

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

42nd Legislative Day

April 15, 1993

Speaker Giglio: "The House will come to order, the hour of 9:30 having arrived. The Chaplain for today is Reverend (sic - Rabbi) Michael Datz from Temple B'rith Sholom in Springfield, Illinois. Rabbi Datz is the guest of Representative Mike Curran. All guests in the gallery may wish to rise for the invocation. Rabbi."

Rabbi Michael Datz: "Creator of Life, Source of Truth, You show Yourself to us in many guises. We call You by many names, for You are possessed of many aspects and attributes. Our feeble attempts to define and understand Your greatness and infinitude are but humble testimony to our own frailties and limitations. Perhaps it is not in our nature to comprehend Your nature. Nonetheless, we would ask Your blessing upon this legislative Body. Guide its proceedings; sanctify its deliberations. On this day, You stand before us as the Great Receiver, the Heavenly Exchequer. May the revenues of American democracy be generously abundant. May we joyfully pay the tax which democracy levies upon us to ensure its success: the tax of individual responsibility, self-restraint, compromise and consensus. Help us to acknowledge and accept that at no time can there be exemptions from personal integrity and that in these troubled times there can be no allowances for failure of nerve. Cause us to assess our breadth of vision and to audit our souls for purity of motive in our dealings with others, those with whom we must work and negotiate, those on whose behalf we govern. Grant that we might make generous deductions for charitability, and when we feel we have been hurt or wronged, let us consider it as a write-off that we might not be sidetracked by personal or professional vendettas. On this day, we declare ourselves to You, the Omniscient One. On this day, we plea that You

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not keep too careful an accounting of our foibles, You the Omnipotent One, and while Your place in these proceedings is of some constitutional concern, nevertheless, we accept that we can never completely shut You out, the Omnipresent One. Amid the hurly-burly, give-and-take of politics, therefore, we pray that a measure of Your placidity shall prevail. We pray these things in the name of peace and justice, mercy and compassion, and let us say, 'Amen'."

Speaker Giglio: "We'll be led in the Pledge by Representative Wyvetter Younge."

Younge - 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 Representative Pedersen, Bernie Pedersen, is excused today."

Speaker Giglio: "Representative Barbara Currie."

Currie: "Thank you, Speaker. The record should also reflect that Representative LeFlore is excused today."

Speaker Giglio: "Let the record reflect, Mr. Clerk. And on this roll call, there's 116 voting 'present'. The House has a quorum, and its ready to do it's business. Representative Black, are you ready? Agreed Resolutions."

Clerk McLennand: "House Resolution 472, offered by Representative Hoffman; House Resolution 473, offered by Representative Hartke; House Resolution 474, offered by Representative Giolitto; House Resolution 475, offered by Representative Stephens; House Resolution 477, offered by Representative Ostenburg; House Resolution 479, offered by Representative

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Hicks. House Resolution 480, 481 and 482, offered by Representative Churchill; House Resolutions 483, 484 and 485, offered by Representative...483 and 484, offered by Representative Parke; and 485 offered by Representative Burke."

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

Clerk McLennand: "House Resolution 476, offered by Representative Black, with respect to the memory of J. Max Shaffer. House Resolution 478, offered by Representative Dunn, with respect to the memory of Gary Anderson, and Senate Joint Resolution 43, offered by Representative Wirsing."

Speaker Giglio: "Representative Currie moves for the adoption of the Death Resolutions. All those in favor say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Death Resolutions are adopted. Representative Biggins, are you seeking recognition, Sir?"

Biggins: "Yes, Mr. Speaker. I would like to point out that last night at about 8:30 or 7:30 p.m., I received along with everybody else in the House, a flyer that told us that we would convene at 9:00 a.m., this morning, and dutifully responding to the Speaker's announcement and circulation of this flyer, many...most Republicans were right on time at 9:00 a.m., particularly, I happen to be one of the new freshmen, and I noticed that we were here two...half an hour to early. Can I ask what the schedule will be tomorrow, are we convening at 9:00 a.m. or are we convening at 9:30?"

Speaker Giglio: "No, we'll convene the way the schedule reads.

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There were a number of Democrats that were also here, but because we worked so hard and diligently last night, something happened with the computer here, and the Clerk informed the Chair that we had to have a half hour delay to get the apparatus moving again, and that was the reason for the delay."

Biggins: "Well, like I certainly... I certainly appreciate that. We'll start at 9:00 tomorrow morning, unless we'll know in advance?"

Speaker Giglio: "That's correct."

Biggins: "Thank you very much."

Speaker Giglio: "Special Order of Call under Second Readings. We're gonna down the list on Second Readings in every category. Local Government, Representative Homer. Representative Balanoff. Representative Lang, on 168. Out of the record. Representative Capparelli. Representative Lang, on 548 and 550. Representative Wojcik, on 630. Would you like to hear that Bill? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 630. A Bill for an Act to amend the Township Law of 1874. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Wojcik."

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

Wojcik: "Mr. Speaker, Amendment #3 is the same as Amendment #1."

Speaker Giglio: "Three? Excuse me. One."

Wojcik: "Oh, #1 should be withdrawn."

Speaker Giglio: "Withdraw Amendment #1. Further Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Representative Wojcik."

Speaker Giglio: "Amendment #2."

Wojcik: "Floor Amendment #2 is exactly the same as #1, except we

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have deleted the maintenance of swimming pools, and this is agreed to between sides of the aisle."

Speaker Giglio: "Any discussion? Hearing none, 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's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Ryder, House Bill 703. Representative Santiago, you have three Bills: 1279, 1280 and 1282. Do you wish to have any of these Bills called, Sir? Out of the record. Representative Currie, on House Bill 1728. Out of the record. Steczo. Representative Steczo in the chamber? Out of the record. Representative Erwin. Is the Lady in the chamber? Out of the record. On the Order of Second Reading, Education. Representative Edley, 188. Do you wish to have that Bill called, Sir? (House Bill) 188. Out of the record. Representative Davis, Monique Davis. Is the Lady in the chamber? Representative Cowlshaw, 754, Matching Bond Program, GOB. Read the Bill, Mr. Clerk. House Bill 754."

Clerk McLennand: "House Bill 754, a Bill for an Act to amend the School Code. The Bill has been read a second time previously. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk McLennand: "No Motions filed. No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Mautino, on 757. Out of the record. Representative Hartke, 903. Read the Bill, Mr... Out of the record. Representative Stroger, is the Gentleman in the chamber? Representative Churchill. Representative Churchill in the chamber? Out of the record. Representative Hoffman, 1165. Out of the record. Representative Currie, on 1192. (House Bill) 1192. Out of

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the record. Representative Burke. Representative Currie, on 1919. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1919, a Bill for an Act to amend the School Code. Second Reading of this Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Currie. The Lady from Cook, Representative Currie."

Currie: "I'd like to withdraw Amendments #1 and 2."

Speaker Giglio: "Withdraw Amendments 1 and 2, Mr. Clerk. Further Amendments?"

Clerk McLennand: "Floor Amendment #3, offered by Representative Currie."

Speaker Giglio: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is essentially a technical Amendment to a Bill that establishes what kind of rights to free speech students have. The purpose of the Amendment is to ensure that that speech opportunity does not include instances in which students might be encouraging others to behave illegally or would endanger the criminal or civil liability of the school district itself."

Speaker Giglio: "Any discussion? Hearing... Representative Wennlund."

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

Speaker Giglio: "She indicates she will."

Wennlund: "Representative, what is 'imminent lawless action'?"

Currie: "Well, I should think that we'd be talking about instances like yelling 'fire' in a crowded theatre, or...a encouraging people to 'shoot up the principal' or...any kind of riot-inducing behavior. As you can see, the language further goes on to say that that would include violation of lawful school regulations or the material and substantial disruption of the orderly operation of the

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school. But, obviously, it would include other Acts that are obviously illegal, for example: Encouraging people to whip out pistols and begin shooting or yelling 'fire' in a crowded theatre."

Wennlund: "So... This Amendment doesn't expand the freedom of expression; it limits it."

Currie: "No. no. Right. Right. Clarifies, which was...was lacking in the Bill, as introduced, clarifies that it is not the intention to so expand freedom of speech opportunities for students that we are encouraging them to behave in lawless ways."

Wennlund: "Very good. Thank you very much. It sounds like a good idea."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye'; opposed, 'nay'. Excuse me. Representative Murphy, are you seeking recognition? All those in favor of the Amendment signify by saying 'aye'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Levin. Representative Levin in the chamber? Out of the record. Representative Hawkins, 2198. Do you wish to have this Bill called, 2198? Out of the record. Representative Davis, Monique Davis, on 2216, proprietary school complaints? Out of the record. Representative, you had another Bill, 593. Out of the record. Representative Kubik, on 2230. Kubik. Out of the record. Okay, on the Order Elections and State Government, Second Reading. Representative Novak, House Bill 103. Do you wish to have this Bill called? Out of the record. Representative McAfee, on 109. Out of the record. Representative

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Schoenberg. Representative Schoenberg, on 140. Do you wish to have this Bill called, Sir? Out of the record. Giolitto, on 147. Out of the record. Representative Sheehy, 494, state fire marshall private units. Out of the record. Schoenberg, on 660. Out of the record. Representative Curran, 832. (House Bill) 832, Representative Curran? Out of the record. Representative Pugh."

Pugh: "Yes Sir. Mr. Speaker, I rise in an attempt to speak to House Bill 737 that Representative LeFlore had presented previously."

Speaker Giglio: "(House Bill) 737, Sir?"

Pugh: "Yes Sir."

Speaker Giglio: "Okay."

Pugh: "House Bill 737."

Speaker Giglio: "Excuse me. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 737, a Bill for an Act to amend certain Acts in relation to the purchase of certain goods by the State of Illinois. Second Reading of this Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Balthis."

Speaker Giglio: "Representative Balthis."

Balthis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is referred to as the 'Buy America' Bill, but if you look in...inside the Bill in the text, you will find on...a couple of lines in there in says, 'American or Canadian'. My Amendment just simply takes out the 'Canadian' portion because if this is gonna be a 'Buy America' Bill, it should truly be a 'Buy America' Bill, and I ask for its adoption."

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

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Lang: "Thank you, Mr. Speaker. I'm sorry, I did not hear the explanation of the Amendment. Could the... Would the Sponsor repeat the...the Amendment?"

Speaker Giglio: "Representative Balthis."

Balthis: "Yes. The Amendment simply takes out the section that says 'or Canadian'. There are two references in the Bill that says 'buy American or Canadian', and if this is going to a 'Buy America' Bill, then we should not be including the Canadian reference in there."

Speaker Giglio: "Representative Lang."

Lang: "Thank you. To the Amendment. ...My understanding is that the Amendment conflicts with provisions of the Canada-U.S. Free Trade Agreement, and for that reason alone, I would ask Members to vote 'no'."

Speaker Giglio: "Further discussion? Representative Balthis."

Balthis: "Yes, I understand it interferes with the Canadian Free Trade, but then we shouldn't be referring to the Bill as the 'Buy America' Bill if we're going to be buying Canadian products and ninety... The State of Illinois could then buy everything it purchases from Canada and nothing from the United States, and I don't think that's the intent of this legislation, and so I would ask the adoption of this Amendment."

Speaker Giglio: "All those in favor of the Amendment say 'aye'; 'no'. In the opinion of the Chair, the 'noes' have it. The Amendment's defeated. Further Amendments?"

Clerk McLennand: "Amendment #2, offered by Representative Black."

Speaker Giglio: "Representative Black, you have an Amendment."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2, I don't know how anybody could be in opposition to this unless you're just a complete and total hypocrite. All Amendment #2 says is that 'no elected

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official in the State of Illinois may own an imported car or truck, nor may they park an imported car or truck on any state property, unless that vehicle consists of at least 55% United States conduct...or content'. I would offer that Amendment. I'm serious in it. I get darn sick and tired of people voting in this chamber for 'Buy America' legislation and then go outside and get in their imported foreign car. Put your vote where your mouth is. And, Mr. Speaker, I'm joined by the appropriate number of colleagues, I want a roll call on this Amendment."

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

Pugh: "Mr. Speaker, it's...it's my understanding that Representative LeFlore has carried this Bill for a number of years, and all of the Amendments appear to be hostile Amendments in an attempt to defeat the Bill. So, I'm...I'm advising a or admonishing Members of the Democratic House to vote in favor of the Bill and to defeat this...this Amendment 2."

Speaker Giglio: "Representative Black, to close."

Black: "Thank you very much, Mr. Speaker. I have the greatest regard for Representative LeFlore, and I don't regard this Amendment as hostile. I... You know, where I come from, let's put the hay down where the goats can eat it. Let's not talk about some philosophical B.S. about 'buy American', let's put the hay down where the goats can eat it. If you want to buy American, then there's no elected official in the State of Illinois should own an imported car nor park an imported car on state property unless it's made it can...unless it's made up of 55% American content. Now, if that isn't 'Buy American' then, by god, I don't know what is. I want a Roll Call Vote. If you're gonna buy

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American, then put your vote where your mouth is."

Speaker Giglio: "Representative Hartke."

Hartke: "Will the Sponsor of the Amendment yield?"

Speaker Giglio: "He indicates he will."

Hartke: "Representative Black, I don't own a... You're not gonna answer any questions. So, that if you own one now, do you have to sell it?"

Black: "You don't have it sell it, but you can't park it on state property. By God, you can park it on somebody else's property, not taxpayers property."

Speaker Giglio: "Representative Pugh."

Pugh: "Mr. Speaker, I'd like to take this Bill out of the record."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative Curran, 832? Out of the record. Representative McGuire, 973. Representative McGuire, 973. You wish to have this Bill called, Sir? Out of the record. Representative Ronen, on 1108. The Lady from Cook, would you like this Bill called? Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 1108, a Bill for Act to amend the Illinois Purchasing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Representative Ronen."

Speaker Giglio: "Representative Ronen, on Amendment #2."

Ronen: "Amendment #2 exempts small businesses. It's defined as those businesses having less than 50 employees. I move for passage of this Amendment."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it."

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The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments, but a fiscal note has been requested."

Speaker Giglio: "A fiscal note's been requested. I'm going to leave the Bill on the Order of Second Reading. Representative Currie on 1201. Out of the record. How about 1220... Representative Curran, 1228. Representative Curran, do you wish to have...call this Bill? (House Bill) 1108, the fiscal note has been filed. The Amendment has been adopted. No further Amendments. Third Reading. (House Bill) 1128. Out of the record. Representative Edley, you have House Bill 1460. Representative Edley? Edley, 1460? Out of the record. Representative Kaszak, 1539. Out of the record. Representative Dart, 1628. Out of the record. Representative Hicks, on 1704, Medicaid Nursing Homes. Out of the record. Representative Rotello, 1745, Lobbyist Registration Act. Out of the record. Representative Moseley, 1912. Out of the record. Representative Hicks, on 1913. Do you wish to have this Bill called, Sir? Read the Bill, Mr. Clerk. Oh, excuse me, Representative Hicks. (House Bill) 1913, Performance Review Act?"

Hicks: "Mr. Speaker, if I could I do understand now 1704 is ready. The Amendment has been filed. If we could go back to 1704, please?"

Speaker Giglio: "(House Bill) 1704? Mr. Clerk, read 1704."

Clerk McLennand: "House Bill 1704, a Bill for an Act concerning Public Aid. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hicks."

Speaker Giglio: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of

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the House. (House Bill) 1704, Amendment #1 is the Amendment that takes the provisions of 1705, puts 'em into 1704 exactly as they were in 1705. This simply creates a...the provision by where...the State Comptroller can electronically deposit funds into an account for nursing homes and those payments, and also creates a State Prompt Payment Act where interest shall not be payable if less than \$25 under current law, but that interest now will be payable to those vendors if it's between \$25 but less than \$50. I'd be happy to answer any questions."

Speaker Giglio: "Representative Wennlund."

Wennlund: "Mr. Speaker, will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Wennlund: "Does this increase the threshold to \$50...so that the state doesn't...is not required to pay interest if the interest would amount to \$50 or less?"

Hicks: "Representative, that's somewhat correct. What would happen would be...currently anything that's \$50 the threshold of \$50 now has to be in written form; now then they can request that in written form from \$25 to \$50. It would lower the threshold from \$50 to \$25."

Wennlund: "So, I'm sorry I didn't quite hear ya. The noise level in the House, Representative Hicks. Are we increasing it from \$25 to \$50 by this Amendment?"

Hicks: "No, Sir, we would be lowering it, the threshold. Mr. Wennlund, the interest used to be payable if it was over \$50, maybe I can clear it up this way, over \$50. This would simply say that zero to \$50 then would still be interest applied. So, it would be an increase of cost to the state, yes, if that's your question."

Wennlund: "What's the estimated total amount of increase in cost to the department?"

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Hicks: "Could you ask your question again, Sir?"

Wennlund: "Yes, could you explain what the increase in costs would be to the Department of Public Aid as a result of lowering this threshold?"

Hicks: "Sir, I think that would be very difficult to give you an exact number. I can't do that a...because it all depends upon the timely payments of the state. And we know that doesn't happen right now and a...this is simply making that if there is interest due to a nursing home which would be, that...and I don't know where the \$50 as you say threshold came from, but if there's interest due, it should be paid whether it's \$50 or whether it's \$25 or whether it's \$75. I can't give ya even an estimate, I don't have that, and I apologize. I wish I could give you that number, but it's really based upon a...how much the state would incur at any given time, so it shouldn't be any increase in numbers, because if it's \$50 it's still due."

Wennlund: "Under the original Bill, the fiscal note reflects a \$76.4 million cost in interest payments. Will this Amendment increase the amount of the interest paid by the department?"

Hicks: "Representative, I...I think my answer to that would probably be yes, because currently I guess they're not required to pay any interest unless it's \$50 or more. This would say they have to pay interest whether it's \$1 or \$50. So, there is a window in there from zero to \$49.99 that I understand they currently do not pay interest on and, as you said, the threshold of \$50 is the number I believe that you have \$6.4 million. This would simply take care of that shortfall between one penny and \$49.99. So would there be an increase cost? I would suppose there would be. But to try to give you an exact number if that's an increase,

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what I would suppose would be nursing homes would wait till they got to \$50 before filing. This would simply say that they would be entitled to that...the dollar amount before that. Now, I don't know if I'm confusing the issue, I'm not trying to, but if...if the \$6.4 million number that you have would be interest that would be due on all dollars payable to nursing homes by the state, I would...I would go along with that number I'm sure, but that's interest due anyway. We're simply trying to take care of that small amount in between a penny owed and \$49.99. Currently \$50 and above is paid. If I were in the nursing home business, I guess I would simply wait until the interest...occurred until it got more than \$50, and then request it. But...this simply takes care of that window of opportunity in between."

Wennlund: "So, this Amendment really affects the compromise that was worked out with the Governor's office that kicks in on July 1 of this year...setting the threshold at \$25."

Hicks: "I'm not aware of those negotiations, Representative. If there is, then you may be more aware of it, I'm not aware of them. So, I mean if that's correct I'm sure, Representative, if you know that to be correct, then I'm sure it is. But I'm not aware of that."

Wennlund: "Thank you very much."

Speaker Giglio: "Representative Hicks."

Hicks: "Thank you, Mr. Speaker. I...I would simply say that the provisions of 1705 which are in now would be placed in the 1704 passed out of committee unanimously, and I...I believe it's something we do owe and we should pay it. I think it's a small amount of money involved in this, but it is interest that is due these folks, and I believe we ought to pay it. Thank you."

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Speaker Giglio: "All those in favor of the Amendment say 'aye'; opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment's adopted. Further Amendment's?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading."

Clerk McLennand: "But a fiscal note has been requested for the Bill, as amended."

Speaker Giglio: "Leave the Bill on Second. On Elections and State Government, appears House Bill 1626, Representative Dart. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1626, a Bill for an Act in relation to contents of the state budget. Second Reading of this Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Hicks, 1913. Would you like that one called, Performance Review Act? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1913, a Bill for an Act concerning performance review. The Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Hicks."

Speaker Giglio: "Representative Hicks, on Amendment #2."

Hicks: "Thank you very much, Mr. Speaker. Amendment #2 to House Bill 1913 is a technical Amendment that corrects a drafting error that was in Amendment #1, and asks for its adoption."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 2101. Out of the

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record. Representative Prussing, 2296. Out of the record. On the Order Environment and Energy, Representative Moseley, on 187. Is the Lady in the chamber? Out of the record. Representative Novak, you have four Bills Energy and Environment. (House Bill) 298. Out of the record. (House Bills) 299, 300, 480. Out of the record. Representative Hoffman, on 497. Do you wish to call this Bill, Sir? Out of the record. Representative Deuchler, on 1341. Is the Lady in the chamber? Representative Deuchler? Out of the record. Representative Dart, on 1450. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1450, a Bill for an Act to amend the Solid Waste Planning And Recycling Act. The Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments, and a states mandates note has been requested."

Speaker Giglio: "Leave the Bill on Second. Representative Moseley on 187. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 187, a Bill for an Act to amend the Illinois Low-Level Radioactive Waste Management Act. Second Reading of this Bill. No Committee Amendments. Floor Amendment #1 has been offered by Representative Black."

Speaker Giglio: "Representative Moseley."

Moseley: "Mr. Speaker, I move to table Amendment #1."

Speaker Giglio: "Representative Black. Representative Moseley moves to table your Amendment."

Moseley: "I wish to table the Amendment in order to keep my promise to the Republicans and the Democrats on the Energy and Environment Committee. I told them that I would keep this free of all Amendments. At this point, this is a limited purpose Bill, and I wish it to remain that way, and

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I ask your favorable consideration."

Speaker Giglio: "Representative Black."

Black: "Well, thank you very much, Mr. Speaker. We just went through this argument the other day...a with one of our own Members. I at least get the courtesy of presenting my Amendment, and then if she wants to kill it I guess she can, but can I at least present my Amendment and then you can vote it up or down?"

Speaker Giglio: "You sure... Do you really want to do that?"

Black: "Why absolutely. I think it's a very important Amendment."

Speaker Giglio: "Representative Black, on Amend... Representative Moseley.

Moseley: "Mr. Speaker, I would never do anything to offend Representative Black. I consider him in the highest regard, and on that, on that alone, on that alone, I withdraw my Motion and just ask that everyone please consider this a hostile Amendment. I understand that Representative Black is trying to work for his constituency, but this Amendment belongs on another Bill. So, I ask you to oppose this Amendment."

Speaker Giglio: "Representative Black, would you like to explain the Amendment now?"

Black: "Yes, thank you, and I appreciate the kind words from Representative Moseley. But if you'd look at the underlying Bill, Ladies and Gentlemen, well...well I won't get into that. Amendment #1 is near and dear to many of my constituents' hearts. Amendment #1 simply says that the Department of Nuclear Safety cannot site a proposed low level radioactive waste disposal facility in any county in this state that contains in whole or in part a state park, a state recreational area, or in the case of Vermilion, a

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federally designated scenic river. The only federally designated scenic river in the entire State of Illinois, if indeed not the Midwest. Now, what's fair for Cass County is fair for all the rest of us. I urge your favorable consideration of Amendment #1."

Speaker Giglio: "Further discussion? Hearing none, all those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have...the 'noes' have it. The Amendment's defeat... The 'noes' have it, Representative. Further Amendments?"

Clerk McLennand: "Amendment #2, offered by Representative Olson."

Speaker Giglio: "Representative Novak."

Novak: "Yes Mr. Speaker, Ladies and Gentlemen of the House. In deference to Representative Moseley when she brought this Bill before the committee. We did allow the Bill out of committee for further discussion with the stipulation that the Bill would remain clean and no Amendments would be applied to it, and I would wish that the Members on my side of the aisle would respect one of their colleagues' wishes. Thank you."

Speaker Giglio: "Further Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Representative Olson."

Speaker Giglio: "Representative Olson. Representative Moseley moves to table Amendment #2. Further Amendments? All those in favor say 'aye'. Aye, no. In the opinion of the Chair, the 'ayes' have it. The Amendment's tabled. Further Amendments?"

Clerk McLennand: "Amendment #3, offered by Representative Olson."

Speaker Giglio: "Representative Olson. Representative Moseley moves to table Amendment... Representative Olson. Representative Moseley moves to table Amendment #3. All

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those in favor say 'aye'; opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's tabled. Further Amendments?"

Clerk McLennand: "Amendment #4, offered by Representative Black."

Speaker Giglio: "Representative Black, on Amendment 4."

Black: "Thank you very much, Mr. Speaker. Because the other Amendments were defeated, this Amendment is now an order. You know, I've known Representative Moseley for a long, long time. I...I...a and we have worked together on many issues of vital interest to the people in this state, and I can understand her concern with Cass County and Site M, but this is near and dear to my heart, and I feel that I have to present this Amendment on behalf of my constituents. Now, we're gonna narrow it just down to Vermilion County. All this Amendment does it says that the Department of Nuclear Safety cannot site a proposed low-level radioactive waste disposal facility in any county that contains in whole or in part a federally designated scenic river. Now that's only in Vermilion County, it only affects a 23 mile stretch of a wild and scenic river, and you can canoe down there with me in the spring, I'll show ya tires and old car bodies and dumps and garbage, and an occasional dead body, but this Body ruled against us some time ago and made this a scenic river. So, now we can't have a 23,000 acre reservoir. Well, if this Body could...could produce that scenic river, you surely don't want to destroy it by letting low-level nuclear effluent leak into this river because it would kill the blue breasted darter that inhabits that river. So, I...need Amendment #4. You all need Amendment #4. Let's save the only scenic river we have in the State of Illinois. Join me please, Mr. Speaker, in trying to save this scenic river from

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radioactive effluent and waste. I...I I'm totally... Well, I can't go on. I can't go on, but I...perhaps, if I could ask for a roll call and have that consideration, Mr. Speaker. I feel so strongly about this scenic river."

Speaker Giglio: "Well, I don't want... I don't want anything to happen, to you, Representative Black. We'll let Representative Moseley speak. Representative Moseley."

Moseley: "Representative Black, not only did I...not only did I understand your deep concern, but I anticipated it, and if that river is used for recreational purposes, it is included in my original Bill. My Bill is not only Cass County, my Bill is for every single conservation, recreation, historic preservation site in this state. So believe me, Representative Black, we don't need your Amendment, it's already covered. I knew you would be... I knew how concerned you would be about this. So, I ask you to vote down this Amendment."

Speaker Giglio: "Representative Black, did you want to respond? I see you're havin some problems. I'll let you respond, even though you closed."

Black: "I'll try to close Mr. Speaker, I'll try to close. I feel much better that she recognizes the importance of this scenic river. In a county that is economically depressed and has a high unemployment rate, we... don't take our scenic river. It has brought thousands of tourists to my county. It has dumped literally millions of dollars and created thousands of jobs, and I'm just afraid you're gonna ruin it by this radioactive dump, and I just to make sure it's protected. Please vote 'aye'. I need a roll call. Help me. Help me. I haven't asked you very often to help me, but I'm askin' you now."

Speaker Giglio: "Representative Moseley. All those in favor of

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the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'noes' have it, and the Amendment fails. Further Amendments?"

Clerk McLennand: "Amendment #5, offered by Representative Deering."

Speaker Giglio: "Representative Deering."

Deering: "Thank you, Mr. Speaker. On two tries now the Representative on the other side of the aisle, Representative Black, tried to put two Amendments on and he couldn't do it, and I don't carry as much weight as he does, so I'll withdraw my Amendment."

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

Clerk McLennand: "Amendment #6, offered by Representative Balanoff."

Speaker Giglio: "Representative Balanoff, do you wish to try to put an Amendment on this Bill? Do you want to withdraw the Amendment, Representative Balanoff? Representative Moseley."

Moseley: "I move to table the Amendment. I move to table Amendment 6."

Speaker Giglio: "Representative Balanoff?"

Balanoff: "You know, I listened for the last few minutes to a number of Speakers, and the Amendment is not printed or distributed, but I did listen to a number of people in the last few minutes talk about protecting their areas or different recreation areas across the State of Illinois. What Amendment #6, although it will not be heard...would have done is bring the process back to the way that it was. It would have put the public back in the siting process. When the public was taken out on January 12th, it was an outrage. That's what it would have done. We wouldn't have needed then any of these Amendments or the underlying Bill,

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because the people would have had an absolute say in where this thing would go or would not go, and I always believed that people should have a say in what goes on in their backyards. But, it hasn't been printed or distributed, so it doesn't matter. We'll take it... We'll... We withdraw Amendment #6."

Speaker Giglio: "The Gentleman withdraws Amendment #6. Further Amendments?"

Clerk McLennand: "No Further Amendments."

Speaker Giglio: "Third Reading. Representative Giorgi, in the Chair."

Speaker Giorgi: "Members of the General Assembly, I'm only gonna take a minute to introduce a visitor who's associated with the General Assemblies of all the 50 states, and he's Steve Lakis, who's President...President of the State Legislative Leaders Foundation, known to many Members on the House Floor, and he'd like to say hello and say a few words. Steve Lakis."

Lakis: "Thank you very much, Representative. It's a pleasure to visit the great State of Illinois, and it's an honor to be before this General Assembly. I bring you greetings from Massachusetts and the Speaker of the House, Charles Flaherty and the President of the Senate, Bill Bulger. I'm actually here to work with the University of Illinois, and we're going to attempt to set up a national educational program at the University of Illinois to bring legislative leaders from all across the country here to the great State of Illinois. I had hoped that I might come here to see if we could borrow some money in Massachusetts to take care of our deficit, but I understand you've got your own little deficit. So, I didn't even get...I neither got money nor sunshine, but it's a pleasure to be with all of

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you, and I thank you for this warm welcome."

Speaker Giorgi: "Thank you, Steve. Mr. Giglio. Did he disappear?"

Speaker Giglio: "Representative Novak?"

Novak: "Yes, Mr. Speaker, can we go back to House Bill 480, Order of Second Reading, Energy and Environment? I have an Amendment to adopt that's been printed and distributed."

Speaker Giglio: "House Bill 480. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 480, a Bill for an Act to amend the Environmental Protection Act. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Novak."

Speaker Giglio: "Representative Novak, on Amendment 1 to House Bill 480."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment becomes the Bill. It's essentially similar to House Bill 1755 that I filed. It... It is... It stipulates a graduated amount of grants to be received by local governments, specifically, as does from the from Department of Nuclear Safety to compensate local governments for expenses incurred in the implementation of maintenance of plants and programs that have to deal with nuclear accidents. It an 'agreed to' by the Department of Nuclear Safety. It's been cleared on the Republican side of the aisle, and I ask for its adoption."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Deering, 1965 and 1967. Do you wish to call these Bills? Out of the record."

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Representative Moffitt. Representative Moffitt, 2183? Out of the record. On the Order of Health Care And Human Services, Second Reading, appears House Bill 453. Out of the record. Representative Lopez, 661. (House Bill) 661 has been put in interim study. Representative Davis, on 928. Is the Lady in the chamber? Out of the record. (House Bill) 1102, Representative Schakowsky. Representative Schakowsky in the chamber? Out of the record. Representative Phelps, 1147. Representative Edley, on 1459. Representative Ryder, 1488. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1488, a Bill for an Act to amend the Nursing Home Care Act. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Younge, 1657. Out of the record. Representative Currie. Out of the record. Representative Blagojevich, 2057, Illinois Indoor Air Quality Act. I'll come back to it. Do you want to check with the other side? Representative Currie, on 2063. Read that Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2063, a Bill for an Act to amend the Civil Administration (sic-Administrative) Code of Illinois. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Currie."

