resolution 1800, offered by Representative Tim Johnson; House Resolution 1804, offered by Representative Krause; House Resolution 1802, offered by Representative McPike; House Resolution 1803, offered by Representative Ryder; House Resolution 1805, offered by Representative Biggert; House Resolution 1806, offered by Representative Biggert; House Resolution 1808, offered by Representative Kotlarz; House Resolution 1809, offered by Representative Weller; House Resolution 1810, offered by Representative Lawfer; House Resolution 1811, offered by Representative Lawfer; House Resolution 1812, offered by Representative Lawfer; House Resolution 1813, offered by Representative Lawfer; House Resolution 1814, offered by Representative Lawfer; House Resolution 1815, offered by Representative Lawfer; House Resolution 1816, offered by Representative

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Biggins; House Resolution 1817, offered by Representative Maureen Murphy; House Resolution 1818, offered by Representative Granberg; House Resolution 1819, offered by Representative Cross; House Resolution 1820, offered by Representative Novak; House Resolution 1821, offered by Representative Novak; House Resolution 1822, offered by Representative Novak; House Joint Resolution 97, offered by Representative Stephens."

Speaker Giglio: "Representative Granberg, moves for the adoption of the Resolutions. Is there nay discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. I have an inquiry of the Chair. These are the Agreed Resolutions, correct?"

Speaker Giglio: "Yes, that's correct."

Black: "For my edification, could you enlighten me as to who has to agreed to these on my side of the aisle?"

Speaker Giglio: "Well, I believe the lawyers on your side of the aisle, got together with the plumbers on our side of the aisle and everything seems to be okay, and Representative Wojcik said everything was under control. So, I think everybody agreed, Representative Black."

Black: "Okay. I was just checking. Thank you."

Speaker Giglio: "All those in favor of the Agreed Resolutions, signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Resolutions are adopted. Death Resolutions."

Clerk Rossi: "House Resolution 1795, offered by Representative ~~Conkling~~, with respect to the memory of Reverend George Gish. House Resolution 1798, offered by Representative Dart, with respect to the memory of Mel G. Thillens. House Resolution 1799, offered by Representative Tim Johnson, with respect to the memory of William T. Parkhill. House

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Resolution 1807, offered by Representative Biggert, with respect to the memory of J. Hammond Krehbiel."

Speaker Giglio: "Representative Granberg moves for the adoption of the Death Resolutions. All those in favor signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it. The Death Resolutions are adopted. General Resolutions."

Clerk Rossi: "House Joint Resolution 96, offered by Representative Dart; Senate Joint Resolution 101, offered by Representative Saviano."

Speaker Giglio: "Committee on Assignments. Introduction, First Readings."

Clerk Rossi: "Introduction and First Reading of House Bills. House Bill 2660, offered by Representative Daniels, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 2661, offered by Representative Zickus, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 2662, offered by Representative Daniels, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 2663, offered by Representative Daniels, a Bill for an Act to amend the Juvenile Court Act. First Reading of the Bill. House Bill 2664, offered by Representative Daniels, a Bill for an Act in relation to street gangs. First Reading of the Bill. House Bill 2665, offered by Representative Daniels, a Bill for an Act to amend the Criminal Code of 1961. First Reading of the Bill. House Bill 2666, offered by Representative Daniels, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. House Bill 2667, offered by Representative Tom Johnson, a Bill for an Act to amend the Pretrial Services Act. First Reading of the Bill. House Bill 2668, offered by

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Representative Daniels, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. House Bill 2669, offered by Representative Daniels, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. House Bill 2670, offered by Representative Daniels, a Bill for an Act to abolish the statutory right to habeas corpus and post conviction relief. First Reading of the Bill. House Bill 2671, offered by Representative Daniels, a Bill for an Act to amend the Firearm Owners Identification Card Act. First Reading of the Bill. House Bill 2672, offered by Representative Daniels, a Bill for an Act to amend the Housing Authorities Act. First Reading of the Bill. House Bill 2673, offered by Representative Daniels, a Bill for an Act to amend the Housing Authorities Act. First Reading of the Bill. House Bill 2675, offered by Representative Pedersen, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 2676, offered by Representative Pedersen, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. House Bill 2677, offered by Representative Pedersen, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 2678, offered by Representative Daniels, a Bill for an Act to amend the Criminal Code of 1961. First Reading of the Bill. House Bill 2679, offered by Representative Daniels, a Bill for an Act to amend the Criminal Code of 1961. First Reading of the Bill. House Bill 2680, offered by Representative Hoeft, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 2681, offered by Representative Hoeft, a Bill for an Act to amend the Mechanics Lien Act. First Reading of the Bill. House Bill 2682, offered by Representative

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McAfee, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. House Bill 2683, offered by Representative McAfee, a Bill for an Act to amend the School Code. First Reading of the Bill. House Bill 2684, offered by Representative McAfee, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. House Bill 2685, offered by Representative McAfee, a Bill for an Act in relation to the operation of mines. First Reading of the Bill. House Bill 2686, offered by Representative McAfee, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. House Bill 2687, offered by Representative McAfee, a Bill for an Act in relation to blood alcohol concentration levels. First Reading of the Bill. House Bill 2688, offered by Representatives Mautino and Giglio, a Bill for an Act making appropriations. First Reading of the Bill. House Bill 2689, offered by Representative Cross, a Bill for an Act to amend the Counties Code. First Reading of the Bill. House Bill 2690, offered by Representative Cross, a Bill for an Act to amend the Juvenile Court Act. First Reading and Introduction of these House Bills."

Speaker Giglio: "On the Order of Second Readings, page three of the Calendar, appears Senate Bill 766. What's the status of the Bill, Mr. Clerk?"

Clerk Rossi: "Senate Bill 766, the Bill has been read a second time previously. No Amendments have been adopted to the Bill. Floor Amendment #5, offered by Representative Dart."

Speaker Giglio: "Representative Dart."

Dart: "Withdraw #5."

Speaker Giglio: "Withdraw Amendment #5. Further Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative Hoffman."

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Speaker Giglio: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #6 to Senate Bill 766 is an agreed Bill between the Governor's office, Judge Comerford's office, the various Legislative Leaders, including the Speaker, the Minority Leaders's Office, and everyone involved in the process. And I think this is a great step forward in the process of helping abused and neglected children in the State of Illinois. Essentially what this sets up is a Hearing Officer System for predispositional conferences which would be held and could be held anywhere in the state. It also sets up a pilot program in the County of Cook, to begin to bring some sanity into the criminal justice...or the juvenile justice system with respect to juvenile...juvenile cases. I ask for the adoption of this Amendment."

Speaker Giglio: "Any discussion on the Amendment? Representative Currie. Representative Currie."

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

Speaker Giglio: "Indicates he will."

Currie: "Representative, I'd like to know what the standard of review that the judge will apply to the hearing officers recommendations will be."

Hoffman: "Representative, it is my understanding that the intent is that a hearing officer will make recommendations. Then it is essentially up to the judge to determine what he needs to review, but essentially it is an overall review, is what we're talking about."

Currie: "Thank you, and secondly, will parties get notice of the predispositional conference?"

Hoffman: "Yes, the other notice provisions of Juvenile Court Act

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would apply."

Currie: "And the Amendment says the parties will be served with the predispositional report. Does this count as actual service?"

Hoffman: "The Code of Civil Procedure would control that, Representative."

Currie: "And finally, will any evidence become admissible in a hearing before a judge because it came in during the predispositional conference?"

Hoffman: "No, the Amendment does not at all change the rules of evidence applicable in court...I'm pleased to clear that up."

Currie: "Thank you very much, I appreciate your clarifications."

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

Skinner: "I wonder if the Gentleman would answer a couple of questions?"

Speaker Giglio: "Proceed."

Skinner: "What will the salary be for the hearing officers?"

Speaker Giglio: "Representative Hoffman."

Hoffman: "Representative, I think that... The Bill says that the court of Cook County shall submit a budget to the Supreme Court, and this has to be okayed by the Supreme Court. I believe what they're talking about is somewhere in the neighborhood of \$45,000."

Skinner: "You said, \$45,000?"

Hoffman: "Yes."

Skinner: "And what..."

Hoffman: "That's my understanding. For this pilot program, they are full-time officers."

Skinner: "And what pension system will these people be in?"

Hoffman: "Representative, I think that that...I think they would

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essentially be court employees or...I'm not exactly sure the pension system at this time. However, I know that that the budget will be submitted as per this substantive language to the Supreme Court. The Supreme Court needs to then make a determination as to the budgetary items which will be listed."

Skinner: "Well, I would assume being county employees, they would be in the Illinois Municipal Retirement Fund, rather than in the Judges Retirement Fund?"

Hoffman: "I don't believe...they would be hearing officers, they wouldn't be judges, so they wouldn't be in the Judges Retirement Fund."

Skinner: "Thank you."

Speaker Giglio: "Further discussion? Representative Brunsvold."

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

Speaker Giglio: "Indicates he will."

Brunsvold: "Representative Hoffman, this is a pilot program, Cook County?"

Hoffman: "Well, Representative, what this does, is it allows this to be set up in the entire state, okay? So, each circuit can make its own determination, however, at this point, we're trying to make a determination as to whether this can be effective and we're going to start with the Cook County Judicial System."

Brunsvold: "So, what's your thoughts on this program proceeding to other parts of the state?"

Hoffman: "Why, I think that...although I haven't specifically talked with my Circuit Chief Judge, I believe that because of the high case loads in juvenile courts, and because of the positive nature of this Bill, that other parts of the state are going to want to begin to opt into this. And it's my feeling that first, before we start putting a lot

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of money into it, we should determine...determine in the toughest court system in the state, and the largest court system in the state, whether it can work."

Brunsvold: "Will this...this pilot program will run through what date and can they proceed to other parts of the state before the end of this particular date?"

Hoffman: "No, as of the date...of the effective date of this law, if a local circuit decides that they want to enact something like this, they would still probably have to get the approval of the Supreme Court, the Administrative Office of Illinois Courts, however, they could do it through this law. This is a statewide...a statewide law, however, we're only going to fund a pilot program in Cook County and it runs through January...or December 31st of 1995, January 1st, 1996."

Brunsvold: "So it would be 1996 before we could even consider maybe getting into the program?"

Hoffman: "No."

Brunsvold: "We're not going to fund it..."

Hoffman: "Excuse me."

Brunsvold: "We're not going to fund it, only the pilot program in Cook County?"

Hoffman: "Well, at this point, under this legislation, the pilot program is only going to be funded there through January 1st, 1996 or December 31st, 1995. However, we could, because of the substantive language that is so important in this Bill, we could fund any number of pilot programs next Legislative Session if we so choose any where in the state."

Brunsvold: "So, at the end of that time period, 1996, then we will evaluate this program and see if it ought to be, in fact, a statewide program?"

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Hoffman: "Absolutely."

Brunsvold: "Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Sponsor of the Amendment is absolutely correct. This is a result of an agreement worked out by all parties, and it goes to the very heart of what has been an inadequate juvenile justice system in Cook County by adding 16 more prehearing officers who will be able to alleviate the tremendous burden on the Cook County Juvenile Justice System. This is an agreement worked out by all parties. It will go a long way in solving the problem of an overcrowded juvenile court system in Cook County, and go a long way towards help prevent further instances of neglect and child abuse so we can get at the problem and get the children removed if it's in the best interest of the child. And, that's the important standard that we worked on this past spring, the best interest of the child. I urge your support for the adoption of this Amendment and for the adoption of the Bill."

Speaker Giglio: "The Lady from Springfield, Representative Moseley."

Moseley: "Would the Sponsor yield for a question?"

Speaker Giglio: "Indicates he will."

Moseley: "Representative Hoffman, a number of people have alluded to the fact that all parties are in agreement on this, could you please give me a list of the parties?"

Hoffman: "Yes. The Administrative Office of Illinois Courts, The Governor's office, the Cook County President's Office, who is the Judge Comerford's Office, the Chief Judge of Cook County, the Speaker's Office, Emil Jones' Office, Lee

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Daniels' Office, and the other... the President of the Senate over there, Pate Philip's office."