Speaker Giglio: "Amendment #1 to House Bill 2063. The Lady from Cook, Representative Barbara Currie."

Currie: "Thank you, Speaker and Members of the House. This Amendment was drafted with the help and at the request of the Department of Public Health. It provides that the department may establish rules and regulations to operate this program so that there will be standards for the program, and it clarifies that funding need not be provided

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by the Department of Public Health for this program to get up and off the ground. I'd appreciate your support."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Madam Speaker (sic - Mr. Speaker). We appreciate the Sponsor's efforts with this Amendment. Please withdraw the fiscal note request."

Speaker Giglio: "Withdraw the fiscal note request on this Bill, Mr. Clerk. All those in favor of the Amendment signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Levin, 2076. Out of the record. Representative Ryder, 2332. Out of the record. Representative Wojcik, 2336, Life Care Facilities Style. Read the Bill."

Clerk McLennand: "House Bill 2336, a Bill for an Act to amend the Life Care Facilities Act. Second Reading of this Bill. No Committee Amendments. No Floor Amendments. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. On the Order of Housing and Economic Development, Second Reading, Representative Turner. Is Representative Turner in the chamber? Out of the record. Representative Morrow. Representative Morrow in the chamber? Out of the record. Representative Davis, 1716, Welfare to Work Act. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1716, a Bill for an Act in relation to work performed under certain state contracts. Second Reading of the Bill. Amendment 1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Davis."

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

Davis: "Can you hold for just a moment, please. Thank you, Mr. Speaker. Amendment #2 merely helps to address some of the concerns that some of the Members had in reference to this legislation. It...creates a Welfare To Work Act, and...Amendment #2 becomes the Bill."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Professional Regulations, Second Reading, Steczo. Representative Steczo in the chamber? Representative Lou Jones. The Lady from Cook, Representative Lou Jones? You have three Bills: 213, 14 and 15. Read 213, Mr. Clerk."

Clerk McLennand: "House Bill 213, a Bill for an Act in relation to professional regulations. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 214."

Clerk McLennand: "House Bill 214, a Bill for an Act in relation to professional regulations. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 215. Read the Bill."

Clerk McLennand: "House Bill 215, a Bill for an Act in relation to professional regulations. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. Representative McAfee, on 450. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 450, a Bill for an Act concerning continuing education requirements for insurance producers. Second Reading of this Bill. No Committee Amendments."

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Floor Amendment #1, offered by Representative McAfee."

Speaker Giglio: "Representative McAfee."

McAfee: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 is a change proposed by the Department of Insurance and the independent insurance agents to comport with Senator Madigan's Bill that's in the Senate at the present time. The Amendment requires all insurance producers to obtain 15 hours of continuing education for each year the license is renewed. It changes the carry over hours, it eliminates the proposed Advisory Board, and it has an increase in the provider fee for those providing the educational programs. This has been, as I said, proposed by the independent insurance agents, and supported by the Department of Insurance. I ask for your support."

Speaker Giglio: "Any discussion? All those in... Representative Wennlund."

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

Speaker Giglio: "He indicates he will."

Wennlund: "You're gettin' closer to Representative Giorgi every day, Mac."

Speaker Giglio: "Thank you, Larry."

Wennlund: "Is this the version that is approved and agreed to by the...big guy?"

McAfee: "Yes."

Wennlund: "Thank you very much. We stand in support of the Amendment."

McAfee: "Thank you."

Speaker Giglio: "All those in favor of the Amendment say 'aye'; opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Santiago, 715?"

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The Gentleman in the chamber? Out of the record. Representative Deering, on 1554. Representative Deering in the chamber? Out of the record. Representative McAfee, on 2053. Out of the record. Representative Roskam, 2237. Out of the record. Representative Lou Jones, 2316? Representative Jones, Lou Jones? Representative Jones? Representative Lou Jones. Would you like to call 2316? Out of the record. Representative Blagojevich, are you ready on that Bill we passed over? Public Utilities, Second Reading. Representative Giorgi. Representative Giorgi in the chamber? Representative Schakowsky, 1844, Electric Rate Base Efficiency. (House Bill) 1844, read the Bill."

Clerk McLennand: "House Bill 1844, a Bill for an Act to amend the Public Utilities Act. Second Reading of this Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Lang."

Speaker Giglio: "Representative Lang, on Amendment #1 to House Bill 1844. Take the Bill out of the record, Mr. Clerk. Representative Shirley Jones, do you wish to call 2014, Public Utility Investments? Out of the record. On the Order of Revenue, Second Reading. Representative Balanoff, do you want to call 429? Lottery Ads, no ties to schools. Out of the record. Representative Woolard, on 1294, Representative Woolard? Out of the record. Representative Steczo. Out of the record. Representative Levin, on 1420, Income Tax Change. Out of the record. Roads and Transportation, Second Reading. Representative Giorgi. Representative Hartke, Representative Hartke? Representative Hartke, I have two Bills: 457 and 458. Do you wish to call these Bills? Vehicle Code Portable Scales and Vehicle Code Distance Weight. Out of the record.

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Representative Balanoff, 897? Representative Hartke, on 1113 and 1114. Out of the record. Repr... Representative Black, you have a Bill, Sir. (House Bill) 1198, Vehicle Penalty Staff Transfer. Do you wish to call that Bill, Sir? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1198, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Black."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. The underlying Bill is a...an ICC Bill that I know of no opposition to. Amendment #1 was requested by the Secretary of State just specifying that the Secretary of State may cancel a person's license, drivers license, for failure to pay civil penalties that are owed to the Illinois Commerce Commission. Again, I know of no opposition to the Bill or the Amendment and would ask favorable consideration of the Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor say 'aye'; opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Deuchler, on 2308. Lady in the chamber? Out of the record. Representative Blagojevich, are you ready on 2057? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2057, a Bill for an Act in relation to adequate ventilation of public buildings. Second Reading of the Bill. The Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Salvi."

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Speaker Giglio: "Representative Salvi, on Amendment #2."

Salvi: "Mr. Speaker, Ladies and Gentlemen of the House, I reluctantly withdraw Floor Amendment #2."

Speaker Giglio: "Withdraw Amendment #2. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Blagojevich."

Blagojevich: "Just say that if anybody in this chamber happens to a...along the path, along the way, to run into Representative Salvi's Bill again, I would strongly urge that we take a strong look at...at his particular Bill. The Governor, interestingly enough...presented the case of whether or not we should choose concrete over kids, and I think Representative Salvi's Bill addresses the question of whether or not we oughta choose asphalt over kids, and a...at least in Lake County anyway, I think we oughta to choose kids over asphalt. Thank you."

Speaker Giglio: "Third Reading. Representative Homer, on House Bill 314, Constitutional Officers. Do you wish to call this Bill? Out of the record. Representative LeFlore, on 363. Out of the record. Representative Dart., Representative Dart, on Financial Institutions, Second Reading, Currency Exchange Ambulatory 2079. Do you wish to call that Bill, Sir? Out of the record. Consumer Protection. Representative Schakowsky, you have four Bills, Consumer Protection, Second Reading, 793, Blood Safety. Out of the record. Hospital Patient Rights, House Bill 1355. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1355, a Bill for an Act to amend the Medical Patient Rights Act. Second Reading of this Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Schakowsky."

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

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Schakowsky: "Thank you, Speaker. Thank you, Speaker and Ladies and Gentlemen of the House. Amendment #1 is language that was worked out with the Hospital Association that would put them in support of the legislation to provide hospital patient notification of their rights. This is language that is now acceptable to them, and I'm unaware of any opposition and would urge your support of Floor Amendment #1."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment say 'aye'; opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments, but there is a state mandates note requested on this Bill."

Speaker Giglio: "Leave the Bill on the Order of Second Reading. House Bill 1504, Representative Schakowsky. (House Bill) 1504, do you want to call this Bill? Representative Schakowsky, on 1504? Do you want to call this Bill? (House Bill) 1504, Physician Medicare Assignment. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1504, a Bill for an Act to amend the Medical Patient Rights Act. The Bill has been read a second time previously. Amendments #1 and 2 were adopted in committee. No Motions filed. A fiscal note has been filed."

Speaker Giglio: "Fiscal note's been filed. Leave the Bill on Second Reading. Fiscal note has been filed? Representative Schakowsky. Amendment's been adopted, no Motions filed? No further Amendments. Third Reading. Representative Turner, on 1645. Representative Turner. Out of the record. Representative Schakowsky, on 1687. Out of the record. Representative Schoenberg, Agriculture and Conservation. Representative Schoenberg, you have

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House Bill 581, State Fair Lease Facilities. Do you wish to call that Bill? Out of the record. Representative Hicks, on 602. Representative Hicks. Out of the record. Representative Hartke, 762, Sustainable Agriculture. Out of the record. Representative Churchill, 1074, Underage driving while drunk. Out of the record. Representative Hartke, on 1259, Pesticide Advisory Letter. Out of the record. Representative Brunsvold, 1990. Representative Brunsvold. Out of the record. Insurance, Second Reading. Representative Hicks, 1064. Out of the record. Representative Daniels, on 2260. Out of the record. Representative Granberg, 2353, Insurance Space Heater. Representative Granberg, you wish to call that Bill? Out of the record. House Bill 666. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 666..."

Speaker Giglio: "Representative Granberg? House Bill 666."

Clerk McLennand: "House Bill 666, a Bill for an Act concerning electric service provided by municipalities and electric cooperatives. Third Reading of the Bill."

Speaker Giglio: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Could I have leave of the Body to bring House Bill 666 to a...back to Second Reading for purposes of an Agreed Amendment?"

Speaker Giglio: "Does the Gentleman have leave? Hearing none, leave is granted. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 666, a Bill for an Act concerning electric service provided by municipalities and electric cooperatives. The Bill has been read a second time previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Granberg."

Speaker Giglio: "Representative Granberg, on Amendment #2."

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

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House. Amendment #2 reflects an agreement by the impacted parties on this legislation, the Illinois Association of Electric Cooperatives and the Illinois Municipal Electric Agency. This is an Agreed Amendment. There is no opposition, and I would move for its adoption."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "Floor Amendment #3, offered by Representative Dart."

Speaker Giglio: "Representative Dart."

Dart: "Thank you, Mr. Speaker. Amendment #3, I have yet to talk to the Sponsor about it, but it's yet another Amendment to clean up one of his mistakes. It's a technical Amendment to make the Bill in proper English. I do move for its adoption."

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

Ryder: "Will the Sponsor yield for a question?"

Speaker Giglio: "He indicates he will."

Ryder: "Thank you. Representative, you indicate this is a technical Amendment that uses proper English. Is that the same kind of English that Representative Granberg uses?"

Dart: "No, this is the north of I-80 proper English."

Granberg: "The proper language by those who are north of I-80?"

Dart: "Yes."

Granberg: "Representative, that's a discussion we'll have to have off the floor."

Dart: "Thank you."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair,

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the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Civil Justice, Second Reading, appears House Bill 92, Representative Lang. Out of the record. Representative Schoenberg, on, House Bill 141. Out of the record. Representative Dart, 161? Do you wish to call this Bill? (House Bill) 161. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 161, a Bill for an Act to amend the Abandoned Children Prevention Act. Second Reading of the Bill. Amendment #1 was adopted in committee. Floor... No Motions filed. Floor Amendment #2, offered by Representative Dart."

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

Dart: "Amendment #2 was at the and suggestion of the committee. It was written and drafted by the Department of Corrections so that it would not adversely affect them. I have their support on this Amendment, and I'd ask for the support of the Body."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment say 'aye'... Representative Davis."

Davis: "Thank you, Mr. Chairman. I would just like to know Representative from Dart, what is Amendment #2 exactly?"

Dart: "Amendment #2 clarified what Amendment #1 did by deleting a couple of mandatory minimum provisions that were originally in the Bill. They've been removed."

Davis: "You removed...mandatory?"

Dart: "Minimum sentences, in regards to people who bring contraband into prisons."

Davis: "Okay. But it isn't adding anything like that?"

Dart: "The Bill itself will. But this is reduced...what the Bill

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originally did."

Davis: "Okay, thank you. We'll just watch 161. Thank you."

Speaker Giglio: "All those in favor of the Amendment say 'aye';
opposed, 'no'. The Amendment's adopted. Further
Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Pugh, you have
two Bills, Sir: 224, 240. Mr. Clerk, read 240."

Clerk McLennand: "House Bill 240, a Bill for an Act to amend the
Unified Code of Corrections. Second Reading of the Bill.
No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Dart, on 252. Do
you wish to call this Bill, Sir? Read the Bill, Mr.
Clerk."

Clerk McLennand: "House Bill 252, a Bill for an Act to amend the
Abandoned Children's (sic-Children) Prevention Act. Second
Reading of the Bill. Amendment #1 was adopted in
committee. No Motions filed. Floor Amendment #2, offered
by Representative Dart."

Speaker Giglio: "Representative Dart."

Dart: "Amendment #2 clarifies the first Amendment here. This
also was an Amendment that was drafted by the Department of
Corrections so that it would not place an undue
administrative burden on them in going through with the
Bill, and I'd ask for its adoption."

Speaker Giglio: "Any discussion? Representative Wennlund."

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

Speaker Giglio: "He indicates he will."

Wennlund: "Do you know whether or not the Department of
Corrections has a position with respect to this Bill,
Representative?"

Dart: "They wrote this."

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Speaker Giglio: "Representative Wennlund."

Wennlund: "All right. Thank you. My question's been answered with respect to the... I understand they worked that out with the department on the language on Amendment #2. Thank you."

Speaker Giglio: "Further discussion? All those in favor of the Amendment say 'aye'; ... Representative Tom Johnson."

Johnson, Tom: "Yes, it's my understanding on this Amendment #2 there's also an Amendment #3, and it's my understanding that Amendment #3 there won't be any objection to, either. Is that correct?"

Dart: "Yes, Amendment #3 coming up next has also been agreed to."

Speaker Giglio: "All those in favor of Amendment #2 say 'aye'; opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "Floor Amendment #3, offered by Representative Tom Johnson."

Speaker Giglio: "Representative Johnson."

Johnson, Tom: "Yes, Amendment #3 is also I believe, agreed between the Department of Corrections and the Sponsor on this Bill, and it really just limits a...a the individual who these letters can be written to or not written to, and it deals with the defendant itself, but I think there's full agreement on this."

Speaker Giglio: "All those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Hoffman, on 382. Jay Hoffman on 382. Second Low Bidder Protection. Out of the record. Representative Lang, on 764. Out of the record. Representative Homer. Representative Dart, 1161.

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Representative Currie. Do you wish to call 1203? Out of the record. Representative Homer has a number of Bills on this order. If he'd like to call 'em, we'll come back to them. We're on Civil Justice, Second Reading. Representative Dart, 1161. Out of the record. Representative Santiago, 1277. Out of the record. Representative Currie, you have two Bills: 1319 and 1332. Representative Pankau, on House Bill 1386. Do you wish to call that Bill? This Bill, 1332, Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1332, a Bill for an Act amending the Open Meetings Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Wennlund."

Speaker Giglio: "Representative Wennlund, on Amendment #1. Take the Bill out of the record, Mr. Clerk. Representative Ryder, on 1391. Out of the record. Representative McAfee on 1466. Out of the record. Representative...Representative Blagojevich, on 1468. You wish to call this Bill, Sir? (House Bill) 1468. Criminal Gang Conscriptioin. Out of the record. Representative Lang, on 1575. Out of the record. Mr. Dart,1631. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1631, a Bill for an Act amending the Registered Titles (Torrens) Act. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Dart, we skipped over one and you weren't here. (House Bill) 1344. You want to call that one? Call that... Read that Bill, Mr. Clerk. (House Bill) 1344."

Clerk Rossi: "House Bill 1344, a Bill for an Act amending the Criminal Code of 1961. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

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Speaker Giglio: "Third Reading. Representative Levin, 1677. Out of the record. Representative Dart, 1723. Out of the record. Representative Currie, 1790. You sure? (House Bill) 1790. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1790, a Bill for an Act amending the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Rossi: "No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Hoffman, 1808. Corrections Penalty. Read the Bill, Mr. Clerk, 1808"

Clerk Rossi: "House Bill 1808, a Bill for an Act amending the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Kubik, on 1886. Representative Kubik in the chamber? Out of the record. Representative Lang, 1905. Out of the record. Representative Mulligan, 1917. Out of the record. Representative von Bergen-Wessels, 1940. Is the Lady in the chamber? Out of the record. Representative Cross, 2010. Representative Cross? Representative Levin, 2108. Out of the record. Representative Lang, on 2111. Out of the record. Representative Lou Jones, 2112. Representative Lou Jones. Out of the record. Representative Tom Johnson, 2156. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2156, a Bill for an Act amending the Criminal Code of 1961. Second Reading of the Bill. No Committee Amendments. No Floor Amendments. A...fiscal note has been requested on the Bill."

Speaker Giglio: "Leave the Bill on Second. Representative Dart, 2171. Out of the record. Representative Lopez, 2191. Lopez. Out of the record. Representative Parke, 2294. Read the

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Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2294, a Bill for an Act amending the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Giglio: "Third Reading. (House Bill) 1886, Representative Kubik. Representative Kubik. Representative Wennlund. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1886, a Bill for an Act amending the Juvenile Court Art. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Wennlund."

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. The committee requested that a section of the...the original Bill relating to access to law enforcement records of juveniles be deleted. This complies with the agreement in committee; and, in fact, deletes that section relating to access...to law enforcement records of juveniles by victims. It just complies with the agreement in committee. I move for its adoption."

Speaker McPike: "Representative McPike, in the Chair. Any discussion? The question is, 'Shall Amendment 2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Wennlund."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. This is at request of the Illinois State Police to include in the definition of a

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juvenile police officer, a state police officer designated by the Director of the Department of State Police. It's just a technical Amendment that adds into the definition as to what a juvenile officer..."

Speaker McPike: "The question is, 'Shall Amendment #2...3 be adopted?' The question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1332. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1332, a Bill for an Act amending the Open... A Bill for an Act amending the Open Meetings Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Wennlund."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you very much, Mr Speaker and Ladies and Gentlemen of the House. What Floor Amendment #1 does is it replaces the 48- hour posting requirement...for public meetings, under the Public Meetings Act and replaces it with one hour. Now, we think that one hour is certainly ought to be adequate...and I want to read to you from a transcript of the floor debate of March 11, 1993, when I asked the real Speaker of this House, 'Is it your opinion that one-hour notice complies with the reasonable public notice of meetings provisions of that section of the Constitution.' And the Speaker replied, 'Yes'. So, he went on to state that in answer to my question that one hour was reasonable public notice, and he responded again, 'Yes'. So, we think that one hour is really a reasonable notice under the Open Meetings Act of the agenda to be posted before any public meeting covered by that Act, and I ask

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for its adoption."

Speaker McPike: "The question is, 'Shall Amendment 1 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'noes' have it. The Amendment's defeated. Further Amendments?"

Clerk Rossi: "Amendment #2, offered by Representative Wennlund."

Speaker McPike: "Mr. Wennlund. Out of the record. The Gentleman withdraws Amendment 2. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. On Civil Justice, Third Reading. Representative Dart has a request on House Bill 1786. The Gentleman asks leave to return the Bill to Second Reading for an Amendment. Leave's granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Dart."

Speaker McPike: "Mr. Dart."

Dart: "Thank you, Mr. Speaker. This is merely a clarifying Amendment that was needed to make sure that the intent of the Bill was clear. It was an oversight, actually, on the LRB's part..."

Speaker McPike: "The question is, 'Shall Amendment 2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Education, Third Reading, appears House Bill 77, Mr. Santiago. Mr. Levin, on 125. Ellis Levin. (House Bill) 125. Mr. Dunn on, 347. Mr. Dunn? Mr. Weller, 418. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 418, a Bill for an Act amending the School Code. Third Reading of the Bill."

Speaker McPike: "Mr. Weller."

Weller: "Thank you, Mr. Speaker. House Bill 418 essentially puts

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in place an incentive for young people to do better in school by making drivers education a reward for passing grades. This Amendment...this legislation has no opposition. It passed overwhelmingly out of committee. It has the support of education groups, educators and students. I'd be happy to ask (sic-answer) any questions and ask for an 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 418 pass?' All those in favor, vote 'aye'; opposed, vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 110 'ayes' and 0 'nays'. House Bill 418, having received the Con... Laurino, 'aye'. Representative Andrea...Andrea Moore, 'aye'. Representative Hughes, 'aye'. On this Motion, there are 113 'ayes' and 0 'nays. House Bill 418, having received the Constitutional Majority, is hereby declared passed. Representative Balanoff, 521. Representative Brunsvold or Representative Cowlshaw. Representative Cowlshaw, 532. It's on the Agreed Bill list? All right. Representative Currie, 658. Representative Cowlshaw, we don't think it's on the Agreed Bill list. No...the Chair stands corrected. Representative Cowlshaw, you are correct, it's on the Agreed Bill list. Representative Currie, on 658. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 658, a Bill for an Act concerning comparable worth. Third Reading of the Bill."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Speaker..."

Speaker McPike: "Mr. Deering, for what reason do you rise?"

Deering: "Thank you, Mr. Speaker. Point of personal privilege. I have some students here from the Yokaville Emmanuel Lutheran School up in the gallery from my district. I'd

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like to give 'em a nice hand."

Speaker McPike: "All right. That introduction was against our rules. Representative Currie, proceed."

Currie: "Thank you, Speaker and Members of the House. House Bill 658 seeks to solve a problem in the wage rates that are set by the State of Illinois in respect to the work of its own employees and of those by the state university systems in respect to theirs. The issue is lack of comparability in wage rate. The issue is one of gender and race discrimination that infuses the wage rates that are set by our Department of Chil...of Central Management Services, and set by the university systems, as well. Study after study in state after state has documented the fact that when job classes are predominately filled by women or by members of minority groups, there is a tendency for those jobs to pay less at the end of the day, to produce wage packets that are smaller than jobs of comparable skill and effort, that are performed by people that are predominately male and are predominately white. For newcomers, I should let you know that we've dealt with this issue on the floor of this chamber before. In fact, this Bill, comparable Bill, passed this Assembly at least once and passed this chamber at least twice. The issue is a simple one. It's a simple matter of race and gender equity, and it...the point of this Bill is to see to it that we, as an employer, make sure that our employees, our workers (whether they are women, whether they are members of minority groups), are entitled to wage parity. The kind of parity that they would enjoy were they, in fact, in job classes that are...that are predominately held by white and male people. That's the Bill. It's a ten-year implementation plan so as not to break the state budget. I'd be happy to answer your

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questions, and I certainly would appreciate your support for our workers in predominately female and predominately minority job classes for those workers whose backs are bearing the brunt of our inability to treat them fairly when it comes to wage rate decisions."

Speaker McPike: "Representative Wennlund, on a 'do pass' Motion."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. For some of you that haven't been around here the last couple of years, this General Assembly and the Governor's office has spent the last two years severely cutting many budgets in this state. Department of Central Management Services estimates that this Bill, if passed and if signed into law, could cost as much as \$62.4 million to implement this program. It's something the State of Illinois simply cannot afford, in addition to the fact of the definitions of comparable worth. The Bill is not only costly but it's unnecessary, because in 1984, the average female salary was 78.5% of the average male's salary. This percentage has increased to 86.4%, so we've had almost a 10% increase in the last ten years, bringing female salaries within close proximity and close range to the male salaries. The increase demonstrates that this state is already eliminating barriers of sex-based discrimination without this Bill and without the principle of comparable worth. It starts and sends a bad message throughout Illinois that while we continue to try to bring things and everybody within control of the Human Rights Act, now we want to bring all people within control and within the purview of a comparable worth scenario. It sends a bad message to the state. It has failed in every year past, that I can recall, and it oughta fail this year and not become law."

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Speaker McPike: "The question is, 'Shall House Bill 658 pass?'

And then we will explain our votes. All in favor of a 'do pass' Motion vote 'aye'; opposed vote 'no'. Representative Parke, to explain his vote."

Parke: "Thank you, Mr. Speaker. Since I didn't have a chance to really to ask the Sponsor this question, I would like to ask all of you to think about this before you vote. The implementation of this law will require a further expansion of the bureaucracy of this state. It will require an agency to be established, employees to be hired, some kind of a system and paperwork to be established on something that is not necessary. All we have to do is enforce the current laws, both state and federal, to make sure that all women and all men are treated equally in the work force. This law is not necessary, and I would ask that you consider the additional costs that will be put upon this state to implement the bureaucracy which will be huge in terms of implementing this program. In the past when I've talked to the Sponsor, she has said that there will have to be an additional agency established, in the bureaucracy established, and I think that we cannot afford to even think about doing that. I would ask you all to vote 'no' on this idea."

Speaker McPike: "Representative Mulligan, one minute to explain your vote."

Mulligan: "Yes, I'd like to explain my vote. The cost to implement this may be going up, but we've been trying to implement it for a long time. In the past ten years, womens average pay has averaged anywhere from 64 cents to 72 cents that of a man on a dollar. When is it going to equalize? We don't know. It certainly doesn't appear to be in the near future, without some additional aid from government. I

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think it's very important to note that after this recent unemployment, I seriously think that it's going to drop. On the average, women make 69 cents on the dollar per man. I think it's time that Illinois comes into the real world and start recognizing that fact. I urge you to vote 'yes', and that's why I'm voting 'yes' on this."

Speaker McPike: "Representative Black, one minute to explain your vote."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. You know, Illinois has one of the strongest public sector collective bargaining laws in the country. Now, if you pass this measure, you will remove job salaries and classifications from the collective bargaining process. Labor and management wouldn't negotiate salaries and pay scales. If you remove these decisions from the collective bargaining process, then you're going to place these decisions in the hands...in the hands of courts. That's not what your constituents want. Lastly, I urge you to look at this carefully. This Bill is not legally required. There's case law, ample quantities of case law, that a failure to achieve comparable worth is not a violation of law, but don't destroy the collective bargaining process. Vote 'no'. And Mr. Speaker, I would request a verification, should it get the requisite number."

Speaker McPike: "Representative Lang, one minute to explain your vote."

Lang: "Thank you, Mr. Speaker. Some of the comments I'm hearing in opposition to this Bill just make no sense to me at all. We have one Speaker that talks about how isn't it great? Women and minorities are up to 86% of what white males are making. Wow, boy, we should be really proud that they're making 86%. I think that proves why we need this Bill."

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Secondly, to talk about collective bargaining...you know, we could talk about collective bargaining all day long, but if we're gonna allow through collective bargaining people to make less than other people who are doing the same job, then collective bargaining is worthless. This is a Bill about justice. This is a Bill about equity. It's a good vote. Vote 'aye'."

Speaker McPike: "Representative Schakowsky, one minute to explain your vote."

Schakowsky: "Thank you. Thank you, Speaker. I think this Bill sends exactly the right message. This says that women and minorities don't have to wait anymore; and contrary to what was said before, this Bill has passed both chambers in this General Assembly, and would be law today if it hadn't been vetoed by the Governor. The cost factor is not realistic. Minnesota instituted the most comprehensive Comparable Worth Act, and it costs less than 1% of payroll annually. There's a 10%, ten year phase-in period. I ask you to join me, and...the...and a large number of other organizations (including the AFL-CIO, the American Association of University Women, the Chicago Council of Lawyers, and on and on), all of whom are lined up to support this legislation. The time has come. I urge a 'yes' vote."

Speaker McPike: "Representative Giolitto, one minute to explain your vote."

Giolitto: "I...I'd like to point something out right now. Fifty percent of the homes in this country are female-headed. Single parent, where a woman is trying to support her children. Now, I think you ought to take that into account and realize that this is a very, very important piece of legislation. It's not okay that women are making less than 70%...70 cents to the dollar of a man. It's not right."

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Children are suffering because of it, and I urge your 'aye' vote."

Speaker McPike: "Representative Davis, one minute to explain your vote."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe that in the House of Representatives in the 87th General Assembly, we passed this legislation because we had gone through a great deal of study and recognizing that the salary of women, and many times the salary of people of a different ethnic background, is not the same as what it should be. I don't understand why all of the collar members are not voting for this Bill. We have a coalition of legislative women, and they're not all voting for this Bill. I don't understand that. We have some downstaters who are not voting for this Bill. I don't understand that. We're talking about eliminating sex and race discrimination in wage levels of state university employees. We're talking about phasing in, over a ten-year period, adjustments in pay rates to ensure that jobs requiring equivalent skills..."

Speaker McPike: "Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 60 'ayes' and 46 'noes'. Representative Black has asked for a verification. Mr. Clerk, read the affirmative. Representative Currie has asked for a poll of those not voting. Mr. Clerk, poll those not voting."

Clerk Rossi: "Representative Mautino."

Speaker McPike: "Poll the Affirmative."

Clerk Rossi: "Balanoff. Blagojevich. Brunsvold. Bugielski. Burke. Curran. Currie. Dart. Davis. DeJaegher. Edley. Erwin. Flowers. Frederick, Virginia. Frias. Gash. Giglio. Giolitto. Giorgi. Hannig. Hawkins. Hoffman. Homer. Jones,

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Lopez. Martinez. McAfee. McGuire. McPike. Moore, Eugene.
Morrow. Moseley. Mulligan. Murphy, Harold. Novak.
Ostenburg. Phelan. Phelps. Prussing. Pugh. Ronen. Rotello.
Saltsman. Santiago. Schakowsky. Schoenberg. Sheehy. Steczko.
Stroger. Turner. von Bergen-Wessels. Woolard. Younge and
Mr. Speaker."

Speaker McPike: "Mr.... Just a minute... Just a minute... Mr.
Black. Mr. Black. Mr. McGuire. Mr. Black, Mr. McGuire and
Mr. Lang would like to be verified. All right, Mr. Black,
questions of the affirmative."

Black: "Thank you very much, Mr. Speaker. Representative Giorgi?"

Speaker McPike: "Representative Giorgi? Zeke Giorgi? He's here."

Black: "Could you... Mr. Speaker, could you ask these people in
the front to move one way or the other."

Speaker McPike: "Yes, I agree. We have an entire aisle over here
filled with staff."

Black: "It's okay with me, but I just can't see through them."

Speaker McPike: "Right. Proceed."

Black: "Representative Burke?"

Speaker McPike: "Mr. Burke is here."

Black: "Representative Edley?"

Speaker McPike: "Mr. Edley? Mr. Edley here? The Gentleman's not
here. Representative Curran would like to be verified. Is
that all right, Mr. Black?"

Black: "That's fine."

Speaker McPike: "And Mr. Homer in the back would like to be
verified."

Black: "That's fine."

Speaker McPike: "All right. Representative Edley is not here.
Remove him from the roll call."

Black: "Representative Turner?"

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Speaker McPike: "Mr. Turner? Mr. Turner? The Gentleman's not here. Remove him from the roll call. Mr. Edley has returned. Mr. Clerk, return him to the roll call."

Black: "Representative...Gash?"

Speaker McPike: "Mrs. Gash is here."

Black: "I'm sorry. Rep... Representative Laurino?"

Speaker McPike: "Laurino's here. Mr. Lang would like to be verified. He's right up here. Okay."

Black: "Is Mr. Edley seeking recognition?"

Speaker McPike: "Yes, he is. Mr. Edley, how can I help you?"

Edley: "I'd like to change my vote from 'yes' to 'no'."

Speaker McPike: "Mr. Edley votes 'no'. Mr. Edley votes 'no'."

Black: "Thank you, Mr. Speaker."

Speaker McPike: "Mr. Clerk, would you record Mr. Edley as 'no'. Thank you."

Black: "Representative Woolard? Mr. Speaker?"

Speaker McPike: "Yes, Mr. Black."

Black: "Yes, thank you. Representative Woolard?"

Speaker McPike: "Representative Woolard? Mr. Woolard here? Mr. Woolard is not here. Remove him from the roll call. Mr. Turner has returned. Mr. Turner votes 'aye'."

Black: "Thank you, Mr. Speaker. Representative Brunsvold?"

Speaker McPike: "Mr. Brunsvold? Representative Brunsvold? The Gentleman's not here. Remove him from the roll."

Black: "Thank you, Mr. Speaker. Representative Giglio?"

Speaker McPike: "Frank Giglio? Mr. Charles Morrow would like to be verified. He's right here in the middle aisle."

Black: "That's fine. Yes."

Speaker McPike: "Mr. Giglio. Mr. Giglio is not here. Re...remove him from the roll."

Black: "Thank you, Mr. Speaker. I have nothing further."

Speaker McPike: "Mr. McGuire, for what reason do rise? Your light

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is on, Mr. McGuire. All right, turn Mr. McGuire's light off. Anything further? On this Motion, there are 56 'ayes' and 47 'noes'. Representative Currie. Postponed Consideration. Representative Steczo, on 730. Out of the record. Brunsvold, 783. Tim Johnson, 816. Representative Johnson? Mr. Turner, 895. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 895, a Bill for an Act relating to under-representation of certain groups in secondary education. Third Reading of the Bill."

Speaker McPike: "Representative Schakowsky, for what reason do you rise?"

Schakowsky: "Thank you, Mr. Speaker. I just wanted to make note that I voted incorrectly yesterday on Representative Hartke's semen Bill, and I'd like to change my 'yes' vote on HB904 to 'no'."

Speaker McPike: "Mr. Turner."

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

Speaker McPike: "Could we have a little order? Could we have a little order, please?"

Turner: "Thank you... Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. House Bill 895 creates the Under-represented Groups Educational Research Act, and it authorizes the Board of Higher Ed to distribute funds for research projects relating to under-represented groups in education, and development of strategies, curricular and programs to increase representation of those groups in post-secondary education, and in the number of faculties and administrators hired, promoted, and award tenure in these groups."

Speaker McPike: "On a 'do pass' Motion, Representative Wennlund."

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

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House. I understand the purpose of the Bill, but currently, the Illinois Board of Higher Education is always now required to collect data and report annually to the General Assembly on the status of under-represented groups in public colleges and universities. So, there's simply no need for this legislation. The Board of Higher Ed is already doing it, and implementation of this grant program will require additional funding or reallocation of dollars from current programs. And what this does is it runs contrary to the priorities, quality and productivity initiative that is recommending elimination of programs because of limited funding. We simply continue to cut over the last two years. It's gonna cost money. This is not a good Bill, and the Illinois Board of Higher Education opposes it. It should be defeated."

Speaker McPike: "The question is, 'Shall House Bill 895 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 77 'ayes' and 31 'noes'. House Bill 895, having received the Constitutional Majority, is hereby declared passed. House Bill 816. Read the Bill, Mr. Clerk. Mr. Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. I'm trying to keep up with you. You're faster than former Representative Breslin. What...what call are we on?"

Speaker McPike: "We're on Education, Third Reading. We've been going straight down the list."

Black: "All right. Thank you."

Speaker McPike: "(House Bill) 816. Read the Bill."

Clerk Rossi: "House Bill 816, a Bill for an Act amending the School Code. Third Reading of the Bill."

Speaker McPike: "Mr. Johnson, this is on the Agreed Bill list, to

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be voted on today. Mr. Churchill, on 109...1089. Churchill.
Mr. John Dunn, 1195. Representative Younge. Representative
Younge. Read the Bill, Mr. Clerk, 1307."

Clerk Rossi: "House Bill 1307, a Bill for an Act amending the
Public Community College Act. Third Reading of the Bill."

Speaker McPike: "Representative Younge."

Younge: "Thank you very much, Mr. Speaker. House Bill 1307 would
establish enterprise programs in the Illinois Community
College Board. The Illinois Community College Board
executive director agrees and wants to do this program, and
there's no opposition to the Bill."

Speaker McPike: "The question is, 'Shall House Bill 1307 pass?'
All those in favor vote 'aye'; opposed vote 'no'. Have all
voted? Have all voted who wish? ...The Clerk will take the
record. On this...Motion, there are 113 'ayes' and 0
'nays'. House Bill 1307, having received the Constitutional
Majority, the hereby declared passed. House Bill 1308.
Representative Younge. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1308, a Bill for an Act amending the
Public Community College Act. Third Reading of the Bill."

Speaker McPike: "Representative Younge."

Younge: "...much, Mr. Speaker. House Bill 1308 would establish a
Center for Urban Studies in the Illinois Community College
Board. The Executive Director, Mr. Israel, has...asked the
staff to prepare an Amendment that would make it
permissive. There is no opposition to this Bill, and I ask
for the passage of the Bill."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the
Chair. Has Amendment #2 been adopted to the Bill?"

Speaker McPike: "Mr. Clerk?"

Clerk Rossi: "Amendment #2 has been adopted."

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Black: "And... Fine. Thank you. Mr. Speaker, will the Sponsor yield for a quick question?"

Speaker McPike: "Yes."

Black: "Representative, with the adoption of Floor Amendment #2... Two questions: Floor Amendment #2 becomes the Bill?"

Younge: "That is correct."

Black: "And makes the Bill completely...permissive?"

Younge: "That's correct."

Black: "So, no...no...nobody has to do anything. If they want to, fine. If they don't want to, that's fine, too."

Younge: "It's permissive."

Black: "Totally permissive. Thank you very much."

Speaker McPike: "The question is, 'Shall House Bill 1308 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 112 'ayes' and 0 'nays'. House Bill 1308, having received the Constitutional Majority, is hereby declared passed. House Bill 1411. Representative Andrea Moore. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1411, a Bill for an Act amending the Minority and Female Business Enterprise Act. Third Reading of the Bill."

Speaker McPike: "Representative Moore. Representative Moore."

Moore, Andrea: "Thank you, Mr. Speaker and Members of the General Assembly..."

Speaker McPike: "Representative Moore..."

Moore, Andrea: "House Bill 1411 wou..."

Speaker McPike: "This... This Bill's on the Agreed Bill list."

Moore, Andrea: "Thank you very much, Mr. Speaker, and I would ask for support. Okay, so, it is done, I guess thank you will do it."

Speaker McPike: "All right, this Bill's on the Agreed Bill list,

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and we'll vote on it later today. House Bill 1652, Representative von Bergen-Wessels. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1652, a Bill for an Act relating to general state aid for school districts. Third Reading of the Bill."

Speaker McPike: "Representative von Bergen-Wessels."

von Bergen-Wessels: "Thank you, Mr. Speaker. This Bill returns to downstate schools the payment which was taken from them in fiscal year 1992. It would require the state to do the borrowing, rather than the individual school district doing the borrowing to tide them through. It is a an important vote for downstate districts, and I would urge your support."

Speaker McPike: "On the Motion, 'do pass', Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, I want to make this perfectly clear. I voted for this Bill last year, so I'm not...I'm not attempting to kill this Bill. What I am attempting to do is to focus attention on Committee Amendment #1. Is that still... Is that still in the Bill?"

von Bergen-Wessels: "No, Sir, that was remove...that was tabled. The Amendment was tabled."

Speaker McPike: "Mr. Clerk. Amendment #1. Is it on the Bill or not?"

Clerk Rossi: "Amendment #1 is not on the Bill."

Black: "All right, Mr. Clerk."

Speaker McPike: "Mr. Black."

Black: "Committee Amendment #1?"

Clerk Rossi: "Amendment #1 was adopted in committee."

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Black: "That's the point of my inquiry. If that Amendment's on the Bill, we have a problem."

Speaker McPike: "No. Mr. Black."

Black: "Yes."

Speaker McPike: "Committee... Committee Amendment #1, since it was a Committee Amendment, was obviously adopted in committee. That Committee Amendment was tabled on the floor."

Black: "Okay, that's what I want to make certain."

Speaker McPike: "Not on the Bill."

Black: "All right. Now, Mr. Speaker, could I ask the Sponsor a question?"

Speaker McPike: "Yes."

Black: "Thank you. Representative, to the best of your knowledge, and for purposes of legislative intent, there is nothing in this Bill that would allow the Chicago schools, and I'm not trying to pick on Chicago, but they're on a different fiscal year. So, it is not your intent in a delayed state-aid speed-up to give Chicago any extra payment due to the fact that they are on a different fiscal year. You...you've...you've remedied that situation, correct?"

von Bergen-Wessels: "Yes, Sir. Yes. It is not my intent to give them extra money. You're absolutely correct."

Black: "Could...could you refresh my memory? You're...you're talking in this Bill about one month's state-aid payment, right?"

von Bergen-Wessels: "Correct, Sir."

Black: "Does the... How much money is it? I can't remember. I know one month is equal to..."

von Bergen-Wessels: "Approximately \$176 million for all the schools involved."

Black: "All right. And you have...have corrected...the problem

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where 25% of that early payment would go to the City of Chicago in the past fiscal year, which I don't believe was your intent? You're satisfied that that is not in the Bill."

von Bergen-Wessels: "Yes, Sir."

Black: "Thank you."

Speaker McPike: "The question is, 'Shall House Bill 1652 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Cowlshaw, to explain her vote."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A Bill identical to this one was passed in 1992 and was vetoed by Governor Edgar. In his message he said something I found very interesting. He said, 'The provisions of this Bill are hocus-pocus language that is a product of the same political posturing and fiscal fecklessness that plunged the state into the budgetary chaos in which it is now engaged'. This is exactly what this is, and I suggest, since I don't know where we're going to find the \$176 million, that the appropriate vote, the responsible vote, is 'no'."

Speaker McPike: "Mr. Parke, one minute to explain your vote."

Parke: "Thank you, Mr. Speaker. I didn't get a chance, but would the Sponsor just nod their head. Does this affect suburban Cook County? So, it's Chicago and suburban Cook County? Thank you."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker. I, too, didn't get a chance to ask a question. Penny, could you nod your head? Does this Bill affect Chicago? It does not affect Chicago because Chicago can't borrow any money, is that correct? They took Chicago out?"

Speaker McPike: "Representative Davis, perhaps you could walk

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over and talk to Representative von Bergen-Wessels."

Davis: "No, it's all...all right, Representative. It has been answered by staff. Thank you very much, Representative McPike."

Speaker McPike: "Thank you. Representative Novak, one minute to explain your vote."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Representative Cowlshaw, I have a lot of respect for your integrity. You know, it was my... It was my Bill that was passed last year by overwhelming support in both chambers of the General Assembly that was subsequently vetoed by the Governor. Unfortunately, his...his media spin-doctors and their responses to the Bill certainly didn't recognize the need and the devastation that we reaped upon school districts throughout the State of Illinois by that delayed aid payment. I'm happy to see that there are so many green Democratic and Republican votes...on this piece of legislation, and hopefully, this Bill will not die in Rules (sic-Rules Committee) in the Senate, and get back to the Governor's desk so we can re-emphasis the fact that what happened in Senate Bill 45 was wrong and needs to be corrected. Thank you."

Speaker McPike: "Representative Deering, one minute to explain your vote."

Deering: "Thank you, Mr. Speaker. I'm...I'm surprised to see all those red votes. Clearly, this is a choice between kids and concrete, and I'm proud to vote for the kids."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 91 'ayes' and 21 'noes'. House Bill 1652, having received the Constitutional Majority, is hereby declared passed. House Bill 1695, Mr.

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Burke. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1695, a Bill for an Act amending the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Burke."

Burke: "Thank you, Mr. Speaker. I believe there is a Amendment that's been filed and distributed."

Speaker McPike: "Mr. Clerk, is there an Amendment filed?"

Clerk Rossi: "Amendment #1 was adopted previously. No further Amendments."

Speaker McPike: "Amendment #1 has been adopted to the Bill."

Burke: "Thank you, Mr. Speaker. To the Bill. House Bill 69...pardon me, 1695 would provide that high school attendance centers...that is, high school attendance centers, there may be a further reduction in teachers during the first day of the second semester due to a decrease in student membership or a change in subject requirements. Based on the information I've been provided by the Chicago Board of Education, there is in this Bill a potential savings of \$2 million that would be available to the board. I might also reflect on an article that Representative Cowlshaw brought to the committee's attention regarding these cuts, or if I might quote from the Tribune editorial, 'There are some things Legislators could do without spending money. They could start by repealing a number of union protection laws that preserve superflous jobs and prevent city schools from efficiently managing themselves. This wouldn't cost the state treasury a dime, although it might jeopardize labor contributions to some legislative campaign coffers'. And I would like to thank Representative Cowlshaw, again, for that article, and I'm willing to answer any questions that the Members might have."

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Speaker McPike: "Representative Davis, on the 'do pass' Motion."

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

Speaker McPike: "Yes."

Davis: "Alderman Burke or Representative Burke, I apologize. You do know we are very good friends, and I do have the upmost respect for you and your integrity. Does this Bill violate the 1988 School Reform Law that was passed in this General Assembly?"

Burke: "To my understanding of this Bill, it doesn't violate but it does amend."

Davis: "It does change it."

Burke: "It changes..."

Davis: "Is the Chicago Teachers' Union in agreement with your Bill or are...is the Chicago Teachers' Union opposed to this?"

Burke: "I understand that they are probably in opposition."

Davis: "Beg your pardon?"

Burke: "They are in opposition to the Bill."

Davis: "Yeah, they're in big opposition to the Bill for the simple reason that what this Bill will do is do...undo what school reform was intended to do and that was halt some of the bumping that occurs. You see, when you remove one teacher from a spot and put that teacher somewhere else, it creates a ripple or domino effect. And you start this movement of one teacher here and another teacher here, and you get all of the parents' complaints about the instability. I don't see how you save \$2 million, when you're gonna have to put those people someplace in that system to teach. We... There's a teacher shortage. There are overcrowded classrooms. And we're talking about recreating a process that it took hours and hours and hours to get into the school reform package. And the purpose was

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to eliminate the bumping that occurs. Now, the legislation in '88 said it would eliminate the bumping on the first 21 days of school, right? Now, your Bill says let's wait till February, the second semester, the first half of the semester..."

Burke: "First day of the second semester."

Davis: "Yeah, and I...I don't think it...it stops the problem. It merely changes the date of the problem."

Burke: "You know, there's also, Representative, I might comment, there are conditions under which the teacher could be reduced or the staff could be reduced, and that's only based on...the decrease in student membership. So, in other words, if there are classes where there could only be five or six students, they would no longer have the need for the teacher and those students would have...would have to be placed in another classroom. Now, I know it's been our experience, particularly in our districts that our schools are greatly overcrowded. And I don't think it would be a problem in my particular district that, indeed, there are districts within the city (school districts that is) that have this problem, where there is a high transient community, high mobility of students, and we find that the population shift routinely. And the board's goal in this Bill, again, would be to see to it that we don't have classrooms of very few students. So..."

Davis: "Well, I think the board wants to go back to that same old practice where the...the board...the personnel department is pulling one teacher from here and putting another teacher here. The personnel department will pull all these teachers, create all that chaos, create all that community uproar because a child will have had four or five teachers in a matter of less than thirty days. I really think, to

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the Bill, Mr. Speaker. I really think we'd be better off in the General Assembly, hopefully, leaving as much as that school reform Bill that we passed in '88 intact. And the reason we need to do it on this section of that Bill is because it's gonna create a lot of bumping of teachers. It's gonna create a great deal of...of instability in the system, and that's what this Bill was drafted for. You know, I...I know the teachers union is not worried about their teachers being employed, as you stated. Most of those schools are overcrowded. They are begging for teachers in that system; and it's just, in my opinion, to vote against this Bill will help eliminate a lot of the confusion and the bumping and the instability that will occur if this Bill passes. Thank you."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. I wish to commend Representative Burke for this piece of legislation. At last I see an oasis in the desert, a lifeboat, a lifeboat in the stormy seas that surround the Chicago school system. This man should be commended for this Bill. The taxpayers of Chicago and the city...the State of Illinois should be forever in his debt, because it's going to allow the Chicago School Board to save money by reduce...a reduction in force. Now, nobody likes a reduction in force. Nobody's going to applaud for a reduction in force, but there are times when it's necessary, because of declining enrollment or curricular changes. The Chicago Board of Education does not now have the authority to do the kind of reduction this Bill will give them. This is an outstanding piece of legislation. It shouldn't be anti-taxpayer or anti-union or anti-kids or anti-schools. It's just good common sense. I intend to vote

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'aye', and again I thank Representative Burke for a fine piece of legislation."

Speaker McPike: "The question is, 'Shall House Bill 1695 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Roskam, to explain his vote."

Roskam: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, also, rise in support of Representative Burke. Coming from a suburban area that perceives itself (and I think very rightly so) as often times as subsidizing the City of the Chicago, in particular the school system, my sense is that the city will gain great credibility from suburban taxpayers if they support this type of initiative, so I would urge an 'aye' vote."

Speaker McPike: "Representative Cowlshaw, to explain her vote."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. As I cast this 'yes' vote, I do so with gratitude to the Sponsor of this legislation. Representative Burke, this is the kind of additional flexibility in the management of the Chicago Public Schools that has been needed for a very long time. And I know that it took some courage for you to sponsor this Bill and stand, as you have stood, so strongly in favor of it. I not only agree with it, but I commend you, and once in while we need to say that to one another. Thank you, Mr. Speaker."

Speaker McPike: "Representative Curran, to explain his vote."

Curran: "Thank you, Mr. Speaker. I, too, have the highest respect for the Sponsor of this Bill and it looks as if the die is cast. But I'd like the Members to understand that the Chicago School Board could have had a reduction in force, if they had just gone along with the early retirement voluntarily allowing teachers to retire early, saving \$20, \$30, \$40 million a year for the next ten, 15 years. But the

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Chicago School Board unwisely chose not to do that, and so then now we get this kind of legislation from a well-intentioned, intelligent Sponsor, but yet legislation which really undoes the contract that the Chicago teachers have engaged in with the Chicago School Board, and I think seriously threatens the ability of those two parties to continue meaningful negotiations in the future. If you want to do something to destroy the Chicago schools, to make sure that the Chicago schools are not going to open next year..."

Speaker McPike: "Representative Burke, to explain his vote."

Burke: "Thank you, Mr. Speaker. As it was suggested earlier in debate, this is not an issue that would affect teachers being bumped. It is simply the opportunity for the board to reassign teachers that are already in the system. Further, again, it's an opportunity to begin to save a few dollars. Two million dollars is not going to even touch the issue of the \$30...\$300 million deficit that they're suffering under. So I would ask that we take the roll on this."

Speaker McPike: "Representative Blagojevich."

Blagojevich: "I would only rise to...ask all the Members of this Body to again maintain their 'yes' votes on this Bill. I am a product of the Chicago public schools. I sometimes wonder if I'd be a lot smarter had I gone somewhere else. The fact of the matter is, there is a crisis in Chicago..."

Speaker McPike: "Excuse me, I...I cut you off too early. Mr. Blagojevich, go ahead... Proceed."

Blagojevich: "Any event, the fact of the matter is there's a crisis in Chicago with regards to our schools and with regard to public education. We need change. What Representative Burke is offering is change with regard to utilizing the resources that the public schools have and

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utilizing them in the way that would maximize those resources. That's all this Bill really says. If there's a classroom with a small number of students, why shouldn't teachers go to a classroom where there is a larger number? Representative Burke has the courage to attempt to change something that needs a lot of fixing, and I strongly recommend a 'yes' vote as a Chicago Representative and as a product of the Chicago public schools. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 84 'ayes' and 15 'noes'. House Bill 1695, having received the Constitutional Majority, is hereby declared passed. Representative Brunsvold, on 783. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 783, a Bill for an Act amending the School Code. Third Reading of the Bill."

Speaker McPike: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 783 deals with inclusion of special ed children. My underlying Bill sets two members being appointed to the committee... parents...two parent members to that committee. That's what the underlying Bill does. An Amendment on the Bill by Representative Blagojevich...dealt with including...or having the students individually considered when inclusion into a classroom. So, I would ask...the adoption and the passage of House Bill 783 and would answer any questions."

Speaker McPike: "Any discussion? The question is, 'Shall House Bill 783 pass?' All those in favor vote 'aye'; opposed vote 'no'. 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 0 'nays'. House Bill 783,

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having received the Constitutional Majority, is hereby declared passed. It's the Chair's intention at this time to go to... Representative Mulligan, for what reason do you rise?"

Mulligan: "Thank you, Mr. Speaker. I'd just like to request I'm a 'yes' vote on the last Bill."

Speaker McPike: "All right. The Lady had intended to vote 'aye' on the prev...on House Bill 783. The record will so reflect. Representative Leitch."

Leitch: "Thank you, Mr. Speaker. We would like to request a Republican Conference for about 45 minutes."

Speaker McPike: "Fine."

Leitch: "...in Room 118."

Speaker McPike: "All right. The House is...is... The Republicans have requested a Conference in Room 118 immediately for 45 minutes. The Democrats will go to lunch. The House will stand at ease until 1:00 p.m. Representative Wennlund, have the House Republicans finished their caucus? The House will come to order. House Bills, Third Reading. Education. Continue where we left off before the...the break, appears House Bill 1756, Representative Martinez. Mr. Martinez. Representative Novak, 1763. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1763, a Bill for an Act relating to school funding. Third Reading of the Bill."

Speaker McPike: "Mr. Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I move to use the appropriate rule and table House Bill 1763."

Speaker McPike: "I think you just have to come up and fill out a slip and that tables it."

Novak: "Okay."

Speaker McPike: "Representative Phelan, 1932. Out of the record."

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Mr. Turner. Mr. Turner, 2027. Representative Bugielski. Bugielski. Representative Phelan, on 2073. Representative McAfee, 2077. Mr. Levin, 2105. Mr. Persico, 2130. Persico? Representative Levin. Representative Flowers. Representative Brunsvold, 2274. Representative Gash. Mr. McAfee, on 2077. Read the Bill, Mr. Clerk. No? Out of the record. Now, if there are any Legislators in their offices, the Chair would request that you come to the floor, so we could do some Third Readings. Novak."

Novak: "Yes, Mr. Speaker. An inquiry of the Chair. What...what special order are we on or we intend to go on?"

Speaker McPike: "Well, right now we're on Education, but no one wanted to call their Bill."

Novak: "Well, I have a Bill. It's not on that Special Order, but it's House Bill 325. It's on Third Reading. I'd like to take it back for an Amendment."

Speaker McPike: "All right. What...what order is it on?"

Novak: "It is on... Wait a minute. Let me get my sheet. Sorry, Mr. Speaker. Constitutional Officers."

Speaker McPike: "All right. We'll go to Constitutional Officers, Third Reading. The first one is Representative Balanoff. The Gentleman's not here. Representative Novak, House Bill 325. The Bill's on Third Reading. He asks leave to return it to Second Reading. Leave's granted. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Novak."

Speaker McPike: "Mr. Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 was filed at the request of the Secretary of State's Office. It dealin... It deals with the road fund money with respects to the cap, and...it's agreed

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to by the agency. I ask for its adoption."

Speaker McPike: "The question is, 'Shall Amendment...#1 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Salvi, for what reason do you rise?"

Salvi: "Mr. Speaker, I'd like to call a Bill that's on Third Reading. It's on a special order of business. House Bill 1439."

Speaker McPike: "What special order of Business is it on?"

Salvi: "Transportation. It's an asphalt Bill. I'd like to move it back to Second and put an Amendment on it."

Speaker McPike: "(House Bill) 1439?"

Salvi: "(House Bill) 1439, yes."

Speaker McPike: "It's not on a special order."

Salvi: "Well, neither... I don't think the other one was, either."

Speaker McPike: "Yes, it was. It's under Constitutional Officers... His Bill was..."

Salvi: "Can you make an exception in this case? It was on the special order for a while and it disappeared."

Speaker McPike: "Well, that happens sometimes. Ya' know..."

Salvi: "Could I ask that a special exception be made for House Bill 1439?"

Speaker McPike: "Absolutely, and as soon as you get that on special order, we'll go to it."

Salvi: "Can... Can I hold you to that, Mr. Speaker?"

Speaker McPike: "Yes. Yes."

Salvi: "Thank you."

Speaker McPike: "All right. Representative Hawkins has a Bill on Special Order, Local Government on Third Reading. Do you

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have an Amendment to that? You have an Amendment for that?

Mr. Hawkins."

Hawkins: "No."

Speaker McPike: "No?"

Hawkins: "No Amendments. Ready for Third Reading."

Speaker McPike: "No, we're not ready for that. Elections and State Government, Third Reading. House Bill 73, Representative Giolitto. Giolitto. Well, he's not here. Yes, Representative Martinez has returned to the floor. On Education, Third Reading. (House Bill) 1756. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1756, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Mr. Martinez. Mr. Martinez, your...your switch is on."

Martinez: "Thank you, Mr. Speaker, Members of the House. This Bill provides bussing for children who have to walk through gang territory to get to school. There already exists provisions in the statutes for transportation of children in hazardous conditions. This Bill just defines another hazardous condition for these students. I have talked with the State Board of Education, and they are not opposed to this Bill. I ask your favorable consideration."

Speaker McPike: "On a 'do pass' Motion, Mr. Wennlund."

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

Speaker McPike: "Yes, he will."

Wennlund: "Yes, Representative, can you define for the Members of the House what the term 'persistent criminal activity' means and how it's measured? I mean, is it ten murders a week or a year or what?"

Martinez: "That will be determined by the Department of Transportation and the superintendent of education."

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Wennlund: "All right. Thank you."

Speaker McPike: "Representative Cowlshaw."

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

Speaker McPike: "Yes."

Cowlshaw: "Thank you. Representative, my question has to do with the one of the provisions of this Bill is that the guidelines for determining under what conditions the...this...something called 'persistent criminal activity' exists are to be set forth by the Illinois Department of Transportation. Now, I am not... I understand the purpose of this Bill, and certainly we all want to protect school children from gang activity or other 'persistent criminal activity', but I don't understand why the Department of Transportation should be setting these guidelines. Wouldn't you think it would be some element of the criminal justice system that would set those guidelines?"

Martinez: "This is the way bussing of children is dealt with under the...the bussing laws."

Cowlshaw: "Mr. Speaker, I'm sorry, I couldn't hear the Sponsor's answer."

Martinez: "I said that this is the way that the...superintendent of DOT...superintendent of education deals with...this mandate of school bussing..."

Cowlshaw: "Do I understand you to say that DOT always handles these kinds of things, whether they have to do with transportation problems or any other? Is that right?"

Martinez: "It is my understanding the...when we're dealing with bussing, Transportation has the authority..."

Cowlshaw: "Thank you very much...for answering those questions. Thank you, Mr. Speaker."

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Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I stand in support of this Bill. It's an excellent Bill that protects school children. It just simply says that if kids are less than a mile-and-a-half from school but they're in a area of high crime, we'll take care of their transportation to keep them safe to school and from school. I have a Bill in the next few couple of days I hope we'll vote on regarding corporal punishment in the schools. Safety of children is important. Safety in the home. Safety in the playground, and certainly safety to and from school is critical, if they're to grow up to be productive citizens in our state. It's a good Bill. Vote 'aye'."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House. To the Bill. I also stand in support of this Bill. This is nothing more than an extension of what many of us in the state already enjoy. The Gentleman has already...has worked very hard on this Bill. Children throughout Illinois can be transported to school by parents or others and they receive reimbursement for this...for construction projects, a road that is heavily traveled and we don't have a...cross over-walk for the kids. He's addressing a problem in his area. IDOT handles this throughout the state. I think he's worked hard on the Bill. Vote 'aye'."

Speaker McPike: "Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Speaker. When we talk about the Department of Transportation, we're not establishing a new precedent. Anytime that there is a variance, that variance has to come before the Department of Transportation. Then they have an opportunity of agreeing or disagreeing. I

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think it's a very well-constructed Bill, and I believe that that merits your support."

Speaker McPike: "Question is, 'Shall House...Shall House Bill 1756 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 113 'ayes' and 0 'nays'. House Bill 16.. House Bill 1756, having received the Constitutional Majority, is hereby declared passed. Returning to Constitutional Officers, House Bill 318. The Gentleman asks leave to return the Bill to Second Reading. Leave's granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Balanoff."

Speaker McPike: "Mr. Balanoff."

Balanoff: "Mr. Speaker, I'd like to withdraw Amendment #2."

Speaker McPike: "Has Amendment #2 been adopted? The Gentleman moves to table Amendment #2. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. Amendment #2's tabled. Further Amendments?"

Clerk Rossi: "Amendment...Amendment #3, offered by Representative Balanoff."

Speaker McPike: "Mr. Balanoff."

Balanoff: "Amendment #3 is basically a technical Amendment. It does the same thing as Amendment #2, creating a fund for..."

Speaker McPike: "The question is, 'Shall Amendment 3 be adopted.?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments."

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Agriculture and Conservation,

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Third Reading. Representative Brunsvold has a Bill to return to Second. House Bill 1552. The Gentleman asks leave to return the Bill to Second Reading. Leave is granted. Mr. Clerk, any Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Brunsvold."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Amendment #2 replaces the Bill...becomes the Bill. The language in the...in the Bill and the first Amendment #1 was not proper. This Amendment clarifies all the language dealing with out-of-state hunters. In answer to Representative Black's request on Indiana, we don't have any reciprocity with Indiana at all on non-resident landowners. It, also, adds some clarifying language dealing with taxidermy that was requested by the Department of Conservation. That's the Amendment and the Bill and ask for the adoption."

Speaker McPike: "The question is, 'Shall Amendment 2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Elections and State Government. Representative Giolitto? House Bill 73. Miss Giolitto. Out of the record. Representative Curran, on 218. Mr. Curran. The Gentleman's not here. Representative Pugh. Mr. Ryder, for what reason do you rise?"

Ryder: "Mr. Speaker, I rise for a point of personal privilege. As you know today is April 15. For those of us who know a little bit about it, today is tax day. And for all those that haven't finished their work, I have in my office the Form 4868. That's the extension for a time to file. There's no charge for those forms. I'll be glad to distribute them

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to anyone who might care to use them, although in the case of the Speaker, we would appreciate it if you would pay because we need the money."

Speaker McPike: "Well, Mr. Ryder, the forms are free. Is your legal advice free, also?"

Ryder: "Mr. Speaker..."

Speaker McPike: "Never mind. Mr. Black just informed me that it wasn't worth very much. Mr. Ryder."

Ryder: "Less than what I charge, but it is not worth all that much. You're right."