Moseley: "Okay, thank you very much."

Speaker Giglio: "Further discussion? Representative Dart to close."

Dart: "Thank you, Mr. Speaker. I rise in support of this. This measure was the direct response of the summit which was convened by Chief Judge Harry Comerford, this past week in Chicago. This was the first initial step in trying to address the problems that we have been reading about and hearing so much about in the Department of Children and Family Services and the juvenile court system. This is a positive step, but I emphasize to this Body, we have a long, long way to go here. This is a first step, this is not going to answer all the problems, but is a positive step in the right direction. It was positive to get all the leaders together, to get their support, and we hope that that can be something that will be on going that we can continue to do, and for that reason, we should proceed with this measure now. It's a positive step as I mentioned before, let's not lose sight of things. We've got a long, long, way to go here."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Giglio: "Third Reading. Clerk, read the Bill on Third Reading."

Clerk Rossi: "Senate Bill 766, a Bill for an Act amending the Court Reporters Act. Third Reading of the Bill."

Speaker Giglio: "Representative Laurino. Representative

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Laurino."

Laurino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As you've heard the explanation from the Sponsors of the Amendment, this attempts now to alleviate the overcrowding and burdensome factor that we have in the juvenile court system, and hopefully we'll have enough votes to sent it over to the Senate. I urge an immediate 'aye' vote."

Speaker Giglio: "Any discussion? The Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker. As the Co-Sponsor of the Amendment and as Co-Sponsor of the Bill, I would like to urge and ask for your support of this Bill. We spent many hours this summer on the subcommittee of the Judiciary I Committee, studying all facets of the child welfare system, and this is one reform and only one. There is a lot to be completed, but I would urge that this is one step forward, and would urge you to vote 'yes'."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall Senate Bill 766 pass?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. 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 116 voting 'yes', none voting 'no'. Senate Bill 766, having received the required three-fifths Constitutional Majority, is hereby declared passed. On page three of the Calendar, under Senate Bill 766, pending, appears Senate Bill 776. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 776, the Bill has been read a second time previously. Amendments 1 and 2 have been adopted to the Bill. No Motions filed, no Floor Amendments."

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Speaker Giglio: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 776, a Bill for an Act concerning medical services. Third Reading of this Senate Bill."

Speaker Giglio: "The Gentleman from DuPage, Minority Leader, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 776 is accumulation of several particles. One is House Bill 256, which was amendatorily vetoed by the Governor and placed in this Bill and that made technical changes in language as suggested by the Legislative Reference Bureau and approved by the Department of Mental Health, authorizing consolidation of facilities, allowing up to 10 hours a day confinement at the Chester Mental Health Center, giving the Inspector General at the Department of Mental Health authority to investigate alleged abuse and allowing separate mental health and developmental disabilities formulas. The Bill also contains certain provisions recommended by Representatives Olson, Sheehy and others, that require analysis of long term needs for inpatient care, recommendations for programs or services that may be required to meet the unmet needs for community based services and several other items. And lastly, it has Amendment #2, which Representative Burke sponsored, related to the licensure of Naprapaths. I move for your favorable consideration to Senate Bill 776."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 776'...excuse me, Representative Granberg

Granberg: "Will the Gentleman yield?"

Speaker Giglio: "Indicates he will."

Granberg: "Representative Daniels, there was a question last fall on Amendatory Noncompliance. There was an agreement with

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the department that...I think was 581, there was some discussion. Is that corrected now? Is that part of this?"

Daniels: "Are you asking if Senate Bill 581 was part of this Bill?"

Granberg: "We had an agreement last fall that we were going to have the Bill get out of the House and...but then the Governor amendatorily vetoed it and it was ruled noncompliance, and we tried to work out an agreement with the director as Representative Ryder...."

Daniels: "Isn't that...isn't that the original House Bill 256 you're referring to?"

Granberg: "I believe that that is right, yeah."

Daniels: "That is basically the Bill, Representative."

Granberg: "Okay, I just wanted to make sure we..."

Daniels: "That's fine."

Granberg: "Thank you."

Daniels: "You just had the wrong number, but you're right in your question."

Granberg: "Thank you."

Daniels: "Okay."

Speaker Giglio: "The Gentlemen from Logan, Representative Olson."

Olson: "Thank you, Mr. Speaker. Senate Bill 776 does contain as just discussed, House Bill 256. House Bill 256 was a consolidation of many things, all positive that came out of the Health and Human Services Committee. I would like to compliment the Chairman of that committee, Representative Phelps for his good and gracious work in putting this Bill before the process of the last Session. Thank you."

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

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

Speaker Giglio: "Indicates he will."

Lang: "Representative, just one question. The original Bill was

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about hospital liens. Is there anything left in the Bill about hospital liens?"

Daniels: "No."

Lang: "Thank you."

Speaker Giglio: "Further discussion? Representative Daniels to close."

Daniels: "Just your favorable support."

Speaker Giglio: "The question is, 'Shall Senate Bill 776 pass?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Representative Martinez, 'aye'. Have all voted who wish? Take the record, Mr. Clerk. On this question, 116 voting 'yes', none voting 'no'. Senate Bill 776, having received the required three-fifths Constitutional Majority, is hereby declared passed. Conference Committee Reports, page five of the Calendar, appears Senate Bill 532. Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This is a Supplemental Appropriation for four agencies. It's a total of other fun...a total of \$7.8 million. It would provide some pass-throughs for JTPA, appropriates some GRF funds to the Office of the Comptroller. Again, a special appropriation for the Department of Public Aid, Special Purposes Trust Fund for Title IV at Risk Child Care, and the State Board of Education Common School Fund for financial...emergency financial assistant loan to the Mount Morris Community Unit School District. I would urge the adoption of this Conference Committee Report."