Speaker McPike: "Representative Pugh, could you... Could the Gentleman have your attention, please? Representative Pugh."

Pugh: "Mr. Speaker. April 15th... As we all know, April 15th is tax day, but it also has a very special significance in the African-American community, in that April 15th was the birth date of one of our former Members and our past mayor of Chicago, Mayor Harold Washington. And I'd like to... I'd like for the Members of the House to...take a moment... I'd like the Members of the House... I'd like all the Members of the House... I'd like all the Members of the House... I'd like all the Members of the House... I'd like all the Members of the House to take a moment and reflect...on our great leader, Mayor Harold Washington. Thank you very much, Mr. Speaker."

Speaker McPike: "Thank you, Mr. Pugh."

Clerk Rossi: "House Bill 641, a Bill for an Act in relation to employment opportunities. Third Reading of the Bill."

Speaker McPike: "Representative Younge."

Younge: "Thank you, Mr. Speaker. House Bill 641 would create the Illinois Guaranteed Job Opportunity Act. As I...I was thinking about what Representative Pugh has just done, I

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thought about the concern of Dr. Martin Luther King with the young people of this country. The young people are greater victims and there are more homicides and killings and drug dealers and school dropouts in Illinois, as a result of the events than ever before. It is time that we tried to give some type of alternative to our young people, and House Bill 641 would do that. It would create the Illinois Guaranteed Job Opportunity Act, and it would mean that in each area in Illinois...involving 300,000 people that would be...an executive council set up. On the Executive Council would be members of labor, members of the business community, the mayors of the largest cities and community representatives who would decide what the projects would be, what would be the work opportunities for these young people. They would work 32 hours a week. They would have to go to school. They would be members of job clubs. They would learn how to write resumes. They would learn how to get... They would work on till they completed their high school diplomas. It is absolutely impossible to succeed in America any more, if you don't have your high school diploma, and we've got half of our young people dropping out of school. The...person would earn the minimum wage, or if the person is currently on...public assistance...what would be earned would be one...10% higher than what they would get from a ADC check. There is \$2.5 million...billion in...President Clinton's jobs' bill. Part of that money will come into Illinois, and I am recommending and asking you to vote for this Bill because it will define in a fair way how jobs, service jobs can be...guaranteed to our young people, 16 years or older. One-third of the moneys would go to high unemployment areas, one-third of the moneys would go to areas in which

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there is high public assistance, and one-third would be in areas where there are plant closings. I have talked with the Department of Labor and, the state Department of Labor. I...think there is a great deal of enthusiasm about this Bill. It is time for us to act, to bring jobs to our young people, and I think that Senator Simon has written a very good Bill that will handle the policy decisions in reference to the expenditures of these federal funds. So, I ask you to vote 'yes' on House Bill 641."

Speaker McPike: "Representative Andrea Moore."

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

Speaker McPike: "Yes, she will."

Moore, A.: "I have several questions and concerns regarding this Bill, because I must admit it really does sound like a good opportunity for the state, but one of the concerns is that...you say you'd like to bring jobs to young people and that that is our role to bring jobs to young people or to provide an environment where the private sector can bring jobs to young people. And the concerns relating what this will actually cost us, who pays the individual salaries and who pays the benefits for this proposal? Are we going to have projects that we would not otherwise be doing before we even have a commitment on the federal moneys. Could the Sponsor please address those questions?"

Younge: "Thank you very much for those questions. First of all, the funds to pay for this Bill would come from the Federal Jobs Act. Two-and-a-half billion dollars of the jobs Bill that is now going through Congress will be for public service type jobs. The intent is that...what the executive councils that will be set up under the Act will decide in a particular county what the projects are, what needs to be fixed. The Bill is written in such a way to make sure that

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there be no displacement of workers that are presently employed for these particular projects that will be decided by the jobs councils, which will include labor, private business and government and all of the key decision makers in the particular county. The Bill is very well written. It was written by United States Congressman, Paul Simon, and it thinks through many of the policy decisions in order to have a fair expenditure of federal funds when they come to Illinois."

Moore, A.: "So, let me understand correctly. You're saying that this is federal money that we don't yet have committed that is going to pay...pay for this program?"

Younge: "Yes. I'm saying that in Congress right now there is a Bill that would provide \$2.5 billion for service type jobs for young people, and I'm saying that we ought to have the thinking behind us as to some type of structure that can fairly handle the hiring of our young people in those service jobs, and I'm recommending this because it has been endorsed by the AFL-CIO of Illinois and the unions, and it's a good Bill. It's well written, and I think it will give us an approach as to how we ought to handle our youth employment programs."

Moore, A.: "I think the Bill may have some merit, but at this time, it's premature because the federal funds have not yet been committed; and when they are, I think it's a more proper consideration of this Bill, and I urge voting 'no'."

Younge: "Well, the only thing holding up..."

Speaker McPike: "Ms. Younge, that was not a question."

Younge: "Okay."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I rise in reluctant opposition

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to the Sponsor's Bill. You know, the title alone should give you pause. We have given our young people so many false hopes and false promises, and to pass a Bill out of here that says the Illinois Guaranteed Job Opportunity Act, they aren't...they aren't that foolish. They know nobody can guarantee them a job or guarantee them an opportunity for a job in these economic times. Secondly, how many job programs do you want in this state? We have JTPA. We have the old Comprehensive Employment and Training Act. We run ITP. We run more job training programs than we can keep track of now. Most of them aren't held accountable. You know, again, I don't rise to quarrel with the intent of the Sponsor's Bill, but at some point you have to say, 'Let's see if what's out there works'. If JTPA doesn't work, then let's do away with it and put this in its place. If President Clinton's summer jobs program doesn't work, then let's put this in its place. If community action programs all over the state don't work, then let's put this in its place. But what I'm saying to you is, 'let's coordinate and consolidate'. Let's not put out one more job training Bill until we can get a chance to see what the new President's going to do, and let's (whatever we do), make sure it works and give it the support it needs. This is not guaranteed funding, and no matter how noble the idea, you're just piling another program on top of six or seven others and then nobody's held accountable. I reluctantly vote 'no'."

Speaker McPike: "The question is, 'Shall House Bill 641 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 65 'ayes' and 44 'noes'. House

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Bill 641, having received the Constitutional Majority, is hereby declared passed. Mr. Saltsman, on 712. Mr. Ostenburg, 820. Mr. Curran, 831. Mr. Hannig, 915. Mr. Hannig. On the Order of Law, Supplemental Calendar Announcement."

Clerk Rossi: "Supplemental Calendar #1, Agreed List...Agreed Bill List is being distributed."

Speaker McPike: "Could the Chair have the attention of all the Members, please? This is the first time this year we've done an Agreed Bill list, so for the 44 freshmen that are here, we want to make sure you understand what we're doing. This Supplemental Calendar #1 is being passed out, and you will have time to look through these Bills. These Bills have been reviewed by Democratic and Republican leadership and put on this list. We will vote on this list sometime this afternoon, and you can all vote 'aye' on this list and then fill out a form and vote 'no' on individual Bills. To explain this again, we're going to vote on all the Bills on this Calendar with one vote; and if you so choose, you can vote 'aye' on this whole list. If you want to vote 'no', you can vote 'no' on the whole list; but if you vote 'aye' and you can find one or two or ten Bills that you want to vote 'no' on, there's a form to fill out. You fill out the form, then the Clerk's office tabulates the results, and about three hours after we vote the Chair will announce whether not the Bills passed. If you have any questions, you should ask the...the floor leaders on your respective sides of the aisle to explain it. You should ask Mr. Black or Mr. Granberg to explain it. Thank you. All right. On this list...on this list there are two Bills that have now been removed from the list. House Bill 2290 and House Bill 1229 have been removed from this list. Law, Second Order,

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appears House Bill 45, Mr. Parke. Representative Parke.
Read the Bill, Mr. Clerk."

Clerk Rossi: " House Bill 45, a Bill for an Act to amend the
Illinois Parentage Act of 1984. Second Reading of the
Bill. No Committee Amendments. Floor Amendment #1,
offered by Representative Parke."

Speaker McPike: "Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Floor Amendment #1, in essence, says that...amends
the Parenting (sic-Parentage) Act to include DNA as an
acceptable type of parental...of parenting testing. It was
drawn up by the Illinois Trial Lawyers Association, in
which I concurred with, and I present the Amendment for the
Body to accept."

Speaker McPike: "Any discussion? Question is, 'Shall Amendment
#1 be adopted?' All in favor say 'aye', opposed, 'no'.
The 'ayes' have it. The Amendment's adopted. Further
Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 49, Representative
Johnson. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 49, a Bill for an Act amending the
Criminal Code of 1961. Second Reading of the Bill.
Amendment #1 was adopted in committee. No Motions filed.
No Floor Amendments."

Speaker McPike: "Third Reading. All right. The Chair has erred.
The Clerk has informed the Chair that there have been a
number of fiscal notes requested on this Bill. Mr. Clerk,
have they been filed?"

Clerk Rossi: "A correctional budget impact note has been filed,
but a fiscal note as amended, a state mandates note, a
balanced budget note and a judicial note has not been

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filed."

Speaker McPike: "All right. The Bill will be returned to Second Reading on the Chair's error and will be held on Second Reading until those are filed. House Bill 52. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 52, a Bill for an Act amending the Criminal Code of 1961. Second Reading of the Bill. No Committee Amendments. No Floor Amendments. A fiscal note is requested, a state mandates note, a balanced budget note..."

Speaker McPike: "Have they been filed?"

Clerk Rossi: "The notes have not been filed."

Speaker McPike: "All right. The Bill stays on Second Reading. House Bill 53. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 53, a Bill for an Act in relation to armed violence. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Tom Johnson."

Speaker McPike: "Representative Tom Johnson."

Johnson, Tom: "Yes, Mr. Speaker. This Floor Amendment is being offered as a result of discussions with the committee and in agreement with the committee and it, basically, replaces a word 'forcible felonies' with detailing out the actual felonies that are involved in this case...in this Bill, and this is per the agreement with the committee that we would amend this coming out and after discussions with the Cook County Public Defender's Office. I don't believe there's any objection to this Amendment."

Speaker McPike: "There being no discussion, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

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Clerk Rossi: "No further Amendments, but a fiscal note, a state mandates note, a balanced budget note and a judicial note has been requested on the Bill and has not been filed."

Speaker McPike: "Stays on Second Reading. House Bill 273, Representative Martinez. Mr. Martinez back there? I can't see. He's not there. Representative Salvi, 383. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 383, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker McPike: "Any notes? No notes. Third Reading. Mr. Wennlund on, 696. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 696, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Wennlund."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 696 was an Amendment to the existing law dealing with shanks or weapons inside the penitentiary, and it just included cutting tools like hacksaw blades, wire cutters and devices, capable of cutting through metal. For some reason, it wasn't contraband for a guard to bring in a hacksaw blade, but it was for him to bring anything else. So, this just includes those within the definition of what's contraband..."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments, but fiscal note, a state

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mandates note, a balanced budget note..."

McPike: "All right. They have not been filed. Stays on Third Reading. Mr. Dunn...stays on Second Reading. Bill stays on Second Reading. House Bill 767, Mr. Dunn. John Dunn. (House Bill) 1129, Representative Walsh. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1129, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Homer."

Speaker MCPike: "Mr. Homer, Amendment #1."

Homer: "Thank you. I wish to withdraw Amendment #1."

Speaker MCPike: "Gentleman withdraws Amendment #1. Further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Homer."

Speaker MCPike: "Representative Homer. Amendment #2."

Homer: "Well, thank you. I...while I'm getting the Amendment, I think I remember enough of it, hopefully. This was a Bill that was in House Judiciary II Committee that deals with fleeing and eluding, and the Bill would enhance the penalty...the Bill itself, the underlying Bill, enhances the penalty for aggravated fleeing and eluding from a Class A misdemeanor to a Class IV felony. What the Amendment would do would be to enhance the penalty for regular fleeing and eluding from a Class B misdemeanor to a Class A misdemeanor and also would provide that where a person is charged with aggravated fleeing and eluding that the automobile would be subject to forfeiture under the forfeiture provisions of the Criminal Code. I would try to answer questions and move the adoption of this Amendment."

Speaker MCPike: "Mr. Black, on the Amendment."

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

Speaker McPike: "Yes."

Black: "Tom...excuse me. Representative Homer, does the Amendment become the Bill?"

Homer: "No, the Amendment adds to the Bill. It doesn't...it leaves Representative Walsh's Bill intact but adds two provisions."

Black: "Okay. So, what we're doing is taking away the felony charge, reducing that to a misdemeanor, correct?"

Homer: "No."

Black: "No."

Homer: "No, the Gentleman... Right now, you might be surprised to know, I was, that aggravated...that the offense of fleeing and eluding is a Class B misdemeanor. Aggravated fleeing and eluding is where the person is going more than 20 miles over the speed limit and other factors is under current law, only a Class A misdemeanor. What Mr. Walsh wanted to make that a Class IV felony, and we don't change that with our Amendment. We leave that. We take the Class B misdemeanor and make it a Class A misdemeanor, and then we also say that for aggravated fleeing and eluding where someone's engaged in that kind of conduct, that their automobile would be subject to forfeiture."

Black: "And there's nothing in this Amendment that prohibits a police officer from engaging in a high speed pursuit if his or her department authorizes such pursuit?"

Homer: "No, that's a subject for another day, however. But there's nothing in this Bill about that."

Black: "All right. Thank you very much."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed, 'no'. The

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'ayes' have it. The Amendment is adopted. Further Amendments?

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. The Chair would like to announce that two more Bills have been removed from the Agreed Bill list. House Bill 995... Mr. Clerk, 995 and 1075. All right. The Chair has erred again. Mr. Walsh. Mr. Walsh, the Chair has erred again. The Clerk has informed me that there has been some notes requested to your Bill, and those notes have not been filed. Under our rules, they have to stay on Second Reading until they're filed, so the Bill will return to Second Reading and held there pending the filing of the notes. That was on 1129. Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. I believe we filed those note requests."

Speaker McPike: "Yes."

Granberg: "We will withdraw that."

Speaker McPike: "On this Bill?"

Granberg: "Yes."

Speaker McPike: "All right. Mr. Clerk, the requests for the various notes on 1129 has been withdrawn. Third Reading. (House Bill) 1686, Mr. Churchill. Mr. Leitch, 1775. Mr. Stephens, 1792. Read the Bill, Mr. Clerk."

Clerk Rossi: House Bill 1792, a Bill for an Act in relation to Motor Vehicles. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Stephens."

Speaker McPike: "Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. Just bear with us just one second here. Floor Amendment #2 removes the reference to not in combination with regard to the provisions of the governing the weight of trucks to use collec...trucks used

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to collect rendering materials. That was overlooked when the Committee Amendment #1 was passed. It leaves in the exemption for interstate carriers subject to motor carrier safety regulations provided the drivers operate within a 200-air-mile radius of the normal working reporting location that the original Bill removes. I think it's an Agreed Amendment. I move its adoption."

Speaker McPike: "Question is 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Stephens."

Speaker McPike: "Mr. Stephens."

Stephens: "Floor Amendment #3 is also an Agreed Amendment. It just clarifies that defendant must appear in court only for trial. I move its adoption."

Speaker Giglio: "The question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Any fiscal notes?"

Clerk Rossi: "No notes have been requested."

Speaker McPike: "Third Reading. Representative Walsh, 2094. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2094, a Bill for an Act to amend the Illinois Controlled Substances Act. Second Reading of the Bill. No Committee Amendments. No Floor Amendments, but a fiscal note, a state mandates note..."

Speaker McPike: "Okay. The Bill stays on Second Reading. Mr. Roskam, on 2278. Read the Bill, Mr. Clerk. Out of the record. House Bill 2356, Mr. Laurino. Read the Bill, Mr.

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Clerk."

Clerk Rossi: "House Bill 2356, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Laurino."

Speaker McPike: "Mr. Laurino."

Laurino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 replaces everything and becomes the Bill. The Bill, as amended, amends the Criminal Code and the Unified Code of Corrections to enhance the penalties for the following offenses if committed in the furtherance of the activities of an organized gang: Aggravated unlawful restraint, aggravated battery with a firearm, intimidation, compelling organizational membership of persons, unlawful use of weapons, aggravated discharge of a firearm, unlawful possession of firearms and firearm ammunition, mob action, armed violence and extended terms."

Speaker McPike: "On a 'do adopt' Motion, Representative Tim Johnson."

Johnson, Tim: "...questions of the Sponsor."

Speaker McPike: "Yes."

Johnson, Tim: "This Floor Amendment #1, how similar is this, Representative Laurino, to the Bill or Bills that were introduced, I think, as a part of a package by Representative Daniels earlier in the year? Does this parallel or, if so, how do they differ?"

Laurino: "Well, which of the Bills in the package are you referring to, Tim?"

Johnson, Tim: "I believe it's House Bill 52, and I think (House Bill) 126 as well. I just want to get an idea of what we're dealing with here. It's not a hostile question. It's just an inquiry."

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Laurino: "Well, it's...it goes further than the legislation that was introduced inasmuch as we have addressed about nine problems that we feel need addressing as opposed to about two or three that were addressed in that particular piece of legislation."

Johnson, Tim: "So, in other words, it incorporates those and then you have some additional language; is that right? I think at least two of the Bills that you made reference to have already passed out of this chamber and are now in a Senate committee. Okay. That's fine. I just wanted to get an idea."

Laurino: "I think you're mistaken, Representative. I think they're on Second Reading yet."

Speaker McPike: "Representative Davis."

Johnson, Tim: "Well, regardless, I appreciate your answer."

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

Speaker McPike: "Yes."

Davis: "Representative, under current law you say that aggravated unlawful restraint carries a penalty of a Class III felony and it gives two-to-five years?"

Laurino: "That's correct."

Davis: "And with this Amendment, it would do what?"

Laurino: "It would enhance the penalty to a Class II felony and increase it from three to seven years, if the occurrence is committed in furtherance of gang activity."

Davis: "Gang activity."

Laurino: "Correct."

Davis: "Would they have to have an armed...I mean, would they have a weapon or not a weapon?"

Laurino: "We're not...we're not changing the current law. We're just enhancing the penalty for the situation that occurs and has constantly occurred in the neighborhoods of the

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City of Chicago and the state."

Davis: "So, what we're doing is, we're enhancing the penalties of existing offenses."

Laurino: "That's correct."

Davis: "Do you believe, Representative, that that's going to make the world safer? Are we going to be a lot safer if we increase this time that's mandated from two-to-five to three-to-seven?"

Laurino: "Well, I certainly would hope so."

Davis: "I mean, do you really think so?"

Laurino: "I certainly do, and I think it should act as a deterrent, and if it saves one person... This is somebody that has been using...is using a deadly weapon, Representative."

Davis: "You believe that enhancing these penalties that we're making the streets of the State of Illinois safer from crime; is that correct?"

Laurino: "I think it would deter some of the activities that are going on with the gangs, and I also believe that if we can't keep our streets safe...they couldn't be any worse. So, this is only going to help."

Davis: "Did you read the task force...the task force report that the Governor had put together that stated that they would hope the General Assembly would relax that 20-year trend of enhanced penalties that has merely served to clog up the courts, create a system that where we had to build 16 prisons for every year? Where we don't have room for violent criminals? There is no room for violent criminals. We're talking about releasing people from prison because there's no room to house them. The task force asked the General Assembly to help it find methods in which early release programs could help this awful billions and billion

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dollar burden on taxpayers of enhanced penalties that don't deter crime?"

Laurino: "Well, I don't agree with everything that comes out of a task force, and certainly when you're addressing the situation, and the one that you pointed out was somebody that was going to use a deadly weapon; that's a serious crime, and I think those people should not be let out on early release. I think they should do their time."

Davis: "Representative, I agree with you that they should do some time. Maybe we should look at perhaps hard time and not necessarily increased time. You know, what's really the difference in three-to-five years to four-to-seven years?"

Speaker McPike: "Representative Dunn, in the Chair."

Davis: "How many billions of dollars do we have to build some more prisons? How many more do we want to build?"

Laurino: "Well, it's either probably prisons or hospitals to help take care of the people that these people are harming, so I'd prefer to put the money into the prisons."

Davis: "Well, I really understand what you're trying to do; however, I would suggest you read the Governor's Task Force on Enhanced Sentencing."

Speaker Dunn: "Representative Lou Jones, on the Amendment."

Jones, Lou: "Thank you, Mr. Speaker and Members of the House. Will the Sponsor yield?"

Speaker Dunn: "Indicates he will."

Jones, Lou: "Representative Laurino, I would just like to know if you'd explain to me, why are you taking away the day-to-day good time? Why...what is the purpose of an inmate have to do half of his time in order to get day-to-day good time?"

Laurino: "I will address that when we come to that Amendment."

Jones, Lou: "Oh. Oh, it ain't (sic -isn't) in that Amendment. Okay. Well, I'll get back to you then, okay?"

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Laurino: "You're very welcome."

Speaker Dunn: "Representative Homer, on the Amendment."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. I rise to oppose this Amendment and the other Amendments on this Bill, and I do so having the perspective of serving as the Chairman of the House Judiciary II Committee and also as a member of the Governor's Task Force on Prison Crowding, and I would like to commend the Members of the House Judiciary II Committee, both the Democrats and the Republicans, who I think above all of the years that I've served in the General Assembly showed more restraint and more degree of responsibility in dealing with these enhancement Bills than any other Judiciary Committee that I've had the privilege to serve on. They took some hard votes in order to keep Bills off the floor that in years past have come before us that do nothing more than enhance penalties, and they did so whether or not those Bills were sponsored by Republicans or Democrats. They did so not because they disagreed with the need to get tough on crime. They all know (and we all know) that we need to do something to cut the violence. We need to ever be mindful of the rights of victims and the carnage that's out on our streets. The problem, Ladies and Gentlemen, is that in the past ten years, here in this General Assembly we have enhanced penalties with reckless abandon to the point where we have taken discretion away from judges having the result and impact that we have built 14 new prisons, each at a cost of \$50 million in the last ten years. Our prison operations' budget, not construction, operations' budget has...has gone up threefold in the last ten years. Ten years ago, we were spending \$235 million a year on operations; we are now up around \$665 million. It has exploded. And in the past,

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Members have been able to vote to get tough on crime and vote against tax increases, go home and tell the voters what a good job you've done for him. I would submit to you that our voters are smarter than that, that they recognize hypocrites when they see them, and that's a known fact, please believe me, that's not a reflection on Representative Laurino who is coming here I'm sure good-intentioned and for whom I have a high regard, but the votes that you cast you are going to be held accountable for, and let me just point out that right now, we have over 32,000 inmates in our prison system, a system that's designed for 21,000, and it's projected that if we pass no more enhancements whatsoever, that by 1994 we will have 36,000 inmates in the system and that we will have peaked out and taken every available space and made it into a double cell and there'll be no more room at all within our prison system to put anyone. That's if we do nothing else, and so I think you should think before you do this and recognize that there is no way to reconcile this kind of a Bill and these kind of Amendments with the responsibility that we have in order to address the many pressing problems that we have to deal with with our state budget, so it's hard to argue against the merits of a Bill like this, but it isn't hard to argue against being responsible. And I would call upon the Members here today on both sides to do the responsible thing to vote against this Amendment and these other Amendments on this Bill, and unless you're prepared to recommend that there be some major tax increase to follow the...the advice and the request of the Anton Vallukas Task Force created by the Governor that asked us to declare a moratorium on enhancement Bills until such time as we're able to resolve the prison crowding problem.

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We have a Bill in the Senate now, and I believe we're going to have some in the House that do implement the task force recommendations. Once we have a handle on the prison crowding issue, then we can move and address the gang crime problem and determine whether enhancements can be afforded, but to simply vote for these willy-nilly without regard for what we're doing to our budget and to the state's prison system is a great disservice to the taxpayers of this state, to our constituents, and to those people who are dedicated correctional officers who put their lives on the line for us by watching over the inmates of this state. So, I would urge Members on both sides of the aisle to reject this Bill and others like it, and to vote 'no'."

Speaker Dunn: "There are seven Members indicating they would like to address the Amendment, so I would urge each person speaking to be as brief as possible. The Gentleman from Cook, Representative Frias."

Frias: "Thank you, Mr. Speaker. I represent the First District, State of Illinois. Those are the people that elected me to come to this General Assembly, this House, and address the concerns...address the concerns in the First District. This Amendment addresses those concerns. I'm speaking on behalf of the victims in my area. Having campaigned throughout the entire district, they have told me that they are tired of being victims. What they want are tougher sentences for the criminals that they are being victimized by. I have read the commission's report. I don't agree with most of what it says, and I am not here to represent their interests. I am here to represent the interests of the people of the District...First District, and I would, as a police officer, as a resident of the First District and as a Representative, I would urge the support of this

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Amendment. Thank you."

Speaker Dunn: "The Gentleman from Cook, Representative Santiago."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. What really bothers me is that I hear these cries about feeling sorry for gang members, and feeling sorry for criminals. Let me tell you, Ladies and Gentlemen, there are about 15, 20,000 gang members in Cook County and there are about 200 active gangs in Cook County, and I hear individuals here cry and feel sorry for these individuals that are hard-core criminals. Why should we have mercy for a criminal? We should have mercy for the victims. We should be... Everyone in this chamber should be rising and supporting a Bill like this, because the victims never have a chance. It is always certain individuals in our society that are always feeling sorry for the victims, but those individuals that are always feeling sorry for these criminals. Why don't you come and spend a night in my neighborhood or in Representative Frias' neighborhood? Or spend a week, and then you will find out what the real truth about gangs are. If we have overcrowded prisons and we cannot furthermore bring prisoners in, then we must build more prisons, but we must address a problem and send a message to the criminals. Let's send them back to jail. Thank you very much."

Speaker McPike: "Representative Pugh."

Pugh: "Mr. Speaker, I rise in defense of the victim. When you...when you speak of victim, we're talking about the taxpayer who's going to be victimized by an overburden of building of prisons. We cannot build our way out of this situation that we're in. We have a crisis in Corrections, and unless we as Legislators begin to come up with some innovative ideas and not give in to the tough on crime

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mentality, we will continue to exacerbate a problem that began in 1979 with the advent of Class X felonies. We cannot build our way out of this problem. We have begun to work collectively with the other side of the aisle to come up with some innovative programming in order to address this problem, and the problem needs to be addressed in the beginning, not after it becomes a problem, so I urge my colleagues to vote 'no'."

Speaker McPike: "Mr. Ryder.

Ryder: "From Jersey, thank you, Representative. I appreciate that. Ladies and Gentlemen of the House, I stand in support of the comments of Representative Homer. For the past decade, this Legislature and its predecessors have followed the advice that says, 'Put them in jail and throw away the keys'. Well, we've now discovered that they've caught the keys, and the prisoners have the keys to our budget. These Bills, well-intentioned as they may be and necessary in some situations, are the kinds of Bills that will cost tens of millions of dollars. Now, there are creative ways to address the problems that we're discussing, but the cosmetic political kinds of suggestions that are on the floor are not going to do that. What they are going to do is simply have people in prison longer. Does that solve a problem? No. Does it make our budget worse? Yes. They do not solve the problems that they are intended to do. Some of these are good ideas. We're probably going to have bipartisan support on some of 'em, Representative Laurino; but the fact of the matter is, that there were Members on your side of the aisle yesterday crying crocodile tears when we passed out an appropriation that mandates for the Department of Children and Family Services for abused kids and for neglected children and for

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state employees that weren't getting their health care paid. And yet today we will see, by the votes that are on the Board, those people that think this is a better use of our money. I think we need to take the keys back, that we need to make some changes in the Criminal Code that will make a difference. We need to follow the advice of Representative Homer which is to say, 'Building more prisons is not the answer'."

Speaker McPike: "Representative Tom Johnson."

Johnson, Tom: "Yes. Will the Sponsor yield?"

Speaker McPike: "Yes."

Johnson, Tom: "I want to add my sentiments to what Representative Homer has said. Representative Laurino, you might not be aware, but the Judiciary II Committee sat through approximately 180 Bills (as I recall), all dealing with precisely what you are trying to address in this Amendment. We listened seriously to arguments pro and con and in terms of enhancement of sentences. We even heard some of reducing sentences. To my knowledge, that committee did not reduce any sentences in the state nor did it go soft on crime, but what it did realize was that the mere addition of another year or two to a sentence is not ever going to deter crime. We have been adding years and years to sentences now for years, and we have to cease and desist the mere addition. We have more people incarcerated in the penitentiaries of this State of Illinois than ever before in our history and we're adding them at record numbers. Now, to ever accuse anybody in this chamber of being soft on crime belies that statistic. We are not soft on crime, and anybody who votes against these Amendments are not soft on crime, but what we have attempted to do is to take and put some bipartisan effort into dealing not only with

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the totality of our Criminal Code and the justice system in the State of Illinois, but also taking a look at why are we getting in a position, why so many people are getting involved in this system, and we are prepared on this side of the aisle (as I hope you are on your side of the aisle) to get down to what is serious in terms of crime prevention and in terms of incarceration and not just play to the emotions of what the political climate might be good in my district versus yours, and I want to congratulate our committee. I think we did a fine job. I was a little surprised to hear Representative Frias stand up and say what he just did. He sat on that committee. I did not hear those same sentiments as we went through these Bills. I urge you all to consider the totality of our Criminal Code, our criminal justice system and the Department of Corrections, and may we get to the real issues involved in crime in our society; and, in the meantime, we have a very stiff code, and I would urge you to vote 'no' on these Amendments. Thank you."

Speaker McPike: "Representative Flinn."

Flinn: "Enough on this Amendment. I move the previous question."

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

Laurino: "Well, thank you, Mr. Speaker, and I've listened to many of the Representatives voice their concerns about the gang activities, the members of the gangs, the poor prisoners that have committed some of these heinous crimes and are now incarcerated, but nobody's mentioned anything about the victims. The victims. The innocent people. You tell me we don't have enough room for the prisoners, and we need to

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build more prisons, and that's costly. You know what? We've got 11 million households that are prisons. We've got people that are afraid to come out of their home after dark. They can't sit on their front porch. They can't barbecue. Their kids can't go to school during the day without having fears, and we're worried about prison overcrowding and cost functions. Your own task force has recommended that prisons be built, or didn't you read the report? In the Sun-Times, the editorial it says, 'The most pressing need, more prison space.' That's right from Mr. Anton Vallukas, the Governor's Task Force Chairman. I honestly think that we've got things a little screwed up here, and thank God, I'm going to tell you, the Judiciary II Committee does do an excellent job, but thank God they're not running the entire state. We've got a lot of elected officials here, Representative, all crosshairs of this state, and their concerned about the innocent people in their districts, and they want something done about it. I suggest to you to vote 'aye' on this Amendment, and let's get on with putting these people back where they belong and not letting them roam the streets and harming innocent, little people, senior citizens, cripples, the weak and the indigent. Let's put these bullies back where they belong. I ask for an 'aye' vote."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye'; opposed vote 'no'. Representative von Bergen-Wessels, to explain her vote."

von Bergen-Wessels: "Thank you, Mr. Speaker. I come from a rural area. I don't come from the city. I come from a rural area, and we have gangs and we have drive-by shootings. I want these people off the streets of Sterling and Rock Falls, and that's why I'm voting 'yes'."

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Speaker McPike: "Representative Rotello."

Rotello: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In case some of the Members don't know, violent crime has risen 20% in this state in the last two years, and it's clear that Illinois needs another maximum security prison. It's about time that we...we face that. I've witnessed a Department of Corrections that's wrong in hiding behind a fiscal policy of saying that we can't...we're supposed to deal with violent crime in this society by looking at budgets. Their job is to let us know what the cost is, and it's our job to set policy. The Judiciary Committee was wrong in hiding behind a fiscal policy that doesn't even exist anyway, and every time one of our members brought in a Bill to try to enhance crime, they hid behind this budget. That's not the way we can deal with violent crime. If you don't know the problem, you better just pick up a newspaper in any city in this state, and we've got to get Governor, read my lips, Jim Edgar off the diamond on this issue or he's really going to get hurt by it. You're making a mockery, an absolute mockery, out of this revolving door, and a revolving door..."

Speaker McPike: "Representative Johnson."

Johnson, Tom: "I already spoke. I don't want to violate the House Rules. I'll wait 'til the next Amendment."

Speaker McPike: "Thank you. Representative Kubik."

Kubik: "Thank you, Mr. Speaker. I can't help but respond to the previous speaker. I think it is the height of hypocrisy to listen to that side of the aisle talk about fiscal responsibility and about crime. It led by the Democratic Majority, the last budget cuffed the Department of Corrections, so here we have a group of people on that side of the aisle screaming about crime and about how it's got

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to be stopped, and they cuffed the Correction budget. Now, if that isn't the height of hypocrisy and doesn't prove that this Bill and this whole package is a sham, I don't know what is. My God, it's time to look at something through realities' scope here for a change."

Speaker McPike: "Representative Frias, to explain his vote."

Frias: "Thank you, Mr. Speaker."

Speaker McPike: "No, I'm sorry. You spoke in debate. You can't explain your vote."

Frias: "My name was used."

Speaker McPike: "All right. On a point of personal privilege. Mr. Frias."

Frias: "This is in response to Representative Johnson's remark as to why he was surprised at my speaking out. I think what I said on behalf of this Amendment is consistent with the way I've been voting and the way I will continue to vote, and I for one was not here when that budget was cut and nor will I support any cuts in the budget for the Department of Corrections. Thank you."

Speaker McPike: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd just like to address something that Representative Kubik said. This is a pure case of imitation being the greatest form of flattery. Those of you who are my colleagues in suburban Cook County, you know that for many years you...we have wanted increased funding for the Cook County Sheriff's Office for the Suburban Gang Crime Unit. When the Cook County Sheriff's Office was in Republican hands, the complaint was that Cook County Board President Dunn held up the works, held up the funding; and, therefore, held up a genuine concerted effort to coordinate police protection between districts better. Now that the

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shoes on the other foot and we have a Democrat as the Cook County Sheriff, when they come to us asking for more money to upgrade their data base so that they can fight...so that they can fight suburban gang crime better, then we have trouble getting it. There's one other thing I'd like to add in closing, and that is, when we did make cuts from the Department of Corrections, we were cutting directors of leisure activities and we weren't harming in any way, shape or form the type of services that are provided by the Department of Corrections in terms of the safety and security of criminals. Thank you."

Speaker McPike: "Representative Blagojevich."

Blagojevich: "I would like to say that those of us who are like me, Members of the freshman class, have no history with regard to these budgets. We are new, and we are a clean tablet. I would urge all the freshmen to look at each one of these Bills on their merits. Let's put politics aside, let's put aside those who are going to get the credit for these Bills and those who aren't, let's look at the merits, let's forget about budgetary histories and decide whether or not these Bills on their face are 'yes' votes or 'no' votes. There are many here that on the merits are voting 'no', and they're voting based on their views and their beliefs with regard to questions of crime and the causes of crime. There are also, as I look at that Board, many that I suspect would like to vote 'yes' on these Bills when they view the merits, and yet for extraneous reasons that have little or nothing to do with the substance of the issue, are voting 'no'. I urge all of those in the freshman class to join us who have not voted on these budget questions before to vote 'yes'..."

Speaker McPike: "Have all voted? Have all voted who wish? Have

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all voted who wish? The Clerk will take the record. On this Motion, there are 62 'ayes' and 41 'noes'. Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Laurino."

Speaker McPike: "Representative Laurino."

Laurino: "Thank you, Mr. Speaker. Amendment #2 is an enhancement for the penalties for the following offenses: Domestic battery, aggravated battery of a senior citizen, violation of an order of protection, robbery, where the victim is over 60 years old or physically handicapped, and I urge the adoption of this Amendment."

Speaker McPike: "Now, on the Gentleman's Motion, Representative Tim Johnson."

Johnson, Tim: "Now this is really outrageous. I want to...sometimes things just rise to a level here where you really can't believe that we're considering what we're considering. An Order of Protection can include an order that somebody not drive within two blocks of their former spouse. They should comply with the Order of Protection, but to say we're doing something about criminal justice by enhancing the penalties for that and putting a whole new group of people in the penitentiary is a little silly. What's even sillier is now enhancing not only to a Class I felony, but making non-probationable a...a taking away property from a senior citizen, when you don't even have to know that it's a senior citizen, you don't even need to have any knowledge of it, and not only that, but we're taking the discretion completely away from the court. All to say that we're doing something about criminal justice. There's no crisis in this area. It's already a Class II felony, a serious offense that the court has the ability to

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give a substantial penitentiary term to do that, but now we're going to turn around and so we can say on the one hand, we're being tough on crime, we're adding to the list of non-probationable offenses. Somebody takes some property from somebody who's 61-years old, serious offense, should be addressed seriously, but no matter what the circumstances are, no matter how clean the persons' record are (sic - is), no matter what the victim says or the victims' family says with respect to anything about that offense, we're going to take the key away, take the discretion away from the courts and throw them into the penitentiary in a non-probationable vein, and the list goes on and on and on. The cost of this Bill, collected, just this Bill alone, is hundreds of millions of dollars. Now, if there were something where we were allowing rapists and murderers to go loose on the streets or that there was a serious problem in any one of these areas, then I'd say we ought to address it appropriately, but all we're doing here (and you all know it) is we're just creating the opportunity now to do some target mails the next election, to say somebody's soft on crime because they don't want to make non-probationable another offense in a growing list of non-probationable offenses that's become so large that our correctional system is ready to break down, but nobody there is ready to vote for the taxes it's going to create that are going to be required to fund this. Nobody's willing to say, even though this costs \$350 million, that we're going to take that money from schools, or Children and Family Services or Mental Health or anything else. We just want to pass out press releases on a phony sham set of packages that nobody in this chamber could think is really serious; and if the news media (who does a responsible job,

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I think, of covering this process) portrays this any other way than an absolute phony sham, they're not being accurate. You know it, everybody here knows it. As a matter of fact, most of the Members on this side of the aisle, on both sides of the aisle, have voted at least responsibly over this term in Judiciary II to give the courts discretion, to look at individual situations and not to do government by press release, but now in this big an Amendment that no one could even read and the courts...the hour that it's been on our desk, we're all going to come in here and say, 'We're tough on crime'. We don't want to vote the money to do anything with it, we want...we want to have our own Bills and our own little niches, but we also want to say that that side of the aisle is weak on crime. It's not going to play well anywhere because everybody knows exactly what it is, and that is a fake."

Speaker McPike: "Representative Martinez. Mr. Martinez."

Martinez: "Thank you, Mr. Speaker. Thank you, Mr. Speaker and Members of the House. I'd like to answer the Representative from the other side of the aisle. I...this... What the Gentleman on this side of the aisle, Mr...is trying to do, I think it's commendable, and I don't think that the...I haven't known Bill Laurino to be a showboat, and I certainly am not supportive of this Amendment because of a newsletter. I really don't understand the Gentleman when he says it's a sham what we're...what we've been trying to do here. We've...we have protective orders, and if you see the newspapers of late, you'll see that those protective orders are being violated continuously everyday if not, but what is it that we want, a person that's under protective order to be in a coffin before we realize the situation that we're in right now? I

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don't think this is what this Body wants, so that's my reason for supporting this Bill and the Amendment. I urge the rest of this Membership to..."

Speaker McPike: "Representative Flowers."

Flowers: "Mr. Speaker, will the Gentleman yield?"

Speaker McPike: "Yes."

Flowers: "Representative Laurino, what is the purpose of this legislation, please? What is the real purpose of this legislation?"

Laurino: "The real purpose for this legislation is to deter crime and protect the innocent people that belong in our custody as lawmakers."

Flowers: "So, you say the purpose of this is to do what? I'm sorry, I didn't understand you."

Laurino: "You didn't understand me?"

Flowers: "I didn't hear you. What did you say?"

Laurino: "Oh. I'm sorry. It's a different philosophy, altogether."

Flowers: "I did not hear you. Please repeat yourself."

Laurino: "I said, we're here to protect innocent people as the General Assembly to address laws to make them feel safer, and that's the reason for the piece of legislation."

Flowers: "You know, Representative Laurino, I don't need no false sense of security. I want some real security, and this legislation is exactly what I just stated. It's a false sense of security. If you take these men and lock them up longer, then what? You didn't say that if they hit a elderly person up side the head, that they will be incarcerated for life; so, therefore, that means that one day they will be back on the streets. What have we done to eliminate this problem from occurring again? Have you talked about increasing the schools...the school funding?"

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Is that in this legislation? There's nothing in this legislation that would eliminate drive-by shooting, and if you keep a person locked up for ten years, 20 years as we've done today, we have this revolving door, and they repeat this crime; then what, Representative Laurino? Then what should we do? Should we continue to build more prisons? Representative Laurino? I asked you a question. Should we continue to build more prisons?"

Laurino: "Mary, you've probably asked me about 15 questions in that one breath, but let me address it in this manner. Rather than ask me those questions, I suggest that you walk out on the street and talk to the people that are the victims of these horrendous and heinous people and find out how they feel about it, and then tell me that we're not doing something that's a positive approach to something that is of concern for everybody that is an innocent human being and not worry so much about the people that are committing the crimes."

Flowers: "To the Bill, Mr. Speaker and Ladies and Gentlemen of the House. I would like to applaud the Gentleman for bringing this to our attention, but I want you all to know that I live in a very high-crime area. I see it every day, and it is obvious to me that keeping these men locked up longer is not the answer. If that were the answer, we would not have the problems that we have today. As a result of these men being locked up longer, you're not giving them any job training; as a matter of fact, I think this legislation...we should eliminate the name 'correctional center' because they're not correctional centers. If anything these men come out more sophisticated and much better criminals than what happened when they went in. We need to start doing something to eliminate this

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problem, not to create it further."

Speaker McPike: "Mr. Rotello."

Rotello: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Yesterday in the wee hours of the morning in the City of Rockford, a black female police officer patrolling a high-crime area was stopped to fill out some paperwork, okay, to fill out paperwork in her squad car. A black female officer. A black male broke the window and shot her in the face. My community is in an uproar. Black and white, young and old. We're tired of this kind of stuff. The person that did that, I know what I would do with 'em, we wouldn't have to worry about more rooms in the prisons."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative von Bergen-Wessels, to explain her vote."

von Bergen-Wessels: "I would just address my female colleague that this Amendment goes to making a second offense of domestic violence a Class IV felony for making a second offense of a violation of an order of protection a 24-hour sentence. We've had too many women that are repeatedly battered, too many women who stand to lose their life because an order of protection is not being taken seriously. So, when you consider this particular Amendment, think about your sisters and what this means to them. Thank you."

Speaker McPike: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. This is a very, very simple Amendment. It says that if you assault a senior citizen, assault a woman, or assault someone that's handicapped (and these are the

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individuals that need the most help in our society), that we will not tolerate criminal acts against these individuals, so let's stop being sorry for the criminals. Let's protect the victims. Thank you."

Speaker McPike: "Representative Mulligan."

Mulligan: "Yes. I'd like to stand and explain my vote. It is a 'present' vote. I certainly resent that anyone would suggest that any woman in this Body would be voting for this...for any other reason than that it is a sham. I think that when you take a look at my record, I'm working with domestic violence and other things, you will find that the reason I'm voting against this is not because of the penalty, because of the fact that you're making a sham out of this, and I think that I resent strongly that you indicate that women aren't voting for this because of that reason."

Speaker McPike: "Representative Lou Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. I, also, take offense to the speaker that's talked about the domestic violence. If you look at my record and some of the legislation that I've sponsored, and I'm for that. This is just what Representative Flowers says; it's a sham. You know, if you have not been to the prisons (and I've been to every prison in this state except six), and if you go to the prisons and you see the inmates in the prisons and you see that they're there for 18, 19, 20, 22 months, they come out of that system just like they went in, and I'm here to tell you that if you don't start dealing with prevention, treatment, alternatives, all but for the grace of God, when they come out, they're going to come out...you could be a victim, just like the victim that put them there in the first place. I beg of you, you know, no matter how

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you vote on this legislation or any other, please, look at what we have in our correctional system today. Everybody in there...is not serial killers. Everybody in there is not sexual...for sexual assault. Some of the sentences are like four years, three years, two years, you have put 17 and 18-years-old in prisons with hardened criminals, and they're more hardened criminals when they come out than they are when they went in. So, when you start doing your legislation and you're talking about the task force for criminal justice and you're talking about enhancing penalties and you're talking about the overcrowding of the prisons, start talking about alternatives and prevention."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 72 'ayes' and 29 'noes'. Amendment #2 is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Laurino."

Speaker McPike: "Mr. Laurino."

Laurino: "Wish to withdraw Amendment #3, Mr. Speaker."

Speaker McPike: "The Gentleman wishes to withdraw Amendment #3. Further Amendments?"

Clerk Rossi: "Amendment #4 is offered by Representative Laurino."

Speaker McPike: "Mr. Laurino? Is that Mr. Laurino or Mr. Rotello?"

Clerk Rossi: "Amendment #4 has been offered by Representative Laurino."

Speaker McPike: "Amendment #3 has been withdrawn. Amendment #4 is offered by Representative Laurino."

Laurino: "Mr. Rotello would like to present the Amendment."

Speaker McPike: "Mr. Rotello."

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

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House. This Amendment is the result of a Bill that failed in Jud II but that I've toned down because of some of the concerns that those Members have raised. It addresses the Cannabis Control Act and enhances for a second or subsequent violation the penalty, and also enhances the possession of cannabis in the presence of a child under the age of six. Some of the police officers in my community have come to me and said that more and more young children under the age of six-years-old are exposed to very violent situations, particularly in crack houses and so on, but that has been taken out of this, and this strictly results in the area of violation of the Cannabis Control Act, and I ask for favorable consideration."

Speaker McPike: "Representative Salvi, on a 'do adopt' Motion."

Salvi: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the speaker yield or will Mr. Rotello yield?"

Speaker McPike: "Yes."

Salvi: "I appreciate the fact that this has been amended somewhat since it was before us. I believe it only received one vote in the Judiciary II Committee, but it still does make for some real problems. First of all, possession or use of cannabis in the presence of a child under six. So, if an individual has marijuana in his pocket and the child, a five-year-old, is down the hall, that individual is guilty of a Class II felony, could spend three-to-seven years in jail. That's the same as burglary. That's the same as arson, and we have to ask ourselves, 'Is this reasonable?' Possession or use of cannabis in the presence of a child. As a lawyer, I have a lot of difficulty with that, and I know the judges are going to have difficulty with that. This is going to be very costly. If you're convicted twice, you could get twice the penalty, so you could get a

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14-year term for having marijuana in your pocket if a five-year-old kid is down the hall. Now, I'm a conservative Republican. I came in here thinking there's nobody tougher on crime than me, but this is ridiculous. I mean, what are we doing? We're trying to look tough here, but we're trying to pass ridiculous legislation. I would hate to be a friend of the guy sit...rotting in jail next to murderers and rapists and arsonists and burglars, telling 'em I had a little marijuana in my pocket and there was a five-year-old down the hall. Now, anybody who votes for this (and I'm particularly interested in who's going to vote 'yes' on this one), it's clearly voting just to look tough on crime, because this is not tough on crime, this won't stand the light of day in any court in this state. Thank you."

Speaker McPike: "Mr. Rotello."

Rotello: "Thank you, Mr. Speaker. I would ask the previous speaker to look at the Amendment on its...laid out in terms of the amount that we're talking about. Two point five grams would be a Class B, and it goes down... The penalty increases as the amount increases, and I ask for favorable consideration. My intent is to get this passed so we can come back and crack down on the crack houses that have young kids in them. That's the intent of this legislation and the legislation that will follow."

Speaker McPike: "Representative Davis."

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

Speaker McPike: "Yes, the Sponsor will yield, Mr. Rotello."

Davis: "Representative Rotello, does this only... Tell me, what controlled substances are you referring to?"

Rotello: "Cannabis."

Davis: "Only cannabis, which is marijuana."

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Rotello: "That's correct."

Davis: "Not cocaine."

Rotello: "No."

Davis: "Those are okay with you. Are those okay with you?"

Rotello: "No, the Judicial II Committee got one vote when I tried to do it to involve the hard-core drugs. That's why I'm going to try it here."

Davis: "So, how about crack cocaine?"

Rotello: "Jud II gave me one vote on that."

Davis: "So, if a person is caught with a certain amount of cannabis or marijuana, he's subject to how much time in jail, Rotello?"

Rotello: "The... I'm sorry, I didn't hear your question."

Davis: "I said if a person is caught with so many grams of cannabis or marijuana, he's subject to how much time in prison?"

Rotello: "It depends on the amount. It's laid out in the Amendment, and it steps up in the amount involved versus the amount of time."

Davis: "Okay, let's say there's two people in a car. One has the marijuana and the other has the cocaine. What happens to the one with the marijuana and what happens to the one with the cocaine?"

Rotello: "They're separate penalties."

Davis: "Which one is more according to your Amendment here?"

Rotello: "It's a Class I felony, to answer your question specifically that you asked about."

Davis: "A Class I felony for the marijuana? Is it a Class I felony for the cocaine?"

Rotello: "For the cocaine."

Davis: "It's a Class I for the cocaine. What is it for the marijuana?"

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Rotello: "It depends on the amount."

Davis: "Well, tell me what is equal to the amount the cocaine offender gets."

Rotello: "The cocaine figures a Class I regardless of the amount, I've been told."

Davis: "And what about the marijuana user or carrier?"

Rotello: "Less than 2.5 would be six months in jail."

Davis: "Is that with any rehabilitative services?"

Rotello: "No, not within this Bill. I agree that we need the rehabilitation services. You know, we talked a little bit back and forth on all these Bills on fiscal responsibility. Maybe some of the veteran Legislators that have attacked my comments as a second termmer about fiscal responsibility... In order to create more revenue, the Governor has to sign a Bill, and he's indicated that he won't do that, so it doesn't make much sense for us to even talk about it, but we have to have an opportunity to let him know that we want to be serious about crime, and that's the issue..."

Davis: "Representative, may I...may I continue?"

Rotello: "Sure."

Davis: "In your Amendment, does this have any bearing on whether the person is in a vehicle or not in a vehicle?"

Rotello: "No."

Davis: "A vehicle, it doesn't matter."

Rotello: "No. What we're trying to address here is children being exposed to violent situations, and particularly in the area of crack houses. Younger and younger children... In addition to the increasing violence in our society..."

Davis: "But your Amendment doesn't talk about crack houses. Your Amendment talks about marijuana and cannabis. You know what... Let me say this. I'm not soft on crime, but neither am I a part of the great pretenders. The reason

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we're in this crime epidemic that we're in today is because people are pretending to address the problem, and with that great pretense, we're doing damage to the system, the penal system. Now, to take prison space and put someone in that space to the tune of \$16,000 or more per year because that person had some marijuana or cannabis in his pocket (which doesn't leave room for that guy who just shot somebody with an Uzi or he just robbed somebody who is 20 or 70-years-old), there's no room for that prisoner, 'cause we have clouded up the system with these so-called do-gooder Bills of enhanced penalties on foolishness. On foolishness, and I hope, I hope that I will be in this Legislature when we seriously start to address crime in the State of Illinois and to develop programs and plans to eliminate it. Jobs' programs. You know, like the apprenticeship training programs that we cannot support. The early childhood education programs that we cannot support. You know, it's a big farce, Representative, and because those of us voting 'no', it doesn't mean we're soft on crime, it means we're not going to be a part of that sham."

Rotello: "Representative Davis, I..."

Speaker McPike: "That was not a question. Representative Biggert."

Biggert: "Thank you, Mr. Speaker. Will the Sponsor of the Amendment yield?"

Speaker McPike: "Yes."

Biggert: "Thank you. I rise as a new freshman Legislator, and I came down here with high hopes that the process in making laws works for anyone who comes down here and is able to present a Bill and is able to have a vote taken on that, and I'm concerned with what's happening today, and the fact

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that again, as I spoke yesterday, the committee process has been circumvented and we are now...have had all of these Amendments come and especially on Bills that have been presented in a committee where I know they got a fair hearing and were defeated and now they're coming back, I think this is a sham, and that we should again address the fact that this...there was a committee process and we need to go back to being able to have a fair hearing on our Bills. Thank you."

Speaker McPike: "Representative Martinez."

Martinez: "Move the previous question."

Speaker McPike: "You're the last one seeking recognition, so that's not necessary. Mr. Rotello, to close."

Rotello: "Thank you, Mr. Speaker. This in no way is attempting to supersede the committee structure. By the same token, the Jud II Committee doesn't speak for the entire Legislature. I changed this Bill and...and lessened it, weakened it dramatically because of the problems that the Judicial II Committee had, and I'm trying to work with them, but I'd like this to be a first step to do what I originally had intended and that's to protect children. It's kids versus marijuana here. Kids versus marijuana. That's the issue. We're talking about young children under six years of age in a drug environment. I hope to successfully pass this Amendment, and in the future we can enhance it and deal with the real serious drug problem that our society faces. Thank you."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All in favor vote 'aye'; opposed vote 'no'. Mr. Morrow."

Morrow: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I've been kind of quiet for the past half hour,

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while I've been listening to these Bills being...being voted on. I understand that we all want to be tough, but I'd like to see us being tough for getting funding for our kids to go to school. I'd like to see us be tough on programs for seniors like home-care services that we seem to cut year after year. I'd like to see us be tough on other issues that we haven't addressed. We've got...think of the freshmen that are here. We've been sitting in this chamber for a week. What Bills have we voted on to address Head Start? What Bills have we addressed to deal with senior citizens? What Bills have we addressed with more important things in this state that we were elected to do except vote on the Bill so we can go home to say we were tough on crime. If you were really tough on crime, you would get out there with those criminals, with those victims that you proclaim to protect and help them with your presence in the community. Many of you do not go into some of those so-called 'tough areas' because many of you are too scared to go into them tough areas. You get tough down here, but when you go home, you're nothing but a chicken."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 38 'ayes' and 57 'noes'. Amendment #4 is defeated. Further Amendments?"

Speaker Rossi: "Floor Amendment #5, offered by Representative Rotello."

Speaker McPike: r. Rotello withdraws Amendment #5. Further Amendments?"

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

Speaker McPike: "Mr. Laurino."

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Laurino: "Thank you, Mr. Speaker. Amendment #6 amends the current law regarding day-to-day good conduct, credit and earned good conduct credit. Let me enumerate on that for a little bit, so that you can understand essentially what this does. Good day-to-day credit says that if I as a judge sentence you to two years in prison, automatically if you don't cause any problems, you get a day earned off of your sentence so that instead of serving a year, you get off in six months, or two years you get off in a year. You don't have to do anything special for it. It's a 'gimme'. Well, I'm tired of 'gimmes', because you know what? The criminals know about this procedure, but the innocent victim doesn't know about this procedure. He or she understands that when he was victimized and had enough courage to testify in court, he understands that when the judge gives the guy two years, he assumes that the person is going to serve that time unless there is something enormously great succeeding this prisoner's behavior. Now, we've cut out that so that at least on a 50% basis, the first half of the sentence has to be served, and then what happens is you get a earned good credit rating. In other words, if you attend one of the schoolings that they offer in prison or if you get into the substance act where you're...you're understanding that you don't need to be on drugs to function as a human being in this world, they'll...they'll use that as earned credit, and that kicks in after the 50% serving time is there and you get...the formula is right now get a quarter of a day, you will get a half a day toward your sentence; so, in effect, ...in fact these are the Governor's recommendations from the task force for this legislation. Earned good credit, and I urge for the adoption of Amendment #6."

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Speaker McPike: "On the Motion, Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You freshmen won't recall it, but for the last two years the Members on the Democratic side of the aisle have voted to cut the Department of Corrections annual budget, and yet you come back with a proposal like this that will cause the Department of Corrections of the State of Illinois to build five new prisons, instantly. Five new prisons at a cost of over \$300 million. In addition to the \$300 million to the cost to build 'em, we spend \$20 million a year per prison. So, there's another \$100 million a year that's going to cost the taxpayers of the state merely because of this one supposedly simple Amendment. It doesn't make any sense. The director of the Department of Corrections needs the tools to keep and control the prison population as it is. If we change that, we're talking at a minimum of \$400 million the first year, and at least \$100 million every year thereafter. Nowhere in this Amendment does it propose a method of funding this increase. Where is Representative Laurino's provision for funding a tax increase, a provision to increase the taxes of Illinois just to meet this increased burden on the Department of Corrections. This makes absolutely no sense whatsoever, as does the rest of this entire package, and it ought to be defeated."

Speaker McPike: "Mr. Tom Johnson, to explain his...on the Motion 'do pass'.

Johnson, Tom: "Yes. Will the Sponsor yield?"

Speaker McPike: "Yes."

Johnson, Tom: "I have just heard from the Department of Corrections a rough estimate on this is that we are looking at approximately an additional 5,000 inmates, a total of

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about \$100,000...\$100 million per year in operating and up to about \$300 million in the development of a new prison for this. Now, again, I don't want to equate just the dollars and the crowding of the Department of Corrections with your Bill, but again the numbers speak for themselves that we have a very tough code, and we need to work on other issues. Now, I also want to state that you have utilized just a portion of the Governor's task force report in terms of your good-time behavior here in terms of setting off, and that is that we are entitled to an additional period of good time, only after completing education and educational processes, and your statement that this just reflects the task force report is not correct."

Speaker McPike: "Representative Dart."

Dart: "Thank you, Mr. Speaker. I've been sitting here for quite some time now listening to people going on and on about hypocrisy and about this side of the aisle playing games. I suggest that the other side of the aisle take a look on the Calendar on the Order of Second Reading at House Bill 49, 52 and 53. Those are Representative Daniels' Bills which raise and enhance penalties. Those are ones that are raising and enhancing penalties on numerous things such as crimes occurring in shopping centers, crimes incurred with guns...the act of treason, which occurs quite often in our state. Hypocrisy is what occurs in the criminal court room every day when you have a sentencing structure that exists like it does now. There's absolutely no truth in sentencing. That's what this Bill would do. Right now in Illinois, life is very cheap. Right now, a first time offender in a murder case usually serves about eight and a half to nine years. The public doesn't know that. They're

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told that he's either liable to get between 20 and 60 years in the joint. Anybody who's in the courtroom like myself realizes that doesn't occur. He comes in, he pleads, and with day-for-day good time, he's out in about eight, eight-and-a-half-years for killing someone. That's outrageous. We should put a stop to that, and this begins to do that by saying that your good time credit doesn't begin until half of your sentence has been served. This is truth in sentencing. We have shifted the focus from this silly day-per-day good time to making them earn it. It's been the Governor's task force. It's what's responsible, and it's what the people of this state want."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I've been a good boy for an hour. I've been very quiet, but I gave myself one hour. Now, while we're sitting in here fiddling with these press release Bills, we have school systems going broke, we have Medicaid bills going unpaid, the state is near fiscal collapse, we aren't paying our bills, but we're going to sit here, are you kidding me, for another two or three hours and argue all these Amendments? Let's vote 'em on a voice vote and then do your thing on Third Reading. Let's stop all the monkey business. No wonder people regard us as clowns and buffoons down here, present company excepted of course. Let me...let me just remind you what we did last year. You cut \$45 million from the Department of Corrections budget. That caused a reduction in medical services to inmates of \$4.5 million. You eliminated 241 current vacancies and 329 employees, and I say you, because I didn't vote for the Corrections budget. You eliminated all funding for new beds and only allowed the work camps to open in May or June

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of this year, maybe. I would suggest that we stop all the rhetoric and all the posturing. If you want to get tough on crime, and I'll put my toughness on crime record out there with any of you. I ask you to do one thing. Let's call back into your district where you have a correctional center, bring the correctional officers down here, and let's see what they think of these Amendments. These are the people you put in these prisons to guard these prisoners. You don't give 'em enough money. You don't give 'em enough help. They're stabbed, they're beaten, they're absolutely not given the tools to do their job and you're talking about adding 20 or 30 or 40,000 more inmates. My prison in my district was built to house less than 900 inmates, and we have 1700 there now and not one additional correctional officer than the day it opened. Now who in the hell are you kidding? Now, pass these Amendments on a voice vote, bring the Bills back for Third Reading, go get your news releases out, whatever you want to do; but, in the meantime, bring the correctional officers down here. See what they think of this. They know you can't do it. They know you won't do it. All you want to do down here is posture for the press, do it on a voice vote. We've wasted an hour on this thing. Let's get to the budget. Let's get to education. Let's get to welfare. Let's get to Medicaid. Let's get to work."

Speaker McPike: "Mr. Laurino, to close."

Laurino: "Well, Ladies and Gentlemen, that's what we're trying to do down here, get to work. We're trying to get people to be able to get to work. And if you think crime is a joke, you're crazy. These people are frightened to death to go out of their houses at nighttime, they're afraid to go to their jobs during the day, they can't even take a break

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half the time in some of these factories where they're working, and you're telling me crime is a joke, that we're buffoons when we address the problems that are concerning these people? Now, let me tell you something, Mr. Black, in the City of Chicago where I come from, it's not a joke. It's the number one priority in everybody's mind, and I'll tell you what. We're going to address the appropriation problem, and it'll be handled, believe me, and I'm telling you right now, crime is the number one concern on the people's minds in our state, and I urge an 'aye' vote on this Bill."

Speaker McPike: "The question is, 'Shall Amendment #6 be adopted?' All in favor vote 'aye'; opposed vote 'no'. Representative Murphy, to explain her vote."

Murphy, M: "I rise, Mr. Speaker and to the Ladies and Gentlemen of the House for my 'yes' vote. I concur with both Representative Laurino and Representative Black. Crime is the number one issue. It's the number one issue in my district, and I believe wholeheartedly it is the number one issue. But you know what, I am new here, I am a freshman. It's awfully strange to me that we don't have voice votes where we really shouldn't have yesterday on Amendments that I care deeply about seeing just who was voting which way, and here when it comes down to who's going to be tough on crime for some campaign fodder somewhere later on, why aren't we just voting these Amendments on voice vote like we did yesterday and get on with the business of this state? We have wasted enough time, not because it's a joke. It's not a joke. I take this very seriously, and I voted 'yes' on every one of these Amendments because that is serious, and why don't we try to find the money? And what about those guards up in Michigan who were stabbed?"