Speaker Giglio: "Any discussion? The Lady from Whiteside, Representative von Bergen Wessels."

von Bergen Wessels: "Thank you, Speaker. As Representative Ryder

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said, this contains the emergency loan money for Mount Morris District. As you know, from the letters that I've sent you, Mount Morris District is very close to becoming Kalkaska, Michigan. The Superintendent of Schools tells me that they have enough money to make the January 21st payroll, but after that there is real danger. And absolutely no scenario that I have heard from the superintendent or the State Board of Education, can this school district remain open without this loan, until we meet again. It is absolutely imperative that we pass this loan now. This isn't just a vote to keep a downstate school in trouble, keep their doors open. Actually, it's a vote to also preserve intact, the nuclear families. Right now, in Mount Morris, families are making decisions about shipping their children out to relatives so that their children can complete their education. The school district is making arrangements to help the children who may fall into depression if we don't pass this loan. We passed some help for Chicago during Special Session. It's unfortunate that we couldn't do both of these crisis situation in the same Special Session or during Veto Session, but we weren't able to do that. And now the time has come, and it's absolutely critical that we get the help for Mount Morris so that they can keep their doors open. At the bottom of this, of course, is difficulty with our school funding and that formula. But, for right now, we need to pass the loan. We're borrowing the districts own money, it's money that was set aside for them for their consolidation, it's already in the budget, they have to pay it back with 4% interest. They're borrowing their own money, it doesn't take from any other school, and it's absolutely imperative that we give them this assistance and we give it now. We

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have had hundreds of kids staying out for two nights in a row, sleeping at the school, waiting for this decision. The national media have been contacted, everybody is waiting on us. The Senate has passed this Bill out overwhelmingly, and now I implore you, I implore you, do not let these 731 children of Mount Morris, their parents and their community, down. The time is now, we've waited long enough. Please, please, vote green on this Bill."

Speaker Giglio: "Further discussion? Representative Daniels."

Daniels: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. The previous speaker argues a good point, and the point is that this is an Agreed Bill and one that we're happy to participate in the resolution of this issue on an agreed basis. We of course, had heard a little bit about Mount Morris, but none so important as eloquently stated by Senator Sieben and his actions in the Senate to bring this to our attention. I also received a call from Jerry Mitchell, the Superintendent of Schools of Dixon, Illinois, pointing out the importance of this, and I am pleased that on a nonpartisan basis, we're able to work this out for the benefit of the people at Mount Morris. There are other items in this supplemental appropriation that deserve your consideration and attention, and I would urge you to support this most important supplemental appropriation. Thank you."

Speaker Giglio: "The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. I appreciate the previous Representative's remarks, and I don't stand in opposition, but I'm not sure that this supplemental appropriation goes far enough. It's appropriate as we...as we go through the process of appropriations throughout the year, that we make

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adjustments in our process, and we have done so in this appropriation. But we have overlooked a...a part of our society that I think is...that we all ought to be aware of, and that is, our veterans. The Illinois Veterans Grant Program is one that is an entitlement by statute here in Illinois. It is a contract that we sign with everyone who steps forward and serves in the Armed Forces of the United States, from the State of Illinois, and returns here. And many of us on the floor have participated in Veterans Grants Programs ourselves, and got our education and wouldn't have been able to afford to otherwise. We have underfunded the Illinois Veterans Grant Program by at least \$12 million this year. Local colleges and universities are hurting because of our inability to step forward and put the money where it has been guaranteed that it will be. So, I would ask our Leaders on both sides of the aisle, I would ask the Governor's office to pay attention to this important issue. I hope that we can revisit an appropriation in...when we come back after the primaries in March, and deal with this serious issue, and let's get this issue behind us. And next year, let's make sure that we keep the deal with our veterans. They were there when you wanted and needed them, and you need to be there when they need you. Thank you."

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

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

Speaker Giglio: "Yes, he will."

Davis: "Representative, in this supplemental for Mount Morris, would you give us the exact figure that you're asking the state to provide for Mount Morris?"

von Bergen Wessels: "I'm sorry, could you repeat that?"

Davis: "Okay, I said... I'm asking you, what is the exact figure

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that you're asking this supplemental appropriation to provide for Mount Morris' school district?"

von Bergen Wessels: "It's a loan of \$731,000. The School Emergency Assistance Act allows for \$1000 per pupil to be available. Doesn't mean that that loan will be drawn off the whole 731. They may draw down less than that, but that is what the law allows to be made available."

Davis: "Let me ask this question. What is the difference between Chicago's being given permission to sell bonds to keep it's schools open, and your receiving a supplemental appropriation from the State of Illinois for Mount Morris?"

von Bergen Wessels: "Both the School Finance Authority Act and the School Emergency Assistant Fund are very equivalent pieces of legislation. One for Chicago, and one for downstate. They both allow borrowing to take place, and they both allow a nonreferdum tax to retire the borrowing. They're very, very similar. One allows for bonding which we cannot do downstate without a referendum. We cannot do without a referendum."

Davis: "What people said...when we were seeking...when we were seeking the approval of the General Assembly to borrow for the Chicago public schools when they were having this tremendous crisis, we were told that by borrowing this money, we were putting Chicago in great jeopardy for 1995. So, I'm wondering, are you putting Mount Morris in great jeopardy for the next coming year or the next two years when they have to pay this money back? My question Representative is, when do we stop putting Band-Aids on every district that's in a crisis instead of dealing with this whole school crisis funding problem? I think it does our children and our adults a very bad disservice when we're putting a Band-Aid on Mount Morris. What about

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Representative Woolard's district, what about Springfield, Curran's district? Are we going to have different pieces of legislation where they too can borrow little small amounts of money and the problem is still not solved."

von Bergen Wessels: "I agree with you 100%, Representative. We all know that what we have to have is some school funding reform because it simply isn't working for some of our districts."

Davis: "Well, it just appears to me, Representative, that here again we're putting a Band-Aid on a school district's problem. We talk about Chicago as if they've done something criminal when they're short of money, but we quietly find an agreed package for Mount Morris. I'm going to vote 'no', not because I have anything against the children of Mount Morris, but I believe the State of Illinois is going to have to realize that all children are important. It is our responsibility to fund education for all the children and not to piecemeal allow different districts to borrow. Now Chicago won't pay 4%. We've got a big, big interest rate that will be paid. I wish we could just pay 4%. Now, if this is a grant, then I will be doubly disappointed. Is this a grant?"

von Bergen Wessels: "No. It is a loan. It is a loan, Representative, and we cannot downstate do bonding without a referendum as Chicago can."