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It is about the working conditions, the living conditions of these prisons, and it's also about locking up hardened criminals where they should be, and I think it's insulting to the Members of the Judiciary Committee, the Judiciary Committee who spend hundreds of hours looking at all these crime Bills, and none of these merited being looked at before a whole group of committee people, and I applaud the Judiciary Committee and Representative Homer and the hours of time that they spent in sportsmanship fashion grappling with tough crime Bills. Thank you, Ladies and Gentlemen.

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 54 'ayes' and 51 'noes'. Amendment #6 is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #7, offered by Representative Laurino."

Speaker McPike: "Mr. Laurino."

Laurino: "Withdraw Amendment #7, Mr. Speaker."

Speaker McPike: "Gentleman withdraws Amendment #7. Further Amendments?"

Clerk Rossi: "No further Amendments. A fiscal note, a balanced budget note, a judicial note and a state debt impact note, as amended, has been requested on the Bill."

Speaker McPike: "Representative Laurino asks the Chair to rule on whether or not a balanced budget note, a judicial note, and a state debt impact note are dilatory requests. The Chair agrees with Representative Laurino's request. The Chair believes it's dilatory. Representative Laurino moves that the fiscal note is not applicable to this Bill. All those in favor of Representative Laurino's Motion vote 'aye'. Mr. Black, on the Motion."

Black: "Mr. Speaker, let me just correct a... I don't want

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Representative Laurino to think that I think crime is a joke. That's not what I intended nor is it what I said. This process, this process of posturing is a joke, and it's also a joke for any of you to think you can pass laws like this to increase our overburdened prison population by thousands of people and not have to come up with the money. Are you serious? Do you think you can put 15, 20,000 people in prison in the next year and not have to spend money? The fiscal note doesn't apply? My God. If you believe that, you believe that a little girl blew over this capitol dome last night with a dog saying, 'Toto, I don't think were in Kansas anymore'. This is going to cost money. Come on. Give me a break. If you're going to vote for this, at least say, 'Okay, we'll pay for it'. I rise in opposition to the...saying that the fiscal note doesn't apply, and Mr. Speaker, I appreciate the fact that you're going to give us a roll call on this because now we separate the wheat from the chaff. Now we put the hay down where the goats can eat it. We all want to get tough on crime, but do you all want to vote for the taxes to pay for it? If you do, you're going to vote 'yes'. There's a fiscal note on this Bill, and yes, I'll vote for the taxes to pay for it. If you live in never- never land, you'll vote 'no' and say, 'Oh, we can put 10,000 people in prison, not have to hire any guards, not have to spend any money'. I would suggest that you vote against the Gentleman's Motion that a fiscal note is not applicable."

Speaker McPike: "The question is, 'Is the fiscal note request inapplicable?' All those in favor of Mr. Laurino's Motion vote 'aye'; opposed vote 'no'. Mr. Olson, to explain his vote. Mr. Olson, to explain his vote. Mr. Olson? Mr. Electrician, would you turn on Mr. Olson?"

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Olson: "Thank you, Mr. Speaker. A fiscal note not applicable? We're talking...I think we're out of the millions we're up into the billions here already and we're not through this order. Think what that kind of money, a billion dollars or more would do to prevent the need of these prisons. Think what it could do in education. Think what it could do in job training. We can't find the money for education and job training, but son-of-a-gun, we can find it here for political purposes this afternoon. I see the red lights up there. I'll sit down and shut up, because that's the way it ought to be."

Speaker McPike: "Have all voted? Mr. Laurino."

Laurino: "Well, Mr. Speaker, Ladies and Gentlemen of the House, it appears that everybody here is concerned on that side of the aisle about the budget but they're not concerned about innocent people and our ability to put the wrongdoers behind bars, and this is an attempt by our side of the aisle to address a very serious problem, and I think we've got a lot of time...this is not on the Governor's desk. We've got a lot of time to address the fiscal note, and if we put this to Third Reading and start addressing these problems immediately, we've got more time to look at other issues that you were concerned about earlier. I think this is just a way of sidetracking this particular piece of legislation by asking for a fiscal note, and I sure would wish to see that you people change your 'nay' votes to 'aye' votes."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Motion, there are 22 'ayes' and 85 'noes', and the Motion is defeated. The Bill stays on Second Reading. House Bill 2357. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 2357, a Bill for an Act amending the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Sheehy."

Speaker McPike: "Mr. Sheehy."

Sheehy: "Thank you, Speaker. Amendment #1 to House Bill 2357, what it does, it amends the Unified Code of Corrections. We're making some technical changes, and I'll read those: (1) The Bill, as amended, would make the following changes regarding the duties of the Department of Corrections and the Prisoner Review Board for monitoring persons on parole or mandatory supervised releases. Requires releasees to report to DOC at least twice a month for six months of release and once a month for the remainder of their term. (2) Require the PRB to revoke the term of parolee or mandatory supervised release of any releasee who commits a criminal offense, possesses a firearm or fails to report to the department. (3) Restricts the number of releases that may be monitored by a single DOC agent to 50. (4) Requires the DOC to conduct at least three random drug tests per year of releasees who were convicted of a drug offense; and (5) Require the DOC to conduct at least three random visits to a releasee's residence to verify the releasee's place of residence. Be more than happy to take any questions at this time."

Speaker Currie: "Representative Currie, in the Chair. Representative Sheehy has moved adoption of Amendment #1 to House Bill 2357; and, on that Motion, Representative Wennlund."

Wennlund "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Currie: "Indicates he will."

Wennlund: "Representative Sheehy, are you aware of how many

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parole officers have been cut as a result of budget cuts in the last two years?"

Sheehy: "Yes, I am. It's down to 43, Representative."

Wennlund: "How many...how many parole officers were cut over the last two years?"

Sheehy: "About 140."

Wennlund: "Okay, now how many additional parole officers is it going to take if this Amendment became law?"

Sheehy: "Well, probably several hundred, Representative."

Wennlund: "Several hundred?"

Sheehy: "Probably."

Wennlund: "You don't know how many. How 'bout...what's the cost of several hundred new parole officers to the Department of Corrections budget?"

Sheehy: "It really hasn't been determined yet, but it's going to be very expensive."

Wennlund: "And how are we going to fund it? Are you going to support a tax increase, Representative Sheehy? Could we go back to your district and tell your constituents that you're supporting a tax increase so that we can add 500 new parole officers to the system?"

Sheehy: "No, I'm not, Representative Wennlund, but as it is right now, there's only 43 agents out there and something has to be done. There's over 23,000 releasees right now, and we just don't have the agents around. Something has to be done with the crimes out there."

Wennlund: "The question is...the question is, 'Representative Sheehy, how are we going to fund the additional \$15 million a year?' By tax increase?"

Sheehy: "Definitely not. We have to look at government...at the waste in government. If you look at some of my Bills, 67, 100, it would explain where we can save millions of dollars

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right there."

Wennlund: "Okay. You'll have to take money out of human services, you're going to have to take money away from the kids, from education just to fund this Amendment. To the Amendment, Ladies and Gentlemen of the House."

Currie: "Proceed."

Wennlund: "Department of Correction estimates that we'll have to add at a minimum, 500 new parole officers to the system. That's a cost of \$15 million a year. The money is still not there. Nobody comes up with a proposal as to how we're going to fund all these expensive programs. Again, this is political posturing, and I'll tell you what. The amazing thing is, after the sham that was put upon us yesterday, and I mean us, all of us by running out 685 and 686 on a voice roll call without allowing any debate whatsoever, you know, that affects your rights too, over there on that side of the aisle, it affected you. You were put upon by your own Leadership, and now you're seeing it again. To string you out in situations where you can't possibly justify this cost without supporting a tax increase, it's virtually impossible. These are the games that are being played in this House this year, and they're being played by your Leadership, but you know what? I think you recognize it. After I saw 86 votes go up on that mandates act note, you people were being intellectually honest with yourself, with this House and with the people of Illinois. This Amendment ought to join the ranks of those that have failed in this House and that failed in the Judiciary Committee and be defeated."

Speaker Currie: "Further discussion? Representative Tim Johnson."

Johnson, Tim: "Let me, I guess I should ask the Sponsor a couple

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of questions..."

Speaker Currie: "He indicates he'll respond."

Johnson, Tim: "What?"

Speaker Currie: "He indicates he'll respond."

Johnson, Tim: "What...what is there in current regulations, Representative Sheehy, that have caused such a dramatic problem that we should now require a minimum of three random drug tests a year of people who violated the Cannabis Control Act. What's happening in terms of a crisis as to why we need to mandate this? Most releases...there's a monitoring anyway, but why do we need...why do we need to to mandate this? What's the problem?"

Sheehy: "This is only due to people who were released because of drug offenses."

Johnson, Tim: "I understand that. I said, what is there in current law or current practices that is causing a sufficient crisis that we need to address it with this Bill?"

Sheehy: "The rate of recidivism, Representative, and the safety of the citizens also."

Johnson, Tim: "What I'm asking is, what empirical data or any other data do you have to indicate that we have a problem that this Amendment and that specific portion of this Amendment addresses or the Amendment that requires three random visits a year to the residence to verify their place of residence. Give me some examples, specific names and places as to where there's been a problem that's caused the reason for this Bill. Not just generic answers that your staff gives you."

Sheehy: "I don't think that's necessary, Representative. I know what you're asking, but I don't have those answers right

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here."

Johnson, Tim: "All this is is another press release for you and people like you who sponsor this phony, ridiculous Amendment. The net result is to cost tens of millions of dollars to the taxpayers, implying somehow that people who don't support this want to cause people to have recidivism, want to cause people to evade the reaches of the law and so forth. We have sufficient coverage with our current law and current regulations and the people who deal with the system to monitor these cases very well. All this does, all this Amendment does, other than to give you a press release (which I know is important), is to cost a minimum of \$15 million to the taxpayers. Now, I don't know whether you get it from education. I don't know whether you're going to get it from mental health. I don't know whether you're going to get it from the highway system or Children and Family Services, but it's got to come from somewhere, because you and I both know you're not going to be the Sponsor of a tax increase to provide the money for this. This is just another example of playing to public fears when we have sufficient laws, sufficient regulations and sufficient personnel to cover the situation without costing the taxpayers another \$15 million minimum, probably millions, tens of millions more, to do something that we can do now very, very well."

Speaker Currie: "Further discussion? Representative Dart."

Dart: "Thank you, Madam Speaker. The problem here is something that is painfully obvious to everybody. It's the drug crisis we have out there. When the people in the penitentiary are released are some of the people with the worst ones. This Bill attempts to address that by requiring agents to test these people for drugs. Random

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tests, three visits. I don't think it's asking too much. Furthermore, the question about what is going on here, is it's called accountability. Right now, these people who are in the prison system who everybody agrees are not becoming better citizens, are randomly released and released out into society with nothing. No one there to watch them, no one there to monitor them, no one there to help them. This Bill attempts to do that. It attempts to add some responsibility here. That is why I would encourage a favorable vote."

Speaker Currie: "Further discussion? Representative Sheehy, to close."

Sheehy: "Just want to say...just want to say, crime isn't a joke. We have to do something here. We have to find the revenues, and I ask everyone to vote 'yes'."

Speaker Currie: "On the Motion 'do adopt' Amendment #1 to House Bill 2357, all those in favor vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hicks, to explain his vote."

Hicks: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm voting green on this. I understand the difficulties in having the money to do this. There is some \$414 million of normal growth in the budget this year. I remember a couple of years ago when we attempted to...when a lot of people were laid off, we were told at that time that number was going to be around 3000 people that were being monitored. I believe the number right now is 659 as being monitored, and only 659 people that's being monitored in this state while we've been promised that over 3000 would be monitored. We only have some 40 parole agents at this time. There is a need for more, and I'd urge more

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green votes."

Speaker Currie: "Representative Hoffman, to explain his vote."

Hoffman: "Thank you, Speaker and Ladies and Gentlemen of the House. I don't think that people are realizing how important this piece...this legislation is. What we're saying is, at the same time we heard arguments that we can't change the early release policy, that we can't make changes because of overcrowding in the Department of Corrections. Personally, I think that's bunk and we can make changes. However, if we're going to have early release, we got to have these individuals monitored in our community. We have to have some kind of a semblance of reasonableness in our criminal justice system. If we're not willing to provide the funds, if we're not willing to provide the people to monitor individuals who get early release, then what we're doing is we're setting it all up for recidivism, we're setting it all up for more crimes in our community, we're setting it all up for people being afraid to leave their own house. Let's put some sanity in the criminal justice system in Illinois. Let's do what's reasonable, and let's say we're going to do this. If we can't house them all, we're at least going to monitor 'em in our communities."

Speaker Currie: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 51 voting 'aye', 60 voting 'no', and the Amendment fails. Further Amendments?"

Clerk McLennand: "No further Amendments, but a balanced budget note has been requested, a judicial note, and a state debt impact note has been requested."

Speaker Currie: "The Bill will remain on Second Reading. Next Bill on this Call on Second Reading is House Bill 2358,

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Representative Laurino. Clerk, read the Bill."

Clerk McLennand: "House Bill 2358, a Bill for an Act to amend the Juvenile Court Act of 1987. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Phelan."

Speaker Currie: "Representative Phelan."

Phelan: "Thank you, Madam Speaker, Members of the House. Floor Amendment #1 to House Bill 2358 amends the Juvenile Court Act. The House Amendment replaces everything and becomes the Bill. The Bill, as amended, amends the Criminal Code to toughen penalties for unlawful use of weapons violations. It includes the property of a courthouse or a public way within 1000 feet of a courthouse, the unlawful use of weapons in a safe school zone enhancement. These provisions enhance the penalties for unlawful use of weapons violations which are committed in a safe school zone. Under current law, safe school zones include the property of a school, public park, public housing agency within 1000 feet of those properties and any bus used to transport students to and from school activities. It also toughens the penalty for possession of a machine gun. It toughens the penalty for a sawed-off rifle or shotgun. It also increases the penalty for a variety of dangerous weapons being daggers, knives, razors, and spring guns. It also enhances the penalties for possessing a blackjack, metal knuckles, switchblade knife or any other type of bludgeon. It also enhances the penalties for possessing a firearm while hooded or robed; and concluding, enhances the penalties for possessing a silencer. I would move for adoption of this Amendment."

Speaker Currie: "Representative Phelan moves 'do adopt' on Amendment #1 to House Bill 2358; and, on that question, is

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there any discussion? Representative Wennlund."

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

Speaker Currie: "Indicates he will."

Wennlund: "Under what circumstances would the crime of unlawful use of a weapon result in a Class X felony?"

Phelan: "Possession of a machine gun would be a Class X felony with a mandatory six-to-30 years, and any one of these violations if they were in a safe school zone would be Class X felonies."

Wennlund: "What about possession of a loaded firearm in the passenger compartment of a vehicle?"

Phelan: "That would be a Class A misdemeanor unless it was a machine gun."

Wennlund: "What about possession of a loaded firearm on your person?"

Phelan: "I didn't hear you."

Wennlund: "What would the offense still...what would the offense be under this Amendment for possession of a loaded firearm on your person? Concealed, for instance."

Phelan: "That does not change current law."

Wennlund: "So, the only time it would ever result in a Class X felony is possession of a machine gun?"

Phelan: "No, unless it was a...these crimes were committed within a school area. The areas that I mentioned, safe school zones."

Wennlund: "So, if a person was driving down the street past a school in his car and he had a loaded firearm in his glove compartment, he could be a Class X felon? He could be sentenced to a Class X felony at a mandatory minimum of six years?"

Phelan: "No, that would be a Class II felony."

Wennlund: "And what's the penalty for a Class II felony?"

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Phelan: "A Class II felony is three-to-seven years in a state penitentiary."

Wennlund: "The safe school zone is already part of the law. Isn't that correct, Representative?"

Phelan: "That's correct."

Wennlund: "How many more prisons will we have to build if this Amendment becomes law?"

Phelan: "I would think as many as required."

Wennlund: "You don't know what that is? The Department of Corrections estimates that we'd have to build an additional two prisons... To the Amendment, Ladies and Gentlemen of the House. Department of Corrections estimated that we would have to build at least two prisons at a cost of \$120 million. It would add about 2000 inmates to the system at a cost of \$20 million for each of the two new prisons, so there's another \$40 million a year, so we're talking a first year expense of \$140 million. Now, nobody's willing to admit that they're going to go back to their districts and tell 'em that they're going to vote for a tax increase to fund all of these Amendments that have been filed today to fund this Amendment. Nobody's willing to go back to say that they're going to ask for a tax increase to do this any more than they are a tax increase to fund education in Illinois, but yet we're putting out yet another...yet another proposal that the State of Illinois cannot afford, and that nobody's willing to go out and front a tax increase to house inmates in Illinois prisons. They all want to lock 'em up, but nobody wants to pay for it. If you're intellectually honest with yourself, you're going to realize that it simply cannot be done, and a 'no' vote is the proper vote on this Amendment."

Speaker Currie: "Further discussion? Representative Tim

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Johnson."

Johnson, Tim: "On page 4 carrying over to page 5 of your Amendment, Representative, you delete by Amendment from the definition of unlawful use of weapons the following language: Carries or possesses on or about your person a bludgeon, blackjack, slingshot, sandclub, sandbag, metal knuckles, switchblade, ballistic knife, tear gun, gas projector bomb, and so forth. Why are you deleting those from the definition of unlawful use of a weapon?"

Phelan: "In answer to your question, Representative, what we're deleting is still covered in paragraph 1 and in the enhancement section."

Johnson, Tim: "What? I didn't hear you."

Phelan: "It is covered in paragraph 1 and in the enhancement section."

Johnson, Tim: "That entire section?"

Phelan: "Yes."

Johnson, Tim: "No, it isn't. It isn't covered. Why is it... Well, to the Bill. There's no point in asking questions. This Bill, similar to the others but different, is just flat and simple a gun control Bill. It does... A couple weeks ago, Representative Wennlund had a Bill in Judiciary II that failed by one vote. It was an eight to eight vote that would allow the...under certain circumstances carrying a concealed weapon, which every state around us has. This makes a Class X felony up to whatever that is, 60 years or 30 years in the penitentiary for doing what was almost legalized in Judiciary II. Regardless of how you feel about the issue of enhanced penalties or guns, this does precisely the opposite of what the thrust of what we've tried to do over the last few years in Illinois is. It not only requires the addition of two or three new

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penitentiaries in Illinois, it criminalizes what I think a majority of Illinoisans think, if it shouldn't be legal, at least should be a low grade penalty and really doesn't make a whole lot of sense. In addition to that, the other provisions that are contained in the Bill are such that again, we have to ask, where are you going to get the money, where's the money going to come from, who's going to vote for the taxes to do it? No one knows the answers to all those, only you and I both know the answers, Representative, and that this is simply an attempt to try to paint one Party or the other as being the enemy of good law enforcement legislation when, in fact, what the history of this chamber has been is that we've tried I think on both sides of the aisle to try to make our Criminal Code make sense within each other, to have consistency of sentencing for offenses. And what we've done as a result of government by press release, is we've made a criminal code that's such a gobbledygook jumble, that it makes no sense. What this Bill would do, in addition to costing tens and tens and tens of millions of dollars, is to simply compound further what has become an incomprehensible criminal code. It's a bad Amendment, and it ought to be defeated."

Speaker Currie: "Further discussion? Representative Dart."

Dart: "Thank you, Madam Speaker. Just to clarify what the Bill actually does do. The only times a Class X offense kicks in is when there is a violation involving a silencer or a machine gun on school property. I dare say I don't think anybody's terribly upset with that. I don't think we should have machine guns and silencers running around in the school area. Secondly, a lot of these provisions contained in it are very similar to, I believe, House Bill

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52, which was offered from the other side of the aisle which is presently on Second Reading. These are some reasonable attempts at going after people who carry machine guns and carry silencers on school property. It's a reasonable Bill, and I urge its adoption of the Amendment."

Speaker Currie: "Representative Tim Johnson, for what reason do you rise? You've already spoken."

Johnson, Tim: "With all due respect, friend, he's making comment directly indicating what I said is not correct. The fact of the matter is, what I said is correct, and if you look at the provisions of Floor Amendment #1, Section 3 (and I'm not sure it's referenced there), it creates a Class X felony in circumstances beyond the school zone that the Representative makes reference to. So, I wasn't incorrect."

Speaker Currie: "Representative Biggert."

Biggert: "Thank you, Madam Chairman. Will the Sponsor of the Amendment yield?"

Speaker Currie: "Indicates he will."

Biggert: "Thank you. Again, here we have a process where we have the committees...nope, this Bill never came to the committee. We have now spent, what, 20 minutes, half an hour discussing a Bill which should have been discussed in committee. All of these questions, all of the time for discussion was in a committee, not on the House floor when we're doing all of the other Bills."

Speaker Currie: "Representative Phelan, to close."

Phelan: "Thank you, Madam Speaker. There's been enough discussion on this crime issue. You're either tough on crime or you're not. I would ask for a favorable roll call."

Speaker Currie: "Representative Phelan moves 'do adopt' on

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Amendment 1 to House Bill 2358. Those in favor vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 73 voting 'aye', 31 voting 'no'. The Amendment is adopted. Are there further Amendments?"

Clerk McLennand: "No further Amendments, but there is a request for a fiscal note, balanced budget note, judicial note, and state impact note for the Bill, as amended."

Speaker Currie: "On the balanced budget note, the judicial note, the state debt note, the Chair rules that they are not applicable, but that they are dilatory and the fiscal note request, of course, is valid, and the Bill will remain on Second Reading. Representative Black, for what reason do you rise?"

Black: "Thank you very much, Madam Speaker. An inquiry of the Chair. Just so we can keep our files straight, you have ruled the fiscal note is applicable, correct?"

Speaker Currie: "Right."

Black: "Then, which ones did you rule not applicable?"

Speaker Currie: "Dilatory, balanced budget note, judicial note, and state impact note."

Black: "Okay. Did we also have a correctional budget and impact note filed on the Bill?"

Speaker Currie: "Let me check with the Clerk. My Calendar shows that that is not filed. Perhaps, the Clerk will inform me if there's been a recent filing to that effect. Apparently there has been a recent filing for a correctional budget impact note, and that also is legit and we'll..."

Black: "All right. Another inquiry of the Chair, Madam Speaker if I might."

Speaker Currie: "Certainly, Representative."

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Black: "So that our records again can be kept clear and we know what's going on here, who made the Motion to rule all the other notes dilatory and inapplicable?"

Speaker Currie: "Chair made the determination."

Black: "Oh, the Chair just made the determination?"

Speaker Currie: "Absolutely. By fiat."

Black: "By... Well, could you give me the appropriate rule number by which the Chair (other than the pure unadulterated power of the Chair) how the Chair can just make that judgement in such a capricious fashion?"

Speaker Currie: "The balanced budget act has to do with supplemental appropriations, not the issue in this Bill. The judicial impact note has to do with additions to the state judiciary, nothing to do with this Bill. And the state debt note has to do with additions to the state. Again, nothing to do with the state..."

Black: "I understand all that. What I'm asking you is can you tell me by what rule you can just make this judgment without asking the Members of this Body...without allowing the Members of this Body to vote on the question?"

Speaker Currie: "Robert's Rules of Order. Chair was within the Chair's authority under Robert's Rules to determine that a particular request or procedure, parliamentary maneuver is dilatory, and that is how we have ruled."

Black: "I understand Robert's Rules of Order, and if I wanted to appeal a ruling of the Chair, I think under your new rules, don't I need a unanimous vote, or do I need 71?"

Speaker Currie: "Seventy-one. Seventy-one."

Black: "Well, Madam Speaker, in all due respect to you and the Parliamentarian, by just summarily making these not applicable, I would ask that the ruling of the Chair be overturned. I am appealing the ruling of the Chair."

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Speaker Currie: "The Gentleman has moved to appeal the ruling of the Chair. That is a Motion that is not debatable, so the Motion...the Motion is to appeal the ruling of the Chair on the question whether the judicial balanced budget and state debt note act requests were dilatory. The Members should realize that this Bill will of course stay on Second Reading because appropriately filed have been fiscal note requests and correctional impact requests, but the Motion is, 'Shall the Chair be overruled?' Those who wish to overrule the Chair should vote 'yes'; and those who wish to sustain the Chair vote 'no'. Representative Ryder, for what reason do you rise on this non-debatable Motion?"

Ryder: "I wish to get the attention of the Chair to simply admonish the Chair that the argumentative nature of the Chair in explaining the position is inappropriate. We are the ones to do the arguing. We are the ones to do the categorization of what it is that the Chair has done, but I think it is demeaning to the Chair..."

Speaker Currie: "Representative, a correction. Correction. The Parliamentarian informs me this is a debatable Motion."

Ryder: "Well, thank you for the courtesy. To the Motion. I would simply admonish the Chair, as I did previously, that in this situation, the comments that the Chair has given to explain the position of the Chair are at the least argumentative, but I think the Chair, if it's to be deemed fair in its rulings, has to refrain from those kinds of comments; and, as a result, I don't believe that in this situation that the Chair should be sustained, and rather I call upon my colleagues on both sides of the aisle to join with us to overrule the position of the Chair. Thank you for the courtesy of debate."

Speaker Currie: "Further discussion? Representative Kubik."

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Kubik: "Thank you, Madam Speaker. Madam Speaker, I have served in this House for nine years, and I recognize that there are certain aspects of the rules that we have debated and debated vigorously, but I think that one thing we ought to keep in mind, is that there has to be a fine line between what we do, what is real and what is not real, and it seems to me, that in this case, the Chair has moved unilaterally without a Motion from a Member. A Member hasn't asked that these notes and these impact notes be ruled inapplicable. The Chair just summarily and unilaterally decided that they were inapplicable. And you know that in my nine years of experience is unheard of, and while I recognize that the experience of the Lady who is currently in the Chair is limited, I think that it would be wise...limited in that capacity of course, Madam Speaker. It is limited, I think it would be wise that we at least follow the rules of the House and that we...if your Party as the Majority Party wishes to oppose one of our impact notes or on of our...any number of Motions, that they at least make the Motion that these notes...inapplicable. I think that this is a sad deterioration of the rules of this House, and I suppose that we can attribute this to the mistake by the Chair and her lack of experience in this particular matter. I would hope that it does not continue, and I would hope that perhaps maybe a message that could be best be sent...'cause the rules of this House protect all Members, not just the Majority but all Members. And when we stray from the rules, I think that we have gone too far in this House. So, I would support the Motion to overrule the Chair, if only to perhaps lend some experience to the individual who is currently sitting in the Chair."

Speaker Currie: "Further discussion? Representative Granberg."

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Granberg: "Thank you...thank you Madam Speaker, Ladies and Gentlemen of the House. The Chair has ruled that the fiscal note and the correctional impact are applicable. The Chair has ruled those two provisions were applicable. It's simply on this. I'm afraid that we're being dilatory. We have lots of business in this House to conduct. We have Bills on both sides of the aisle. The other two notes have been ruled applicable. This is simply being dilatory. Let's get on with the business of the House."

Speaker Currie: "Is there further discussion? If not, the question is, 'Shall the Chair be overruled?' Those in favor of overruling the Chair vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question... Representative Balanoff votes 'no'. On this question, there are 53 voting 'aye', 61 voting 'no', and the Motion fails. The Bill will remain on Second Reading. The next Bill is House Bill 2359, Representative Laurino."

Clerk Rossi: "House Bill 2359, a Bill for an Act to amend the Illinois Controlled Substances Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Turner."

Speaker Currie: "Representative Turner, on Amendment #1."

Turner: "Thank you, Mr...Madam Speaker and Ladies and Gentlemen of the Assembly. Let me start out by saying that... If I could have some order. Let me start out by saying that I agree with some of my colleagues, Representative Flowers and Representative Jones and Representative Pugh and the comments that were made earlier and this whole approach in terms of dealing with the crime package. There has been nothing said today in terms of dealing with the issue of

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recidivism, in trying to deal with the real aspects of crime and those things that we can do to help make it whole; and, to that end, I present what I would call a bandaaid solution to someone who just fell off a motorcycle at 90 miles an hour, and I'm trying to help deal with that. And to that end, I present to you some recommendations that deal with the issue of boot camps. I firmly believe that boot camps is (sic - are) a good step in terms of dealing with first-time offenders and not only first time offenders, but in terms of trying to help inmates as they have to adjust in coming back into the community. I present to you Amendment #1. Amendment #1 replaces everything, and it becomes the Bill. And what it does, is it increases the number of inmates that are eligible for impact incarceration, and it does it through these three things: It increases the maximum age of participation in the program from the age of 29 to the age of 35. It increases the maximum sentence length for participation in the program from five years to eight years, and it also permits inmates with prior records of incarceration to participate in this program provided that they are not convicted of specified offenses such as Class X felonies and they have not previously participated in the Impact Incarceration Program. That aspect of the Bill does not...or should say were taken from the Illinois Task Force on Crime and Corrections, and I might add that I did read that report, and I realize that there is still some shortcomings in it, some of which I know we will be addressing in the very near future. The second aspect of this boot camp approach is that it mandates a court imposed sentence of boot camp for persons convicted of unlawful possession of a firearm by a felon or a second or

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subsequent violation of a certain...certain drug offenses. Felony offenses that do not involve possession only and are not subject for a mandatory minimum term of imprisonment. If these individuals are not eligible for boot camp or the Department of Corrections does not accept them in the program, the court would be required to sentence them to at least the minimum authorized terms of imprisonment. The third component is, it provides that a sentence of boot camp shall be for 180 days, rather than 120 days and 180 days. The rationale is, this additional time may be used to deal with drug treatment, job placement and/or helping them as they have to try to adjust in terms of coming back to the communities, and I move for the favorable adoption of Amendment #1 to House Bill 2359."

Speaker Currie: "Representative Turner moves 'do adopt' on Amendment #1 to House Bill 2359; and, on that Motion, for discussion, Representative Homer."

Homer: "Thank you, Madam Speaker. Will the Gentleman yield?"

Speaker Currie: "He indicates he will."

Homer: "Representative Turner, I want to support you on this Bill and this idea of boot camps. I think that is... In fact, I was chief Sponsor of the Bill a few years ago that implemented boot camps. I believe in it. In most of what your Amendment #1 does, it appears to implement recommendations of the task force. There's one part of it, though, that I think we need to look at and ask you to reexamine it. That's the part that would mandate that a judge sentence a person to imprisonment who has been convicted of the offenses that you enumerate. Under current law as I understand it, Representative Turner, the court has an option...it's within the discretion of the judge whether to sentence an eligible defendant to boot

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camp and then the Department of Corrections has to concur. Under your Amendment, the defendant...the court would have to mandate that the defendant be sent to boot camp, and in all cases, whether convicted of these offenses, and then it goes on to say that if the person's not eligible and has been rejected by the department, that the inmate must be sentenced to a minimum term of imprisonment. My question to you is, 'What would happen if someone were rejected because of an infirmity or a disability?' For example, a defendant was in a...bound to a wheelchair and, therefore, was ineligible to participate in boot camp; would not your Bill then mandate that that inmate be sentenced to serve a prison term?"

Turner: "The idea behind mandating it, Representative, is that we feel that if we don't mandate it, that they will not necessarily volunteer to go to the camps."

Homer: "Okay. Well, then let me flip the other side then. What happens if the judge has before him someone who's been convicted of a felony with a firearm on numerous occasions and a judge feels that this person ought to be sentenced to a term of imprisonment. Wouldn't your Bill take away that prerogative from the judge and require the judge to sentence them to the lesser sentence of a boot camp?"

Turner: "That person does not always volunteer for the program, and the department does not necessarily have to accept him in it."

Homer: "All right, well, let me... Madam Speaker, to the Bill."

Speaker Currie: "Proceed."

Homer: "I don't have any quarrel with this Sponsor, and as I say, I like the idea of boot camp, but this Amendment is flawed, this Amendment #1. It's flawed in the first place because it's unconstitutional. It's unconstitutional to have a

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statute that defers to an agency such as the Department of Corrections the decision on whether or not someone should be sentenced to prison. The trial judge is the one who has to make the decision on whether or not someone should go to prison, and in this case it says that, if the person is ineligible for boot camp (and it doesn't set up any criteria for eligibility) and that could mean just simply that the department decides the person is not eligible for example, for...as a result of a physical infirmity, this Bill says that person would have to go to prison for the minimum term. In other words, if someone were in a wheelchair, disabled, was blind and couldn't participate in boot camp, this Bill says they have to go to prison for a minimum of whatever the provision is. And I know the Sponsor didn't intend that, but that's clearly what this Bill would do. It's unconstitutional. You can't have the Department of Corrections deciding who gets prison and who doesn't. In addition, the flip of that is that if a judge wanted to send someone to prison who is convicted of these offenses, this Bill would prohibit the judge from doing that because this Bill mandates that the person be sent to boot camp, and with the exception of that part of this Amendment, this is a good Amendment. I would hope that the Sponsor would reconsider advancing this Amendment. I think he's got some other good Amendments on supermax and enlarging the number of boot camps. I think those are good positive steps, but this provision I think which is clearly unconstitutional (in addition is bad public policy), ought not to prevail, and I would not support it."

Speaker Currie: "Further discussion? Representative Turner, to close."

Turner: "Thank you, Madam Speaker. Based upon what we've seen

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earlier here today, I can assume that there's probably 50 notes that have been already dropped on the Clerk's desk on this particular Bill, and I think that a point that Representative Homer has made would allow me some time to try to correct that particular aspect of it, because the Bill will remain on Second Reading, and I will try to address that particular concern that he has mentioned. Other than that, I would move for the favorable adoption of Amendment #1 to House Bill 2359."

Speaker Currie: "Representative Turner has moved adoption of Amendment #1 to House Bill 2359, and on the Motion... He was closing, Representative Davis. Do you want to explain your vote? All in favor vote 'aye'; opposed vote 'no'. Voting is open. Representative Davis, to explain her vote."

Davis: "In explaining my vote, first of all I would like to thank Homer, Representative Homer for his expertise in this area, and I fail to see the reasoning for increasing the time from 120 days, which was the original concept of boot camps to minor first offenders to 180 days. I don't see anything in the Amendment (maybe I missed something), but I see nothing that says during the next so many days this will occur or that will occur to make that a better person when they return to society. So, here again we're just housing a problem for a temporary period of time, and when that problem returns to us there's nothing that has changed. I don't know why we're increasing the time from 120 to 180. Maybe next General Assembly will make it 290 days without rhyme or reason."

Speaker Currie: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 85 voting 'yes', 18 voting 'no'. The Amendment

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is adopted. Are there further Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Representative Turner."

Speaker Currie: "Representative Turner."

Turner: "Thank you, Madam Chair. As I mentioned earlier, I'm trying to put a bandaid on this head injury, this head wound which is bleeding rather profusely. And Amendment #2, what it does is it requires the Department of Corrections to operate at least six impact...or six boot camp programs in this state by the year of January...by January 1 of 1995, and of those six, I require that at least one of those boot camps be located in Cook County."

Speaker Currie: "Representative Turner moves 'do adopt' to Amendment #2 to House Bill 2359. There's... I see no discussion. All in favor say 'aye', opposed... Representative Wennlund lately, putting on his light."

Wennlund: "Thank you, Madam Speaker. To the Amendment. The Department of Corrections estimates that if we're going to build at least six Impact Incarceration Programs before 1995; first of all, if we started two weeks ago, we couldn't get the job done because of just fear of construction in winter weather around here, just like the kind of junk we have outside today, couldn't get the job done. Well, let's talk about something else. Here again, we're asking and telling the Department of Corrections that they must build and operate six new Impact Incarceration Programs before 1995. But you know, they're great programs, and they are. The one that we have today in Dixon Springs is a fantastic program, and it's been successful. But wait a minute. There's something missing in this Amendment. Yeah. How are we going to pay for it? We talk about impact incarceration centers and boot camps

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which cost about \$4 million to build times six, there's \$24 million right there. Now, in addition to that, we've got to staff all six of 'em at a cost of about \$5 million a year each. There's another \$30 million. So, what do you know. We've added \$54 million to the budget of the Department of Corrections which has been cut over the last two years. Nobody has come up yet with a method to fund any of these programs. Nobody has been willing to stand here and say they'll vote for a tax increase to provide an extra \$54 million to the Department of Corrections to build and operate these six additional boot camps. Regardless of how good an idea they are, regardless of how successful they've been, the money isn't there to pay 'em, and it's a sham. And I hope the people back in your districts here know what a sham it is to vote for something when there's no money to pay for it. This Amendment ought to be defeated like the rest of 'em."

Speaker Currie: "Representative Turner, to close."

Turner: "Thank you, Madam Speaker. Let me first of all...since the previous speaker says that no one is willing or no one has said that they will vote for a tax increase, let me be the first to say that I will vote for a tax increase, not only for boot camps, but I will vote for a tax increase for education, for health care, for housing, and a few other things that we need to really address in this state. So, I want to go on record not only as being...and I don't think I'm alone here in terms of willing to vote for that tax increase, so I'm willing to do that. Secondly, let me also say that he's already spelled out what the fiscal implications are, so I don't think that a fiscal note ought to be filed, because I think Representative Wennlund has already told us what it's going to cost, so that shouldn't

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delay the implementation or the movement of this Bill; and lastly, let me remind you that there are several work sites in this state that can be utilized. There's also been discussion about closing of naval bases, air force bases that can very easily be converted to boot camps, and I think that it can be done at a cost that is much cheaper than the previous speaker has recommended. I move for the adoption of Amendment #2 to House Bill 2359."

Speaker Currie: "The Motion is 'do adopt' Amendment #2 to House Bill 2359. All in favor vote 'aye'; all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Clerk, take the record. On this Amendment...this Motion, there are 77 voting 'aye', 26 voting 'no'. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Woolard."

Speaker Currie: "Representative Woolard."

Woolard: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Basically, what Amendment #3 is trying to accomplish, is segregation of our prisoners in the State of Illinois. I believe that the integration that's taking place now within those facilities is probably the contamination and the ruination of many of the young men and women of this state that we represent. We have to accommodate some way of separating those hardened criminals from those individuals who are one-time, first-time offenders that are serving time in our facilities around this state. Without the adequate proper facilities to accommodate that, we will never be successful. Let's proceed with what the actual Bill will do. What we're trying to accomplish here is to provide the opportunity and

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require that the department begin the operation of a new 600 bed supermax security prison and to accommodate this in a timely fashion. We believe that this is a must, and we believe that we agree wholeheartedly with the task force recommendation which has come forth, that this should be a priority for this state and for this Body. Hopefully, we can gain bipartisan support for this much needed segregation elimination that is needed with the prisoners of this state."

Speaker Currie: "Representative Woolard moves 'do adopt' on Amendment #2...#3 to House Bill 2359; and, on that question, for discussion, Representative Black."

Black: "Thank you...thank you very much, Madam Speaker. Two hours and ten minutes after we get started, we finally get to the issue that we should have started with in the first place. Everybody has their press releases out now. Now we get to the issue that can help our correctional officers, can send a message to some of the people who we already have incarcerated, 'If you don't straighten up, you're going to go to a maximum security facility where you're not going to enjoy certain privileges, where you may stay in your cell 23 hours a day'. Now, this makes sense. This was in the task force report. They absolutely said we should take a look at this; and if at all possible, we need to build it. We can't mix some of the hard-core criminals that we have in our system with those people that are in for minor offenses. We can't ask our correctional officers to watch prisoners who are double celled and overcrowded conditions without giving them some way to get these people calmed down and by telling them if they don't settle down and they don't follow the rules, they're going to go to a supermaximum facility. That's why this is a good idea, and

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I rise to support the Gentleman's Amendment. This has worked in other states. It has worked well at Folsom Prison in California where they built a supermax right outside the existing prison. Nobody in the system wants to end up in a supermax. Now we can talk some serious business. If you want to protect our correctional officers, if we want to send a message to the criminal element, then let's build the supermaximum facility, and let's get started on it tomorrow."

Speaker Currie: "Further discussion? Representative Wennlund."

Wennlund: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Nobody doubts that this is not a good idea because it is. But here we go again, without any method of funding. Now, there is a method of funding in here. What it says in the Bill and the Amendment is, the General Assembly may appropriate moneys from the General Revenue Fund. All right, let's see. Have you looked in the General Revenue Fund to see if you could find \$60 million to build this prison? Have you looked in the General Revenue Fund to see if you could find another \$20 million annually to operate it. The first year out of the box...did we build it by 1985? Of course not. It can't be built by 1995. Year one, \$80 million out of General Revenue Funds? When we can't adequately fund the school aid formula, we can't adequately fund the Department of Children and Family Services, we can't hire the 600 investigators for DCFS that we need, and yet we can find \$80 million in the General Revenue Fund to build this prison? Of course we can't. And that's why a vote in favor of this Amendment is an irresponsible, a fiscally irresponsible vote, and it should be defeated like the rest of 'em."

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Speaker Currie: "Further discussion? Representative Skinner."

Skinner: "Yes. I wonder if the speaker could tell us how this supermaximum prison is going to be different from the General Assembly."

Speaker Currie: "Thank you, Representative. We'll get back to you. Further discussion..."

Skinner: "I have another question. I have a real question of the Sponsor."

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

Skinner: "Yesterday, you and your colleagues from southern Illinois convinced the General Assembly to authorize \$30 million in bonds for coal research that our analysis says is to build scrubbers on some Illinois power plant. Clearly, this is going to take bond money to finance, not general revenue money, and I'm wondering whether you think this prison is more important than the bond money we passed yesterday."

Wennlund: "I don't think that there's any requirement for any of us to make those kinds of determinations at this time. Prioritization is our responsibility, and we shall make those prioritization decisions when the time comes. We didn't pass \$30 million to build scrubbers at Illinois Power, as you stated earlier. All we did was increase the authority. One of the things that many of you may not be aware of, we've not expended those moneys that were appropriated the previous year for the accomplishment of those scrubbers to be built at that facility. They chose not to do it, so those moneys were not expended. So, ...you know that's something we need to clear up."

Skinner: "Well, is there bond money that is not yet utilized that could be used for a supermaximum prison?"

Wennlund: "No, and our Bill doesn't deal with bond moneys. We say

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that there shall be a direct general revenue appropriation. It's a high- priority item, and we believe that there shall be a direct general revenue fund expenditure."

Skinner: "Well, I don't want to demean your sincerity, Representative, but we all know it's not going to come directly out of the general fund. It's going to have to with bond money if it's going to be built. I personally think it's a good idea to build a supermaximum prison."

Wennlund: "I think that that'll have to be a decision that we'll have to make at the appropriate time."

Skinner: "Thank you."

Speaker McPike: "Representative McPike, on (sic - in) the Chair. On a 'do adopt', Representative Davis."

Davis: "Mr. Speaker, I'd like...I wonder if the Sponsor will yield."

Speaker McPike: "Yes."

Davis: "Representative, will this \$70 or \$80 million be for just the first year?"

Woolard: "No, this is for the complete construction of the facility."

Davis: "Okay. Well, you have in the..."

Woolard: "And...let me add, that number was generated from someone other than me."

Davis: "Okay. Will you have in the contract to build this prison clauses that ensure that African-Americans can participate in the building of this maximum security prison?"

Woolard: "I think that those are the kinds of things that we would have to deal with through the proper channels and legislation. I hope, you know, I hope that we already have in place the assurances that we shall deal with in a fair fashion all races and groups of individuals in this state."

Davis: "Well, I don't think we do to the degree that it's needed."

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Do you think that..."

Woolard: "We do have affirmative action laws in place."

Davis: "Would you support...Representative, could you support taking about \$20 million from this \$80 million for an apprenticeship program to train people how to build houses and build roads and take care of abandoned buildings?"

Woolard: "Monique...Representative Davis, let me say that I have supported wholeheartedly, ever since I've been in the General Assembly, all kinds of educational opportunities for every individual of this state. I will continue to do so, and I think the blacks of this state fall in the category with the rest of us and should have every opportunity no matter what the job classification is. I will continue, not start, but continue to make those same kinds of statements in support as I have in the past."

Davis: "My final question to you is, 'Will this prison, this maximum security prison, will it house the serial killers that we know of, like Gacy, and I don't know how many there are in Illinois, but I think that number is growing?'"

Woolard: "Representative Davis, I think these are the kinds of determinations that would have to be made by the department, and you know, that would be going maybe ten steps further than we should as a legislative Body if we tried to dictate those kinds of decisions."

Davis: "You don't know if serial killers would be in this maximum security place?"

Woolard: "Well, I think that would be an adequate place for them to be, but if they chose to have a segregated area in another facility somewhere in this state to accommodate those death row convicts, you know, that would be a decision that would be made by the department director."

Davis: "Okay. Thank you very much, Representative."

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Woolard: "Thank you."

Speaker McPike: "Representative McGuire."

McGuire: "The Amendment...I'm sorry. Mr. Speaker, I rise to support the Amendment. As you all know, I'm from Joliet and Joliet is the home of the famous Stateville penitentiary. We also have the Joliet Correctional Facility in Joliet. There was a task force convened by our Governor and the Director or the Chairman of the task force was Anton Vallukas, a man who's well known to most of us or all of us, a man who's well known in law enforcement in that field. What he had to say about this subject is that this problem is not going to go away, so we shouldn't hide and pretend that it's going to go away. He also said that he thought the real solution was this maxi institution. I believe that this is a answer, there are other answers, but I believe that this is a answer to a very, very serious problem. Roughly a year ago, about 60% of the new admissions in the prison systems of Illinois were non-violent offenders. A year ago, 60% were non-violent. Today 30% are non-violent. Look where we've gone in one year. When we have violent, disruptive people in the institutions, that not only impairs the educational programs and all other programs that are in the institutions when they're on lock-down, for those that may really want to get an education and maybe want to be rehabilitated, everything is on hold while these few people in the general population are disrupting the whole house, the whole institution I should say. And the fact that I live in Joliet and I have seen the walls of Stateville from outside all my life, we have to remember that there are people behind those walls other than inmates, and those people are State of Illinois employees, Department of

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Corrections employees, who risk their life every day, every night, 24 hours a day, 365 days a year, behind those walls taking care of the inmates, and as you know that is a very dangerous and stressful occupation. Mostly dangerous. I think the answer is, as they did in the City of Chicago a few years ago at the Montessori school, we tried to separate those who caused the problems from those who do not cause the problems and hopefully those who do not cause the problems will be rehabilitated;, hopefully come back to society and not return to prison., But those that do cause the problems are to be taken to another institution, another segregation unit, where they will not disrupt the general population of the prison and be dealt with accordingly. And I think that's the basis of this whole program, and I do want you to keep in mind that there is a cost, and I won't have to remind you of that. I know that there are those who will say cannot afford this, but I say to you, we cannot afford to do otherwise. Thank you very much."

Speaker McPike: "Mr. Homer."

Homer: "Thank you, Mr. Speaker. I support the Amendment. I have...I'm not sure where the figure of 600 inmates came in. The task force recommended a supermax for 500 inmates; but be that as...there's also, I think, another question in this Amendment dealing with the General Assembly appropriating moneys from the General Revenue Fund for this purpose as opposed from the Capital Development Fund. But aside from those two issues, I think there is a need for a supermaximum facility, and remember that we now have four maximum security facilities in Illinois. There's two in Joliet: Joliet Correctional, Stateville Correctional; there's Pontiac and Menard, and all of those were built 100

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years ago or more. The last of those, Stateville, was built during the presidency of Martin VanBuren to give you an idea of how old these facilities are, and they house our most dangerous criminals. Last year alone there was an 85% increase in attacks, assaults by inmates on prison guards. There was a 50% increase of attacks by inmates on other inmates. It is a very volatile situation. All you have to do is look to Ohio to see what can happen without proper management of the inmate overcrowding problem, and the idea of this Bill, I think, is a sound one, is to take disruptive inmates out of the system...those inmates who routinely assault staff and other inmates and threaten the security and safety of the people in the institution (as well as in the community that houses them) ought to be put in a special segregated supermaximum facility where they will be kept until they know how to conform their behavior to the rules of the Department of Corrections. I see this as a valid and valuable management tool to take the gang leaders, take the disruptive inmates, the violent inmates and put them into a very tightly guarded and restrictive environment of a supermaximum facility, and I commend the Sponsor. This is one of the recommendations of the task force. I think we ought to support it."

Speaker McPike: "The question is 'Shall Amendment #3 be adopted?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 103 'ayes' and 5 'noes'. Amendment #3 is adopted. Further Amendments?"

Clerk McLennand: "Floor Amendment #4, offered by Representative Woolard."

Speaker McPike: "Mr. Woolard."

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Woolard: "Withdraw Amendment #4."

Speaker McPike: "Gentleman withdraws Amendment #4. Further Amendments?"

Clerk Rossi: "No further Amendments. A fiscal note, a balanced budget impact note..."

Speaker McPike: "Mr. Clerk, has a fiscal note been filed?"

Clerk McLennand: "A fiscal note has been filed, but a request for a fiscal note, as amended, has been submitted."

Speaker McPike: "Has it been filed?"

Clerk McLennand: "It has not been filed."

Speaker McPike: "The Chair will rule that a balanced budget and impact note, a judicial note and a state debt impact note are dilatory. The Bill remains on Second Reading until the fiscal note is filed. Mr. Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker McPike: "Yes."

Black: "You kept the correctional impact note on that."

Speaker McPike: "Yes. That's correct."

Black: "All right. Also another inquiry of the Chair, if I might. At what time will the Chair cut off the Agreed Bill sheets coming into the well?"

Speaker McPike: "Well, we're going to... Right now we're going to announce the... Right now we're going to take the vote. We'll give 'em a couple of hours to fill out the forms."

Black: "All right. Thank you."

Speaker McPike: "Mr. Clerk, Mr. Clerk, would you read the Bills, the Bill numbers that have been removed from the Supplemental Calendar #1. All right. If Mr. Black or Mr. Wennlund, maybe you ought to pay attention. The Clerk's going to read the Bills that have been removed from the Supplemental."

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Clerk Rossi: "House Bill 184. House Bill 209. House Bill 995.
House Bill 1075."

Speaker McPike: "Mr. Clerk, are...there are some people who can't
hear. Would you start over and read them a little louder?"

Clerk Rossi: "House Bill 184. House Bill 209. House Bill 995.
House Bill 1075. House Bill 1187. House Bill 1229. House
Bill 1369, and House Bill 2290."

Speaker McPike: "All right. Those have been removed from the
Agreed List #1. Mr. Clerk, read the remaining Bills that
are on the list. This is Third Reading. Read the Bills."

Clerk Rossi: "House Bill 149, a Bill for an Act in relation to
potentially infectious medical waste. House Bill 328, a
Bill for an Act to amend the Illinois Vehicle Code. House
Bill 443, a Bill for an Act to amend the Illinois Marriage
and Dissolution of Marriage Act. House Bill 496, a Bill
for an Act to amend the Public Utilities Act. House Bill
659, a Bill for an Act in relation to environmental
protection. House Bill 700, a Bill for an Act to amend the
Business Corporation Act of 1983. House Bill 788, a Bill
for an Act to amend the Credit Service Organization Act.
House Bill 800, a Bill for an Act to amend the Department
of Veterans Affairs Act. House Bill 816, a Bill for an Act
to amend the School Code. House Bill 1010, a Bill for an
Act in relation to physically impaired jurors. House Bill
1072, a Bill for an Act amending the Counties Code. House
Bill 1073, a Bill for an Act amending the Illinois Highway
Code. House Bill 1122, a Bill for an Act amending the
Revenue Act of 1939. House Bill 1124, a Bill for an Act
amending the Illinois Department Development Finance
Authority Act. House Bill 1128, a Bill for an Act
concerning the regulation of credit unions. House Bill
1166, a Bill for an Act in relation to taxation. House Bill

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1230, a Bill for an Act to designate Interstate Route 57 in the State of Illinois as the Thurgood Marshall Memorial freeway. House Bill 1313, a Bill for an Act to amend the Metropolitan Pier and Exposition Authority Act. House Bill 1376, a Bill for an Act in relation to taxation. House Bill 1377, a Bill for an Act amending the Illinois Lottery Law. House Bill 1383, a Bill for an Act amending the Illinois Income Tax Act. House Bill 1408, a Bill for an Act amending the Illinois Banking Act. House Bill 1411, a Bill for an Act amending the Minority and Female Business Enterprise Act. House Bill 1423, a Bill for an Act concerning the liquidation and rehabilitation of insurers. House Bill 1571, a Bill for an Act amending the Highway Advertising Control Act of 1971. House Bill 1614, a Bill for an Act amending the Counties Code. House Bill 1729, a Bill for an Act amending the Revenue Act of 1939. House Bill 1740, a Bill for an Act amending the Counties Code. House Bill 1758, a Bill for an Act amending the Metropolitan Pier and Exposition Authority Act. House Bill 1791, a Bill for an Act amending the Vietnam Veterans' Act. House Bill 1794, a Bill for an Act amending the Code of Civil Procedure. House Bill 1974, a Bill for an Act to amend the Medical Practice Act of 1987. House Bill 2038, a Bill for an Act amending the Illinois Banking Act. House Bill 2047, a Bill for an Act in relation to licensure. House Bill 2061, a Bill for an Act amending the Housing Authorities Act. House Bill 2077, a Bill for an Act to create the Child Development Teacher Loan Assumption Program. House Bill 2115, a Bill for an Act amending the Liquor Control Act of 1934. House Bill 2121, a Bill for an Act to revise the law by combining multiple enactments. House Bill 2122, a Bill for an Act to revise the law by

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combining multiple enactments. House Bill 2130, a Bill for an Act amending the School Code. House Bill 2153, a Bill for an Act amending the Probate Act of 1975. House Bill 2227, a Bill for an Act amending the Illinois Vehicle Code. House Bill 2375, a Bill for an Act amending the Boat Registration and Safety Act. House Bill 2405, a Bill for an Act amending the Metropolitan Pier and Exposition Authority Act. Third Reading of these House Bills."

Speaker McPike: "All right. Could the Chair have your attention one more time please. We now intend to vote on these Bills. After the vote is...is taken, you will have until 5:30 to turn in your roll call slips. You'll have another 45 minutes to fill them out and turn 'em in. At that time, we will close the record. We will tabulate the votes and announce later which Bills passed and which ones failed. If you wish to vote 'no' on all these Bills, simply vote 'no'. If you wish to vote 'yes' on some of them, vote 'yes' on this vote and then turn in your slips to indicate which ones you want to vote 'no' on. The question is, 'Shall these Bills pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. House Bills... House Bills Third Reading, Energy and Environment, appears House Bill 296, Representative Woolard. Mr. Woolard? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 296, a Bill for an Act amending the Coal Mine Medical Emergencies Act. Third Reading of the Bill."

Speaker McPike: "Mr. Woolard. Out of the record. Mr. Rotello on, 332. Mr. McGuire on, 350. McGuire? Mr. Steczo, 404. Terry? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 404, a Bill for an Act amending the Environmental Protection Act. Third Reading of the Bill."

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Speaker McPike: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 404 is a Bill that was requested by individuals that have...have a concern about the National Heritage Corridor, which is the Illinois canal which is in Cook and Will counties. Their concern is that junkyards that are placed next to the canal or within 1000 feet of the canal potentially have items in there such as from junk cars, antifreeze and things of that nature, which pollute the waters of the canal which makes up the National Heritage Corridor. Those individuals have contacted...those...some of us in the Legislature to attempt to try to allow the EPA to inspect those particular facilities so as to prevent those kind of...that kind of pollution from happening in the canal waters. So, House Bill 404 is an attempt to allow the Environmental Protection Agency to be able to inspect facilities, junkyards, that lie within 1000 feet of canals in the State of Illinois. Mr. Speaker, I would ask...I would answer any questions at this time relating to this piece of legislation."

Speaker McPike: "Question is, 'Shall House Bill 404 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 111 'ayes' and 0 'nays'. House Bill 404, having received the Constitutional Majority, is hereby declared passed. House Bill 408, Mr. Steczo. (House Bill) 408. Terry Steczo. (House Bill) 408. Mr. Novak, 436. (House Bill) 436. Mr. McAfee. Mr. Dart, 815. Mr. Novak, 1249. Novak, 1249. No, out of the record. Mr. Steczo, 1315. Mr. Levin, 1374. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1374, a Bill for an Act amending the Illinois Solid Waste Management Act. Third Reading of the

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Bill."

Speaker McPike: "Mr. Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1374, with the Amendments, is at this point a Bill that's been agreed to with the department of Energy and Natural Resources. It amends the Solid Waste Management Act to provide for the Department to conduct a pilot project to evaluate collection systems for source separation of compostable materials and non-compostable recyclable materials. It would provide for the evaluation of the feasibility of a wet-dry collection system in at least 600 households that diverse source separation recyclables and compostables, non-toxic organic materials from the residential, commercial waste streams. I would simply ask for your support. I know of no opposition to this legislation at this point."

Speaker McPike: "The question is, 'Shall House Bill 1374 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 109 'ayes' and 0 'nays'. House Bill 1374, having received the Constitutional Majority, is hereby declared passed. House Bill 1479, Mr. Lang. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1479, a Bill for an Act amending the Environmental Protection Act. Third Reading of the Bill."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill would ban leaf burning in counties over 100,000. There are exemptions. The exemptions are for any municipality under 1,000 and there are exemptions for agricultural wastes and for production nurseries in the State of Illinois. This Bill is clearly necessary to

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protect our environment. This only affects 18 counties. The proponents are the Chicago Lung Association, the American Lung Association, Citizens for a Better Environment and many other groups who are concerned about the air we breathe. And there are many around the State of Illinois who suffer from asthma and other allergies, and this 15 or 20% of the people in our state are suffering as a result of the smoke in our air from the leaf burning. This Bill has received bipartisan support. It's a Bill that should be supported by all of us here to protect our environment, and I would ask for 'aye' votes."

Speaker McPike: "Mr. Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this excellent legislation. I think the time has come where we have to address the serious air pollution needs, especially in populated areas. As the Representative indicated, there are certain exemptions allowed for agriculture use and also it only applies to 18 counties where...counties that have 100,000 population or more. So, there are proper exemptions. It's a good Bill. It passed out on the unanimous bipartisan basis, and I ask for everyone's support."

Speaker McPike: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, also, rise in support of this Amendment...this Bill. It is an excellent piece of legislation. It's not only environmentally correct, but it is healthwise correct. You see, it will affect only counties where there is dense air, just as we have emissions control in certain places in areas where we are very dense with population, the smoke is hard to dissipate; and, therefore, for those people who have asthma or another lung condition, it can be

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detrimental to their health. As a matter of fact, two children have died from asthma from leaf...the air from leaf burning that they could not get away from. It's something that should be handled at our level. As has been previously been stated, it only covers a few counties in the state (17) and certain villages. If you're out in the country, go ahead and burn your leaves because the air will dissipate. But in crowded areas it won't, and we think is a very necessary Bill, and we ask for your 'aye' vote."

Speaker McPike: "Who rises in opposition? Representative Wojcik.

Wojcik: "Yes, Mr. Speaker and Members of the House. I do rise in opposition regarding this piece of legislation. This is another mandate being placed on local government. This is an issue that should be handled locally; it should not be handled here through the state. We stand and argue about how our fathers back home are talking to us about what we're doing to them, and we're turning around and being hypocritical and doing it again. So, I am not in favor of this Bill."

Speaker McPike: "The question is, 'Shall House Bill 1479 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Tim Johnson, to explain his vote."

Johnson, Tim: "Well, I didn't get a chance to ask a question of the Sponsor, but I guess this applies to counties...people of over a...municipalities over 1000 and counties over 100,000. I can think of at least seven or eight villages in Champaign County: Mahomet, Rantoul, Pomono, Gifford, St. Joe, Ogden-Savoy, probably others that probably want to have the opportunity to make this judgment on their own as to whether they do or don't ban leaf burning without the Illinois General Assembly telling them what to do. I don't know why the Sponsors of this legislation think it's

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necessary to impose that mandate and that control over people in our area, but I wish they'd look at this and give us the opportunity for those people in those areas to make their own decisions and not for us to do one more thing to tell one more group of people how they have to run their lives locally."

Speaker McPike: "Mr. Wennlund, to explain your vote."

Wennlund: "Thank you. This really amounts to another mandate on municipalities, and I think Kenny Alderson had a good suggestion. If you really want to get to the root of this problem, then what we ought to do is limit the number of trees that homeowners can have in their yards. That'll take care of it."

Speaker McPike: "Representative Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker. To put this in perspective, I think there's enough statistical information out there and there have...has been enough correspondence with all of us to encourage us to do the right thing and vote 'yes'. I had tried to talk to Representative Lang about holding this Bill over 'til earth day so that we would be able to say that we did something very, very strongly environmental, but I see that we don't need to wait for earth day, and today's the day we should pass this Bill."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I just want to say as a former mayor that there are some areas that the local government ought to have jurisdiction over, and this is one of them. I think as a council member and as a mayor and as county boards in this state, that they ought to have some decisions about how they're going to handle this situation. I agree with the proponents of the Bill. You know, I can be just as much against leaf burning as anyone. I think

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they're right on their statements about the effects of the smoke, but let the local officials make that decision. That's what they're there for and that's what they're elected for. That's the only reason I'm voting the way I'm voting at this time."

Speaker McPike: "Representative Brady."

Brady: "Thank you, Mr. Speaker. I... To echo the Gentleman's previous three comments, I'd like to ask how many of you think were elected from the people in your district to decide whether or not leaves ought to be burnt. If you really think that's the decision they wanted you to make here, then stick with your 'yes' vote, but I don't think that way."

Speaker McPike: "Representative Biggins."

Biggins: "I want to thank Representative Lang for this legislation. It's a pro-environmental Bill; it's not an anti-consumer Bill, and I'm glad to pronounce this as Earth Day anyway."

Speaker McPike: "Representative Rotello."

Rotello: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. With regard to local jurisdiction, the problem in highly dense populated areas is that the smoke doesn't recognize the political boundaries that are created by local government. And when we have the city of Rockford that bans it and surrounding communities that don't, the smoke travels over. So, that's why we need to look at it."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I...you know, perhaps we should ask ourselves...a couple of years ago we said they couldn't put leaves and mulch in a landfill, that had to go to a compost pile, and as I recall, we've been down here arguing about

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that ever since we passed that Bill. The compost pile stinks, it's too close to the house, you can, you can't. You know, if we're not careful, one of these days it's going to cost a homeowner as much money to dispose of his grass clippings and leaves and garbage as it does to pay his utility bill. But I guess we'll just continue to regulate everything and anything until the cost gets such that the people are going to figure out who put the cost on 'em."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 77 'ayes' and 26 'noes'. House Bill 1479, having received the Constitutional Majority, is hereby declared passed. Representative Kaszak, 1838. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1838, a Bill for an Act in relation to the environment. Third Reading of the Bill."