Davis: "Well, my understanding is we are granting this money to you from the state's budget. Are we granting this figure to you?"

von Bergen Wessels: "This is a loan, Representative."

Davis: "And you will be paying it back at what percent interest?"

von Bergen Wessels: "Four percent, that's the law."

Speaker Giglio: "Excuse me, Representative Black. For what

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purpose do you rise, Sir?"

Black: "Well, thank you very much, Mr. Speaker. An inquiry of the Chair. In the interest of the decorum of the House, I think this repertoire that is going on...the comments are being directed to someone who didn't Sponsor the Bill. There shouldn't be any...there shouldn't be any of this going on back and forth between these two outstanding Representatives. I think if there is some criticism, it should be addressed to the Sponsor of the Bill, the late lamented and great Representative McPike, not the Representative to whom she is addressing these questions and discussing. The Representative is not the Sponsor. We're letting things get out of hand here."

Speaker Giglio: "Your point is well taken, Representative. Representative Davis, do you care to question the Sponsor of the Bill?"

Davis: "Well taken, I suggest he take your place at that podium."

Speaker Giglio: "There's no question about your right to ask the question. The Gentleman was asking that you direct your question to the Sponsor of the Bill, not a person who was...who was...is that not correct? Representative Davis. Representative Jones, confine your remarks to the Bill, please. Davis, excuse me. Representative Davis. Yes, Representative Jones, excuse me, pardon me."

Davis: "There is a thing called retirement. But anyway, to Representative Penny. I understand the dilemma that she finds herself in, in funding her school system. My point, Representative, and to Representative [unclear], when are we going to stop piecemealing the funding of education in the State of Illinois? We're one year or one month rescinding a few dollars or the ability to borrow to Chicago. Now, this month, we're going to allow Mount

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Morris to borrow. Now next month, who will be down here begging to borrow? In November, it was North Chicago trying to borrow. The point is, we've got to address this problem of no funding for education and the Governor has got to bite the bullet and do it."

Speaker Giglio: "Further discussion? Representative Ryder to close."

Ryder: "Speaker Black, we would ask that the Bill please be adopted."

Speaker Giglio: "All right, I think the proper request is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 532?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. 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 105 voting 'yes' and 1 voting 'no', and the House does adopt the First Conference Committee Report to Senate Bill 532, and this Bill having received the required three-fifths Constitutional Majority, is hereby declared passed. Introduction of House Bills."

Clerk Rossi: "House 2691, offered by Representative Currie, a Bill for an Act to amend the Environmental Protection Act. House Bill 2692, offered by Representative Erwin, a Bill for an Act to amend Higher Education Assistance Act. House Bill 2693, offered by Representative Irwin, a Bill for an Act concerning abortions. House Bill 2694, offered by Representative Erwin, a Bill for an Act to amend certain Acts in relation to political contributions. House Bill 2695, offered by Representative Balanoff, a Bill for an Act to amend the Criminal Code. Introduction and First Reading of these House Bills. House Bill 2696, offered by Representative Lindner, a Bill for an Act to amend the

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Juvenile Court Act. Introduction and First Reading of these House Bills."

Speaker Giglio: "All right, the Chair would like to inform the Members that the Senate is in recess till 2:00. We have a lot of work to do, so, we'll be at ease until about 2:15, and then we'll be ready to go hopefully when the Senate resumes their work, so, don't leave yet. Stand at ease."

Speaker McPike: "The House will come to order, Representative McPike in the Chair. Messages from the Senate."

Clerk Rossi: "A message from the Senate by Mr. Harry, Secretary. '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 a Bill with the following title, to wit; House Bill 1249, a Bill for an Act concerning hydro-electric power utilization, amending named Acts, together with the attached Amendments thereto, which Amendments have been printed by the Senate in the adoption of which I am instructed to ask the concurrence of the House, to wit; Senate Amendment #1 to House Bill 1249, Senate Amendment #2 to House Bill #1249, Senate Amendment #3 to House Bill 1249, passed the Senate as amended January 13, 1994. Jim Harry, Secretary of the Senate.'"

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker. I would like the House to recognize former Member of the Illinois House, Judy Koehler. Judy."

Speaker McPike: "Supplemental Calendar announcements."

Clerk Rossi: "Supplemental Calendar . . . being distributed."

Speaker McPike: "Supplemental Calendar #1, on the Order of Concurrence, appears House Bill 1249. Representative Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I

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now move that we concur in Amendments #...Senate Amendments #1, 2 and 3. Senate Amendment 3 becomes the Bill. Senate Amendment #3 amends the Vehicle Emissions Testing chapter of the Illinois Vehicle Code to provide for upgrades and enhancement of the Vehicle Emissions and Inspection Program as required by the Clean Air Act Amendments of 1990. Senate Amendment #3 which becomes the Bill, provides for these upgrades and vehicle emissions testing for Chicago and the Metropolitan East St. Louis areas which are classified as nonattainment areas for ozone. These changes in the state's IM Program, are mandated by the Amendments of the Clean Air Act of 1990. The proposals are as follows: the enhanced IM Testing or high-tech biennial testing of emissions control under simulated driving conditions. Testing for evaporative control systems. They must include all of the following urbanized areas defined by the Census Bureau: Chicago, Aurora, Crystal Lake, Elgin, Joliet, Round Lake, Beach, Alton and the Illinois portion of the St. Louis urbanized areas. This will achieve a 30% reduction in VOC, which means Volatile Organic Chemical pollutants from vehicles. Actually at 44 tons per day over current the program in the Chicago area. Would also achieve a 6% reduction in VOC's from vehicles in the Metro East area. The geographic expansions which are required by the Congress, will result in a 5% increase in the number of vehicles in the Chicago areas, and a 121% increase in the Metro East area. Eleven new test stations will be constructed, 8 in the Chicago area and 3 in the Metro East area. Federal congestion, mitigation, and air quality funding has been committed for \$15 million for the next three fiscal years, which is a reimbursement base covered over capital cost. A state implementation plan

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must be submitted to the US EPA for approval by 11-15-93, so this is the essence...this is in essence why we must act on this because we're late. Land acquisition and construction must be in order to comply with the Clean Air Act Amendments. Vehicles of Model Year 1967 and older are exempted from testing. Waivers can be granted after vehicles are installed with the emissions reduction equipment. An eight month economical hardship extension exists to comply with testing. As everyone knows, the United States Environmental Protection Agency has put the State of Illinois, as well as the State of Indiana and the State of California, on notice for failing to comply with these new air emission air control standards. Sanctions that the US EPA can take on behalf of the US EPA for failure to upgrade this program, results in a loss of \$710 million in federal highway funds. Essentially, this sanction could virtually shut down every road construction project in the entire State of Illinois. Be more than happy to entertain any questions."

Speaker McPike: "On the Gentleman's Motion, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is just another instance of federal blackmail. It's blackmail by Congress, it's blackmail by the Federal EPA. Don't buy into this garbage. Tell Congress and the EPA to go to hell. What they're telling you is, is that all of the money in federal gas tax contributed by citizens of Illinois is now going to be withheld by the federal government to the tune of \$710 million for highway construction. But yet, they're not going to do something constructive like require semi's to undergo vehicle emissions. No, no, we're just going to take the

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homeowners, put the burden on them, let them spend up to \$400 to correct the problems when they can't meet the enhanced testing. This is garbage. Tell Congress and the Federal EPA to go to hell. They're extending into rural areas, and I can tell you, I live in one of them and that's one they're trying to add, like many others that are not in Cook County, not in the City of Chicago, but rural areas of Illinois. Sure, it's real easy for those of you who live in Central and Southern Illinois, outside of the Metro East area and outside of some of the collar counties to vote for this, because it doesn't affect you. Stick around, it will. It was just two years ago that we passed this and excluded those rural areas. Now here they come back and say you got to include them. It's time to tell Congress and the Federal EPA where to put it. Tell them to go to hell and vote 'no'."

Speaker McPike: "Representative Stephens."

Stephens: "Can you say that on the House floor? Mr. Speaker..."

Speaker McPike: "I think I can...I think I can say Representative Stephens on the House floor."

Stephens: "And I hope you continue to, Sir. We...Representative Wennlund, you're right, this is...we are being held hostage by the federal government. Ladies and Gentlemen, the Federal EPA tells us that in the four years in the Chicago area that they did testing, in the areas that they say they want to expand this program to, we were out of compliance, zero days. No days in four years. In the Metro East area...in the four year period out of compliance, I believe two days. There is something wrong with the government that tells us that, well, we're going to be out of compliance, so let's come up with some fabricated way to think that we're cleaning the air. That's not what this is about."

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This is just about the federal bureaucracy holding our tax dollars and telling them that we can't have them back. They are threatening to take \$770 million of your money and keeping it in their pocket. That is not good government. Let's send a message to Bill Clinton and his administration. Let him, dare him to come to Illinois and say that he's going to not build our highways. Those are highways that we have paid taxes for, it's our money to be spent in our state, and our air can be kept clean our way. Not by the federal governments standards, not by some bureaucratic standard from Washington or even from here in Springfield. This is a mistake. Don't fall into the trap of letting them say that they are going to take our money away. It just is time for common sense to prevail. Ladies and Gentlemen, don't support this measure. Don't fall into the trap of thinking they're going to take the money away. They wouldn't have the courage to do that. They know the political price they would pay. Bill Clinton is not going to come to Illinois, go to California and Indiana and take more than \$2 billion of tax dollars away from the people. He doesn't have the courage or the stupidity to do that. So, stand in opposition to this bureaucratic measure that is taking your money out of your pocket."

Speaker McPike: "Representative Edley."

Edley: "Thank you, Mr. Chairman, Ladies and Gentlemen of the General...Mr. Speaker, and Ladies and Gentlemen of the General Assembly. If you listen to some of the other...previous speakers you'd think that they were running for Congress. Unfortunately, we don't have an option here, and I'm not about to play chicken with the federal government when there is \$700 million of road money on the line and tens of thousands of jobs for roads that

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our state and our citizens desperately need. I...we may not agree with everything that the federal government is mandating for us to do, but we don't have an option here. I think we had to do the judicious thing, the prudent thing, and support this legislation so that we can build and rebuild the highways and interstate transportation systems in our state. It's critical, it is really jobs and I would hope that all of us could support it."

Speaker McPike: "Representative Clayton."

Clayton: "For a question. Will the Sponsor yield for a question, please?"

Speaker McPike: "Yes. Yes, he will."

Clayton: "Thank you. At the present time, when someone goes for their inspection, there is no fee. I...this Bill indicates a \$20 fee, am I reading it right?"

Wennlund: "Representative, this only applies to vehicles only at federal installations."

Clayton: "So, the fee will only be for the federal vehicle."

Wennlund: "Yes."

Clayton: "Thank you."

Speaker McPike: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The question to me is whether or not we need any emissions testing at all, and I'd like to bring your attention to a book written by Governor Dixie Lee Ray, called Environmental Overkill. Now Dixie Lee Ray was the Governor of the State of Washington. She's a Democrat and she was the head of the Atomic...Atomic Energy Commission, and therefore you know, she was a scientific person herself. Let me quote from her book about auto emissions. It says, 'Similarly, rigid inspection and maintenance programs for automobiles are a total waste of time and

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money'. On the next page, they talk about this new deal where they are going to have all the employers and have carpools and everything so they can cut down on the emissions. She says that, and this would apply certainly to the rural areas, it says 'That, 'because 70 to 80% of emissions in the commute cycle occur in driveways during initial ignition, controlling vehicle miles traveled is also of dubious value since any transportation control measures that involve starting a car'. I think that the question really is, when are the states...when are all the states, and when is the State of Illinois going to stand up to the federal monster which we originally created? What we really ought to be doing is taking back all the power that they've taken away from the states and do our own thing. The thing we really need to do, is to say 'no' to those birds like my other colleagues have been saying and then go to court and sue and sue and sue. Now, I know that that will endear me with the trial lawyers. Thank you."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative Novak, on page 25 of the Senate Amendment #3 in the blue copy, I believe Representative Clayton asked this just a minute ago, and I'm confused as to your answer. On line one, it says, 'For a fee of \$20, to be paid into the Vehicle Inspection Fund, the agency may inspect', and it goes on. I think we need to make it very clear that that fee is not a fee to be paid by the residents of these affected areas or anyone else. I don't think the federal government is going to pay us \$20 to inspect a federal vehicle. I want to make sure what we...we know exactly

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what we're talking about here when you talk about a fee of \$20."

Novak: "Representative Black, you're correct. Apparently there was an oversight and for purposes of legislative intent, as my analysis indicates in the agreement as such, when the Amendment was adopted in the Senate, that this \$20 fee is for exclusively federal vehicles."

Black: "Are you...are you positive of that? I thought this was just a transfer of money from federal funds to the state to cover the test, cover the cost of testing. If we get into language and intent, that say certain vehicles are going to pay \$20, there are some people here who can't support this measure. I...I think we better make it very, very clear, what that sentence means. I can't imagine that the federal government is going to pay the State of Illinois \$20 to test a federally owned vehicle, a tank or something at Fort Sheridan, and let all the other residents of Illinois get their vehicles inspected for free. That's just not the way it's done and I don't believe it has anything to do with federal vehicles. I believe it has something to do with the pass through of money to cover the cost of testing, that this is actually federal government IE taxpayer funds coming into Illinois, and I need to make that...I need to...we need to make it inherently clear."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. In all due respect to the Sponsor and I just talked to staff, evidently, this language is in here as part of the federal legislation on what we do if we're going to inspect vehicles in other states, and federal vehicles. But I want Representative Novak to again, read into the record that it is not legislative intent, that any Illinois resident testing his

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or her personal vehicle or any business in Illinois testing their vehicles, be assessed a fee of \$20. Is that your intent, Representative?"

Novak: "Representative Black, that is correct. Once again, for the record, and for legislative intent, the \$20 fee is applicable only to federal vehicles."

Black: "And or vehicles that we have to test from another state, is that correct?"

Novak: "Correct."

Black: "All right, thank you very much. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. In all due respect to my colleagues on my right, I...I can't disagree with what has been said. I think most of us are used to federal coercion, federal blackmail. But when you're talking \$710 million, you take it out of the realm of coercion and blackmail, your into the realm of extortion. But I submit to you, those that don't want to vote for it, the meeting is already scheduled in Chicago, I believe on or about March the 2nd. The US EPA is prepared to pull \$710 million from highway construction funds to the State of Illinois, 800 million from California and 280 or 300 million from the State of Indiana. They're the only three states that aren't in compliance. Now, I would suggest to those of you who have spoken in opposition to this Bill, let us draft a Resolution and urge our Congressional and Senate colleagues in the state...in the Capitol in Washington to change the law. But, if we ignore this and do not pass it today, and I think Representative Novak accurately assessed the picture, the March bid letting may very well be removed and your projects necessary and needed projects for highway infrastructure in this state, could come to a halt and you have the opportunity then to throw

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out 20,000 construction workers out of work. I don't think that's what you want to do. I'm not happy with this, but many of you have pontificated for years on this...in this chamber about the need for clean air. Well, now you see how far the US EPA can go, but we're stuck. I would suggest that we pass this, in all due respect to those of you who oppose it, move on with our highway construction program, and I will be happy to Cosponsor with you, a Resolution urging our Congressional delegation to bring some sanity and common sense back to the United States Environmental Protection Agency. But, until we can change federal law, I don't intend to fall on a sword and put highway construction workers in my district out of work. I already have 10% unemployment, I'm not about to see it go to 12 or 14. I urge an 'aye' vote."

Speaker McPike: "Mr. Novak to close."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I guess, as the previous speaker indicated, no one could put the argument more eloquently. We are stuck with this situation and I don't like it as well as a lot of other Legislators here, but we do have to deal with this clean air problem. We do have this sanction...this eminent sanction, this eminent danger of losing 20 to 25,000 construction related jobs in the State of Illinois, having viturally the entire road program screeched to a grinding halt, if we do not pass this legislation and allow our local EPA to set up the program to comply with these mandates. So, we do have to pass this legislation on 'important'. It's going to be a tough one for some people to swallow, but for all of those people who had fun bashing Clinton, I just want to make one thing clarification, George Bush signed the legislation in 1990. George Bush

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signed the legislation in 1990. Clinton was in Arkansas, so let's let's...let's be a little truthful Ladies and Gentlemen. I urge an 'aye' vote for this important legislation."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 1249?' All in favor vote 'aye'; opposed vote 'no'. Representative Skinner, one minute to explain your vote."

Skinner: "George Bush lost and this is probably one of the reasons that he lost. What we have here is policy driving science, and that should not happen. There has been one day in which McHenry County has been out of the ozone tolerance levels in the last four years. That does not demonstrate a problem that requires everybody in the eastern side of McHenry County to have their car tested every year. Our local governments are always complaining about mandates that the General Assembly places on them. This is a mandate that Congress has placed on us. Now, in my personal and political career, I've discovered that when one yields to blackmail once, one yields to blackmail more than once. It appears from the votes on the board that this General Assembly is used to yielding to blackmail."

Speaker McPike: "Representative Wojcik, to explain your vote."

Wojcik: "Mr. Speaker, this is not to explain my vote. This is to have an inquiry of the Chair."

Speaker McPike: "Yes."

Wojcik: "I noticed my name has been removed up there, and I...as of yesterday, I believe, it still was ."

Speaker McPike: "Mr. Clerk, add Representative Wojcik's name to this Bill. I think the Assistant Clerk took it off."

Wojcik: "I'm so happy that we're so cautious."

Speaker McPike: "Mr. Clerk, make sure that Representative Wojcik

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is added. Have all voted? Have all voted? Have all voted who wish? Clerk will take the record. On this Motion, there are 101 'ayes' and 14 'noes', and the House does concur in Senate Amendments #1, 2 and 3 to House Bill 1249, and this Bill having received the Constitutional Majority, is hereby declared passed. Message from the Senate."

Clerk Rossi: "A message from the Senate, by Mr. Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with House in the adoption of their Amendments to a Bill of the following title: Senate Bill 881, a Bill for an Act to amend the School Code. House Amendment #1, House Amendment #2, House Amendment #3, House Amendment #4, House Amendment #6, House Amendment #7, House Amendment #8, House Amendment #10 and House Amendment #11. I am further directed to inform the House of Representatives, that the Senate has refused to concur with the Houses in the adoption of the following Amendments: House Amendment #5 and House Amendment #9. Action taken by the Senate, January 13, 1994. Jim Harry, Secretary of the Senate.'"

Speaker McPike: "On the Supplemental Calendar #1...on Supplemental Calendar #1, for the Body's information, we passed 1249. The Sponsor does not wish to call Senate Bill 881. We have one Bill left to call. House Bill 2082. Senate Republicans are in caucus and they haven't called the Bill yet. The House will stand at ease. The House will come to order. Representative McPike in the Chair. Messages from the Senate."

Clerk Rossi: "A message from the Senate, by Mr. Harry, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a Bill with the

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following title, to wit; House Bill 2082, a Bill for an Act to amend the Deposit of State Monies Act, together with the attached Amendments thereto which Amendment has been printed by the Senate, the adoption of which I am instructed to ask the concurrence of the House, to wit; Senate Amendment #2 to House Bill 2082, passed the Senate as amended, January 13, 1994. Jim Harry, Secretary of the Senate.'"

Speaker McPike: "House Bill 2082, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #2 to House Bill 2082. It has several provisions in it. I think all of them are agreed and I ask for concurrence."

Speaker McPike: "Any discussion? Mr. Black."

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

Speaker McPike: "Yes."

Black: "One very quick question. There's some language in here dealing with school annexation. Is it your understanding and intent that it only affects one district and has no...we're not establishing a precedent on the annexation of schools at a statute level?"

Hoffman: "Yes."

Black: "Thank you."

Speaker McPike: "Representative Parke."

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

Speaker McPike: "Yes."

Parke: "Thank you. Representative Black, I have a synopsis here from our staff that was laid on my desk earlier today, and on 2082, and I was wondering if your staff analysis is any different than that Bill then our staff analysis was this morning. In other words, did the Senate add anything

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significant in the Bill over there?"

Hoffman: "I don't believe...I think it's all...it's all the same.
It's the agreed to Bill that...I believe..."

Parke: "What did the Senate add?"

Hoffman: "Is there a specific provision you're talking about
or..."

Parke: "Well, what did the Senate add?"

Hoffman: "The Senate put Senate Amendment #2 onto the Bill, I
mean...I mean I haven't seen your staff analysis. I have
my staff analysis but your staff doesn't give me your staff
analysis."

Parke: "Okay. It has the private detective compromise language
on?"

Hoffman: "Yes, that's on the Bill."

Parke: "Okay. Does it have the truck file a fees compromise on
it?"

Hoffman: "Yes. Yes."

Parke: "It has the South African Divestiture total divestiture
compromise on it?"

Hoffman: "Yes."

Parke: "It has the Chicago Lab Employees Pension provisions
compromised on it?"

Hoffman: "Yes."

Parke: "And also, the agreement between the various insurance
groups that wanted the...their provisions on it?"

Hoffman: "Yes."

Parke: "Was there any objections in the Senate as far you
war...are?"

Hoffman: "There are no 'nay' votes, and I think maybe one
'present' vote. I don't know the exact count."

Parke: "Thank you very much, I appreciate your willingness to
share that information."

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Speaker McPike: "Representative Tim Johnson."

Johnson, Tim: "I move the previous question."

Speaker McPike: "Thank you. Take this Bill out of the record for just a second. Agreed Resolution."

Clerk Rossi: "Senate Joint Resolution 110, offered by Representative Schakowsky and Black."

Speaker McPike: "Just one? The question is, 'Shall the Agreed Resolution be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Agreed Resolution is adopted. Adjournment Resolution."

Clerk Rossi: "Senate Joint Resolution 116, resolved by the Senate of the 88th General Assembly, in the State of Illinois, the House of Representatives concurring herein, that when the Senate adjourns on Thursday, January 13, 1994, it stand adjourned until Wednesday, March 2, 1994, at 11:30 a.m., and when the House of Representatives adjourns on Thursday, January 13, 1994, it stands adjourned until Wednesday, January 26, 1994, at 10:00 a.m., and when it adjourns on that day, it stands adjourned until Wednesday, February 2, 1994 at 10:00 a.m., and when it adjourns on that day, it stands adjourned until Wednesday, February 9, 1994 at 10:00 a.m., and when it adjourns on that day, it stands adjourned until Wednesday, February 16, 1994, at 10:00 a.m., and when it adjourns on that day, it stands adjourned until Wednesday, February 23, 1994, at 10:00 a.m., and when it adjourns on that day, it stands adjourned until Wednesday, March 2, 1994, at 11:30 a.m. Adopted by the Senate, January 13, 1994."

Speaker McPike: "Are there any questions on the Adjournment Resolution? Representative Currie moves for the adoption of the Adjournment Resolution. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Adjournment

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Resolution is adopted. House Bill 2082. Mr. Hoffman to close."

Hoffman: "Thank you, Mr. Speaker. I ask that the House concur with Senate Amendment #2 to House Bill 2082."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 2082?' The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 2082?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 112 'ayes' and 2 'noes', and the House does concur in Senate Amendment #2 to House Bill 2082, and this Bill having received a Constitutional Majority, is hereby declared passed. Any announcements? Representative Granberg moves that the House nows stands adjourned allowing perfunctory days as set forth in the Adjournment Resolution, coming back into Session, March 2nd, 11:30 a.m. All those in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the House stands adjourned."

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