Speaker McPike: "Representative Kaszak."

Kaszak: "Thank you, Mr. Speaker and Members of the House. House Bill 1838 is one of several Bills that I am introducing or have introduced dealing with the problems of small and mid-sized businesses. It deals with the problem of corporations and small businesses who have difficult environmental problems and can't obtain the kinds of financing that are necessary in order to clean up those problems. One of the problems that you have is that many companies are interested in either pollution prevention or cleaning up their problems and they go to the banks and the banks say, 'This doesn't increase the asset value of the corporation. This presents...in fact it may decrease the asset value of the corporation, and therefore we will not provide you the loans that are necessary'. What this Bill

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would do would be to provide a loan guarantee fund, a state loan guarantee fund, that would guarantee environmental loans to small businesses and developers of abandoned and industrial sites for their cleanup and pollution prevention work. There is broad support for this Bill. The Illinois Manufacturers Association, the Illinois Chamber of Commerce, Citizens for a Better Environment and the Illinois Environmental Council all have endorsed this proposal. How this would work would be that it would be administered to the Illinois Development Finance Authority based on the advice of a bipartisan advisory panel that would review the loans and make recommendations. It would be funded through 10% of the unanticipated excess revenues from the Illinois Estates and Generation Skipping Tax, and it would...for each dollar that goes into this fund, we would be able to guarantee \$5 in loans. We think it's a excellent proposal that has broad support, and I would ask for your 'aye' vote on this."

Speaker McPike: "Representative Persico."

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

Speaker McPike: "Yes."

Persico: "Representative Kaszak, could you tell me, first of all, what is the genesis of this Bill?"

Speaker McPike: "Take the Bill out of the record. Representative Giglio, 1896. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1896, a Bill for an Act amending the Household Hazardous Waste Collection Program Act. Third Reading of the Bill."

Speaker McPike: "Mr. Giglio."

Giglio: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Actually, this is a cleanup Bill for what we did last Session with regards to household hazardous waste. We

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amended the Bill. The Amendment is the Bill, and it's in agreement with the Farm Bureau and the EPA. And what it does, it just streamlines some of the hazardous waste and hazardous materials in definition, and I would ask for your favorable support."

Speaker McPike: "Mr. Novak. Mr. Novak, your microphone is on."

Novak: "I'd like to speak."

Speaker McPike: "Your microphone is on."

Novak: "Thank you, Mr. Speaker. I just want to rise in support of House Bill 1896. It does address the concerns dealing with the federal definition of household hazardous waste, and as a chief Sponsor of the Bill last year, it does address some of the concerns with the soaps and cleaning agents industry that certainly are non-toxic. So, I certainly support this legislation."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Very quickly, Representative, this, as I recall the Amendment, this does not impact farm or agriculture production chemicals, pesticides and, you're not addressing that at all in this right?"

Novak: "No."

Black: "Thank you."

Speaker McPike: "Question is, 'Shall House Bill 1896 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 111 'ayes' and 0 'nays'. House Bill 1896, having received the Constitutional Majority... Mr. Pugh votes 'aye'. There are 112 'ayes' and 0 'nays'. House Bill 1896, having received the Constitutional Majority, is hereby declared passed. Mr. Morrow, on 2065. Mr. Levin, 2133. Ellis

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Levin? Health Care and Human Services, Third Reading, appears House Bill 32, John Dunn. Mr. Dunn. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 32, a Bill for an Act concerning health care. Third Reading of the Bill."

Speaker McPike: "Mr. Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 32 is the Healthy Kids Act, and this is legislation which would provide for preventive health care for children who are not otherwise covered by insurance ages zero through nine. We took the Bill back to Second yesterday for a routine Amendment, and I would ask for a favorable vote on this legislation."

Speaker McPike: "Mr. Black, on a 'do pass' Motion."

Black: "Thank you very much, Mr. Speaker. I think all of us are a little tired. I'll get right to the point. To the Bill. You know, again, it's hard to quarrel with the Gentleman's initiative, but I think in the Governor's budget message he very clearly addresses this and has a plan that we can get there on the healthy-moms/healthy-kids initiative, and here we come along with a Bill that if you even assume an even phase-in, the net cost in Fiscal Year '95 is \$29.5 million, with an out-year cost of almost \$60 million. I don't quarrel with the concept, I don't think anybody here does, but if we really want to address it, then let's stop moving all of these Bills and get to work on the budget where the Governor has proposed a substantial increase and a substantial program in the healthy-moms/healthy-kids program. Let's get the budget, done, and then if we don't address that in the...in the Budget we can always come back in the fall and revisit this concept. It's a fine concept, but I have no idea where we're going to get the money to do

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this, and in the absence of any funding source identified, I must regret...I regret that I must vote 'no'."

Speaker McPike: "The question is 'Shall House Bill 32 pass?' All in favor vote 'aye'; opposed vote 'no'. Mr. Turner, to explain his vote. Mr. Turner to explain his vote."

Turner: "Thank you, Mr. Speaker. I had wanted to ask a question of the Sponsor and that was in regarding to the case management component of this Bill. He could maybe nod his head. It's my understanding that that has been removed, and I think that that's a very important aspect of making this a successful program, that in terms of trying to address getting to those parents...and the parents they're looking for are these young teenage mothers and those who need this sort of health care. I think that you need that case management component in terms of trying to identify those mothers, and I... If the Gentleman could just shake his head. I was told it was removed, and that's a..."

Speaker McPike: "Representative Currie, to explain his...her vote, and perhaps she'll answer your question, Mr. Turner. Representative Currie, to explain her vote."

Currie: "Thank you, Speaker. There appears to be some question whether this is a Bill that takes away case management services for clients in the Department of Public Aid. It does not. The Amendment that was adopted yesterday merely brought in the Department of Alcoholism and Substance Abuse, so that to the extent that those services were critical for these children who are not now covered by the Department of Public Aid and do not have private group insurance provided by their parents so that these children might be...find themselves able to access those services. That Amendment had nothing to do with taking away case management services, and the children at issue here are not

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children currently covered at all when it comes to health insurance. They're not on Public Aid. Their parents are not able to provide health care coverage for their young because they are low income but not low enough in income to be covered by the Department of Public Aid. No effort to take any case management services away. That was a misunderstanding. Yesterday's Amendment had only to do with providing services through DASA to these youngsters, as well as the other services that are organized under this Bill. I would urge your 'yes' votes. It is amazing to me that for relatively few dollars we can provide health care for youngsters who have no place to go today. Youngsters whose families are working but can't afford to buy health insurance for their young. I hope that we can provide that care to these youngsters through passage of House Bill 32."

Speaker McPike: "Mr. Black, for what reason do you rise?"

Black: "Well, Mr. Speaker, just simply to observe that the Representative's explanation of her vote took longer than the presentation, the rebuttal, the whole thing."

Speaker McPike: "That was my fault. I forgot to put on the one minute timer."

Black: "All right. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Dunn, you can explain your vote. John Dunn, the Sponsor of the Bill, can explain his vote."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. There seems to be some discussion on behalf of the Department of Public Aid that this Bill impacts case management. For the record, it does not. The Department of Public Aid can argue, and so can anyone else, that this and any other legislation which impacts General Revenue can

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have an impact on anything. That is what they're arguing down here, and it's a lot of confusion. The people who are for this health care program should be voting 'yes'. We need three more votes to get this Bill up over the top, and there is really no reason to pass this Bill. It does not have an immediate effective date because it's a program that requires some implementation. There were representations about the cost of this program and the cost numbers are very high presented to the General Assembly by the Department of Public Aid; however, the sister agency of the Department of Public Aid, the Illinois Department of Public Health, indicates that when this legislation is fully implemented several years from now, the state cost will be \$11,589,000, so the costs that the department have been indicating we can anticipate are about a third what the Department of Public Health indicates the cost will be. This is good legislation. We need to put the votes up on the board to get this Bill over the top, and the Illinois Department of Public Aid is just confusing the issue here by saying it impacts General Revenue. Well, so does every other Bill. The prison Bill we just passed and anything else we just passed impacts General Revenue. If you're for health care for children, you should vote for this Bill. It's a good Bill, and I think those Members who are withholding their votes to put it over the top ought to get on board in this legislation and discuss the impact on General Revenue otherwise. So, I would sure appreciate it if they would change their votes and get this Bill up over the top. After all, it's only a House Bill. If you don't like the legislation later, go tell your Senator. But let's get it out of the..."

Speaker McPike: "Have all voted? Have all voted who wish? Have

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all voted who wish? The Clerk will take the record. On this Motion, there are 59 'ayes' and 51 'noes'. Representative Dunn asks for a poll of those not voting. Mr. Clerk."

Clerk McLennand: "Those not voting: Representative Shirley Jones, and Harold Murphy."

Speaker McPike: "Representative Dunn, what's your desire? On this Motion, there are 59 'ayes' and 51 'noes'; and this Bill, having failed to receive the Constitutional Majority... Mr. Dunn, you're indicating to me that you either want it on postponed or don't. Gentleman does not want it on Postponed Consideration. On this Motion, there are... Representative Turner votes 'aye'. On this Motion, there are 60 'ayes' and 50 'noes'. House Bill 32, having received the Constitutional Majority, is hereby declared passed. House Bill 152, Representative Giorgi. Out of the record. House Bill 282, Representative Woolard. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 282, a Bill for an Act to amend the Public Aid Code."

Speaker McPike: "Out of the record. House Bill 552, Representative Phelps. Mr. Phelps? David Phelps. Representative Phelps. Mr. Ostenburg, 948. Read the Bill, Mr. Clerk. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 948, a Bill for an Act to amend the Illinois Alcoholism and Other Drug Dependency Act. Third Reading of the Bill."

Speaker McPike: "Mr. Ostenburg."

Ostenburg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 948 authorizes the Department of Alcohol and Substance Abuse to create the Adolescent Family Life Program. This program is not a mandate to the

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department. It simply sets the mechanism in place for the creation of this particular service. This program is designed for adolescents who are addicted to chemicals or alcohol and who are in states either of parenting already or for young females in states of pregnancy. The Amendment that was filed earlier and adopted brings the age requirements in line with the Department of Alcoholism and Substance Abuse requirements. There has been an objection from the department that this will cost \$30 million or more for a treatment component; however, the Bill does not require any treatment component at all. To the contrary, what it does is set up a mechanism to deal with the coordination, collaboration of existing parenting activities relating to substance abuse addicts. I would move the adoption of this Bill, and I'm ready to answer any questions."

Speaker McPike: "Mr. Black, on a 'do pass' Motion."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, if the Bill does everything that you've purported the Bill to do, then why is the Department of Alcohol and Substance Abuse standing in opposition to the Bill?"

Ostenburg: "I can only presume that the department stands in opposition because it has some anticipation that something else may be coming at some point that would put demands on the department. However, I can assure you, that's not the intention of the Bill. I've served on the Advisory Council for the Department of Alcoholism and Substance Abuse in the past, and I'm serving in that capacity now, and it's not my intention to add any additional burdens to the department. I simply would like to put in place a mechanism so that we can address this major problem that relates to adolescents

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who are chemically addicted and then find themselves in parenting situations, many times the result of which is child abuse and even death of the youngster."

Black: "All right. Thank you, Representative. Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. Again, a laudable concept. I don't have anything personally against this Bill. We just passed one that...oh, I don't know, in the first two years I think's worth \$85 million. The department thinks this will probably cost \$30 million, and the Sponsor just told me it's going to be handled under existing programs, but DASA has a waiting list of 7,000 people for those existing programs. Now, we just...in two votes, we've just spent over \$100 million that we don't have. I don't have any problem with the Bill, but I mean at some point, when are we going to stop all of these new programs and new ideas and fund those that we have? I intend to vote 'present' on this Bill simply because you know the money isn't there, I know the money isn't there."

Speaker McPike: "The question is, 'Shall House Bill 948 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Ryder votes 'present'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 64 'ayes' and 9 'noes'; and House Bill 948, having received the Constitutional Majority, is hereby declared passed. House Bill 961, Representative Gash. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 961, a Bill for an Act to amend the Children and Family Services Act. Third Reading of the Bill."

Speaker McPike: "Representative Gash."

Gash: "Mr. Speaker and Ladies and Gentlemen of the House. I'm requesting your favorable consideration of House Bill 961

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which authorizes the Department of Children and Family Services to establish an informational and educational program for grandparents and other relatives who provide primary care, for children who are at risk of child abuse, neglect or abandonment or who were born to substance abusing mothers. The program can include development, publication and distribution of a brochure, and the conduct of workshops for these grandparents and for other relatives who provide primary care for at-risk children. DCFS is not opposed to the Bill, as amended. This Bill has special significance in Illinois as the Department of Children and Family Services has been giving priority to the use of relatives in substitute care arrangements for children requiring temporary or permanent foster care, and I ask for your 'yes' vote."

Speaker McPike: "On the Motion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, as amended, I believe this entirely a permissive piece of legislation."

Gash: "Yes, Sir."

Black: "And it really is permissive to the point where they simply may print a pamphlet, right?"

Gash: "Right, but it gives them specific authorization which they do not have now and we feel they really do need. This is a problem that is becoming more significant. The implementation plan required by the consent decree under the federal DH lawsuit, which requires a comprehensive reform..."

Black: "Representative, I'll tell you what. I'll vote for your Bill. We don't need any more explanation. Thank you."

Speaker McPike: "Representative Davis."

Davis: "Mr. Speaker, I wish to be recorded as 'aye' on House Bill

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948."

Speaker McPike: "The record will so reflect. The question is, 'Shall House Bill 961 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 110 'ayes' and 0 'nays'; and House Bill 961, having received the Constitutional Majority, is hereby declared passed. Representative Leitch, 1005. Mr. Turner, on 1037. Mr. Turner? Representative Pugh, 1213. Mr. Pugh? Representative Lou Jones, 1271. Lou Jones? Representative von Bergen-Wessels, 1651. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1651, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker McPike: "Representative von Bergen-Wessels."

von Bergen-Wessels: "Ladies and Gentlemen, this Bill would require the Department of Public Aid to prepare a notice for applicants and recipients, their families, when one of their loved ones enters a nursing home and to prepare a notification of all the rights and obligations that that family has. It would also require the Department of Public Aid to work out a payment schedule with the family or with the person who's responsible for contribution within 120...if they do not let them know within 120 days what they owe the department, then the department would be required to work out a payment schedule. The department is neutral on this Bill. A fiscal note has been filed. The response is that there would be no fiscal impact, it would be fiscally neutral. This comes from a situation in my district where someone has put their loved one into a nursing home, has been required to contribute to their care and a year later gets a bill for over a thousand dollars

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with a little note, 'Pay up quickly or we'll be contacting the courts'. If it takes them so long to decide what somebody owes, then they should at least allow that person to work out a payment plan with them, and I would ask for your support on this Bill."

Speaker McPike: "Representative Black, on a 'do pass' Motion."

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

Speaker McPike: "Yes, she will."

Black: "I'll be very honest with you, Representative. I thought I understood this, but now I'm a little bit confused. What is...what is the genesis of this Bill?"

von Bergen-Wessels: "This Bill comes about because of constituents who have been given notices of payments that are owed to the Department of Public Aid over a year after the obligations have been incurred."

Black: "Would...are you familiar with a case that got a lot of media publicity seven or eight months ago?"

von Bergen-Wessels: "I am not sure about what case you're speaking of, Sir."

Black: "As I recall, it was someone running for United States Senator from the State of Illinois."

von Bergen-Wessels: "Yes, Sir."

Black: "Would that...would that individual have gotten one of these letters?"

von Bergen-Wessels: "I would not know. If she was legally obligated, she might have. The situation that I'm speaking about that happened to my constituency had to do with a husband whose wife had Alzheimer's, was put into a nursing home, we had a legal obligation to help contribute to her support after going through some \$70 to \$80,000 of his own money for her care and then was notified some...a year

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later that he owed over a \$1,000 to the department with a nice little note on the bottom saying, 'Pay up right now', in effect, or 'we'll contact the courts'."

Black: "This is a very, very interesting Bill. Maybe you should have passed this a year ago, but I..."

von Bergen-Wessels: "I don't know if it's clear cut that the Senator had an obligation of support. Certainly my constituent did and deserved to be told in a timely manner what he owed instead of being hit with a big bill, an elderly person hit with a big bill, with a threatening notice at the bottom of it a year later."

Black: "So, it's...we can't make this Bill retrospective, right?"

von Bergen-Wessels: "No, Sir, no."

Black: "Okay. All right. Well, thank you very much."

Speaker McPike: "The question is, 'Shall House Bill 1651 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Motion, there are 86 'ayes', 25 'noes'. House Bill 1651, having received the Constitutional Majority, is hereby declared passed. Health Care and Human Services, returning to that Order briefly, Representative Kaszak is now ready with her Bill. It is now the hour of 5:30, and we will not accept any more of the Agreed Bill list requests. So, if you have not turned in one at this point, it means that you voted 'yes' on all of those Bills. There it is. Turn it in right now. (House Bill) 1838, Mr. Clerk. Read the Bill."

Clerk McLennand: "House Bill 1838, a Bill for an Act in relation to the environment. Third Reading of this Bill."

Speaker McPike: "Representative Kaszak."

Kaszak: "Thank you, Mr. Speaker. As I explained a few minutes ago, House Bill 1838 is a Bill that would establish a loan

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guarantee fund for environmental loans for small and mid-sized businesses for improving their properties in terms of pollution prevention and also cleaning up hazardous waste and other environmental hazards. I've explained it once before, and I won't take the chamber's time repeating it all. Thank you."

Speaker McPike: "Question is, 'Shall House Bill 1838 pass?' All those in favor vote 'aye'; opposed vote 'no'. Mr. Persico."

Persico: "Will the Sponsor yield?"

Speaker McPike: "This is explanation of vote. When the Chair called this for a vote, there was no lights on. Mr. Persico, to explain his vote."

Persico: "Hold on one second. Never mind."

Speaker McPike: "Mr. Black, to explain his vote."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. We saw this Bill last year, was vetoed by the Governor. This is an environmental initiative by the Treasurer of the State of Illinois, who God only knows why he's responsible for the environment. This gives you a loan guarantee that could cost you 85% of every loan that IFTA would make, and you don't have any say in what the loan would be. You have no say in how these loans are going to be made, and yet you're going to give this organization carte blanche to make these loans and stick the Illinois taxpayer with the liability? For God's sake, you were sent down here to represent these people, not to shaft 'em. I would advise you to vote 'no' or 'present'."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 69 'ayes' and 41 'noes'. House Bill 1838, having received the Constitutional Majority, is hereby declared passed. House

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Bill 1213, on Health Care and Human Services. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1213, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of this Bill."

Speaker McPike: "Mr. Pugh."

Pugh: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1213 is designed to allow Medicaid benefits for Earnfare recipients. These are individuals who have been transferred over to transitional assistance programs, as a result of the budget cuts of last year, and they're currently receiving about \$154 a month and they are required to work 60 hours a month in return for that and they also receive food stamps. This Bill would allow these individuals who have voluntarily agreed to work for less than minimum wage...merely allows them the opportunity to see a doctor if they become ill and are unable to perform their work, and I humbly request a favorable vote."

Speaker McPike: "On the Motion, Representative Weller."

Weller: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker McPike: "Yes, he will."

Weller: "Thank you. Representative...Representative Pugh, I have some questions."

Speaker McPike: "He's back here, Mr. Pugh. Back here."

Pugh: "Yes, Sir."

Weller: "The...for how long would the recipients on the Earnfare program be eligible for medical assistance under your program?"

Pugh: "Only during the time that they're on the Earnfare program, which is only six months."

Weller: "Can they reenter the Earnfare program at the end of six months and come back later on and get on the program again?"

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Pugh: "Well...no, this doesn't change the eligibility for the Earnfare program itself. It only allows for the medical benefits."

Weller: "All rightly. And how many people are participating in the Earnfare program today?"

Pugh: "Currently, there's about 6,000."

Weller: "Around 6,000?"

Pugh: "Yes, Sir."

Weller: "If you're going to provide medical coverage for these Earnfare recipients, they're not currently receiving this medical coverage in any way through Medicaid or Public Aid."

Pugh: "No, they're not receiving any kind of medical assistance."

Weller: "Okay. What is the fiscal impact of this legislation?"

Pugh: "It's approximately \$800,000."

Weller: "Eight hundred thousand dollars."

Pugh: "Yes, Sir."

Weller: "And how much are we spending now on the Earnfare program?"

Pugh: "That's within the available appropriation that's already allocated for the program."

Weller: "Okay, so the minimum cost could be \$0,000 then."

Pugh: "There's no new money. This will not require any new dollars."

Weller: "So, if it's gonna...you're gonna use existing money to fund this, that means that you have to take the money from somewhere else, doesn't it, Representative?"

Pugh: "There's a lapse in the Public Aid Department for over \$40. There's a...these dollars were allocated...would come from the dollars that were allocated for the Public Aid program that has as we currently speak a \$40 million...\$39 million lapse."

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Weller: "So, then we'd have to...to fund this, we'd have to take money that's currently being spent on these...you know, to put the 6,000 Earnfare recipients in the program, we'd have to take \$800,000 out of that. Wouldn't that mean there'd be less people able to participate in Earnfare program by reducing the funds available for putting them on the program, Representative?"

Pugh: "I'm not sure I understand your question. Can you repeat it?"

Weller: "Representative, I was wondering, how...if we have 6,000 people currently participating, how many would have to be eliminated from the program to pay for these medical benefits?"

Pugh: "Well, the \$800,000 would ensure that...would ensure that individuals that participate in the program were able to perform adequately on the job, and thereby not requiring them to be dependent on further assistance."

Weller: "I understand the Earnfare as one of the Sponsors of the program, Representative. The..."

Pugh: "Then I can count on your 'aye' vote."

Weller: "We're talking about it right now, Representative. Now, is this program, would this benefit be extended to all Earnfare participants statewide?"

Pugh: "Yes, Sir."

Weller: "So, it's...it would not be limited only to Chicago?"

Pugh: "No, Sir. By no means."

Weller: "Okay. Representative, you know, I'm going to rise in opposition to your Bill, and the reason I'm rising in opposition to this Bill is because of its fiscal impact. We've spent a lot of money today in legislation that we've voted...may well vote out of the House of Representatives. Fiscal impact of this is \$800,000. The Sponsor plans to

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take that money out of existing funds. That means that there are going to be less people able to participate in the Earnfare program."

Pugh: "Representative, it's my understanding."

Weller: "Representative, I didn't ask a question. I'm speaking."

Pugh: "Yes, Sir. Pardon me."

Weller: "So I'm sure you'll have a chance to respond."

Pugh: "Pardon me, Sir."

Weller: "To close. The... Ladies and Gentlemen, this has a big fiscal impact. It's going to make it harder for more people to participate in the Earnfare program, and if you want people to have that opportunity, you should vote 'no'."

Speaker McPike: "Representative Roskam."

Roskam: "Thank you, Mr. Speaker. I rise in support of the Representative's Bill. I'm persuaded personally by the notion that we need to create some sort of a positive incentive here for people to move along within the Earnfare system, and it seems counter-intuitive to me to treat people who are working hard and stepping out and trying to do the right thing and having them have health benefits at risk. I personally am persuaded by the notion that we're going to recover that \$800,000, huge amount of money as it may be, but I rise in support of the Gentleman."

Speaker McPike: "The question is, 'Shall House Bill 1213 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Motion, there are 75 'ayes' and 33 'noes'. House Bill 1213, having received the Constitutional Majority, is hereby declared passed. House Bill 1271, Representative Lou Jones. Read the Bill, Mr. Clerk."

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Clerk McLennand: "House Bill 1271, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of this Bill."

Speaker McPike: "Representative Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. House Bill 1271 amends the Public Aid Code in relation to the new Earnfare program. The new Earnfare program is structured so that the workers must first work many hours for nothing before they can begin to earn money at the minimum wage. Right now, the...right now, the participants in the Earnfare program work off the food stamps, \$154, which averages at about \$2.48 an hour, which is below the minimum wage. What House Bill 1271 says is, the participants of the program at least pay them minimum wage. The participants get an unrealistic bleak idea of what a minimum wage job can do for them, because in Earnfare they really earn only \$2.48 per hour, and that's when you take again the \$154 in food stamps. The participants cannot accomplish anything with only \$154 other than bare survival; thus, they cannot buy a set of decent clothes, get a haircut or even go search for work. So, basically all House Bill 1271 says, in 1993 in the State of Illinois and the Earnfare program is working to at least pay the participants minimum wage, and I ask for a favorable vote."

Speaker McPike: "On the Motion, 'do pass', Representative Weller."

Weller: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker McPike: "Yes."

Weller: "Representative, it's my understanding that there's a significant fiscal impact on this legislation. Do you know the dollar amount? It's my understanding the fiscal impact is \$7.6 dollars."

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Jones, Lou: "That's what it would cost for 5,700 average monthly slots. But remember, in Earnfare, the amount of participants who served is the amount of the funding that the program has. As you know, the Governor has put \$5,000, \$10,000, and he's talking about adding another \$5 million to the program. The program services what the amount of the funding is, so actually there is no fiscal impact. You're talking about...you taking this number, 5700 slots...that's not...that is not the amount of slots that they are. Right now for instance, if he does not increase the program, the program can only service what the funding that is there now."

Weller: "If we use \$7.6 million to fund this initiative, that would suggest then, Representative, that less people would be able to participate with the funds that would be, perhaps, included in the Governor's budget if we pass it."

Jones, Lou: "You know, that might be true, Representative, but you're giving 'em less of a chance to stay in the program. Let's be real. You're talking about people that working for \$2.48 an hour, and I understand the program is working. The Governor says the program is working. He has put more funding into it. All we're saying is to pay them minimum wage. The program is a good program, and we support the program."

Weller: "I agree with you, Representative. The Earnfare program is a good initiative, and I'm glad to see the Governor's recommended an increase with you. I agree with you there. I have concerns, though, about this legislation, and I want to bring them to the attention of this Body. It's my understanding is that the Department of Public Aid would not be able to use federal funds for the purpose of funding this initiative, so it would have to come from the existing

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appropriation that we would make, and also would not be able to claim...they would not be able to claim a federal match for those funds. You have to remember, it's got over a \$7 million fiscal impact. We don't have the money. There's no new money for this, and if we take it out of the existing appropriation, that means that less individuals will be able to take advantage of the Earnfare program. For those reasons, Ladies and Gentlemen, I urge a 'no' vote."

Speaker McPike" "The question is, 'Shall House Bill 1271 pass?' All in favor vote 'aye'; opposed vote 'no'. Mr Meyer, to explain his vote."

Meyer: "Thank you, Mr. Speaker. Actually, I didn't want to just explain my vote, I wanted to ask a question, and I thought I could maybe further understand what the Representative over here is actually proposing. It's my understanding (and maybe the Representative could nod her head 'yes') that currently, and what this Bill proposes to do, is instead of requiring that the individual that's on Earnfare pay back in essence the amount of the food stamps that they're allowed to at least make the equivalent of minimum wage and it's also my understanding that somebody that wouldn't be on Earnfare out there making the equivalent...or making minimum wage, would also be eligible for food stamps. That's my understanding; and so, therefore, I think that it would behoove us to vote 'aye' on this in order so that the person that is in Earnfare at least makes equivalent of minimum wage and you don't penalize 'em for the food stamps, mere subsistence of living."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On

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this Motion, there are 75 'ayes' and 38 'noes'. House Bill 1271, having received the Constitutional Majority, is hereby declared passed. House Bill 1037. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1037, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of this Bill."

Speaker McPike: "Mr. Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I think this Bill may help aid some of the questions that we had earlier regarding Representative Pugh and Representative Jones' Bills. What this Bill will do is it will restructure the existing AFDC payment system in a manner that will encourage recipients to work while allowing them to retain...reduce AFDC benefits and medical care. As long as their work income remains below the minimum amount that the Department of Public Aid has determined to be necessary. In that sense, it will develop a new earned income budgeting process for recipients of AFDC which will allow them to keep more of their earned income while working. I understand that the Department of Public Aid is...there's... Of course, the agency must seek a federal waiver to allow it to simplify the current process and to allow it to exempt a larger proportions of earned income than allowed under the federal law, and the department must report to the General Assembly by October of this year the status of that federal waiver and the implementation of the revised process."

Speaker McPike: "Mr. Black on a 'do pass' Motion."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is a Department of Public Aid Bill..."

Speaker McPike: "The question is, 'Shall...'"

Black: "I congratulate the Representative. The money is in the

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Budget. The money is in the budget. Thank you. Vote 'aye'."

Speaker McPike: "The question is 'Shall House Bill 1037 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Motion, there are 111 'ayes' and 0 'nays'; and House Bill 1037, having received the Constitutional... Speaker 'aye'. McPike, 'aye' and Woolard, 'aye'. On this Motion, there are 100... Wirsing, 'aye'... On this Bill, there are 115 'ayes', 0 'nays'. House Bill 1037, having received the Constitutional Majority, is hereby declared passed. House Bill 1957, Mr. Burke. Representative Burke. Out of the record. (House Bill) 2048, Representative Ronen. Mr. Ronen? Representative Erwin. Representative Homer? Homer. Representative Kotlarz. Kotlarz here? Yes. Mr. Kotlarz, 2287. Representative Phelps, 2290. Phelps? (House Bill) 2290. Housing and Economic Development. First we have a request to return to Law, Second Reading. Gentleman was off the floor. House Bill 273, Second Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 273, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this Bill. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Martinez."

Speaker McPike: "Martinez. Where is Mr. Martinez? Is the Gentleman... Amendment #2, Mr. Martinez. Is he here? Mr. Martinez requested that I return to this order. Representative Currie, in the Chair."

Speaker Currie: "Representative Martinez, on Amendment #2 to House Bill 273."

Martinez: "Thank you, Madam Speaker, Ladies and Gentlemen of the

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House. Amendment #2 is simply a change in the language of the Bill. It simply exempts peace officers from this offense."

Speaker Currie: "Representative Martinez moves 'do adopt' on Amendment #2 to House Bill 273; and, on that Motion, is there any discussion? Hearing none, all in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Wennlund."

Speaker Currie: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. This Amendment creates the Concealed Firearms Permit Act. It amends the Criminal Code and exempts certain weapons violations for those who have a valid concealed firearms permit. It retains all of the provisions of the Bill. What it provides for, is that the Department of State Police will issue, upon application to those 21 years of age or older, residents of Illinois, provide criminal background checks for felonies, crimes of violence, with no record of mental disease or illness, and have demonstrated confidence with a firearm by attending one of several firearms courses (including the Department of State Police), prior military experience or prior police experience and a full set of fingerprints together with \$100 fee and a \$50 annual renewal fee. Experience in other states have been excellent. There are 30 other states that have this procedure. All of the states that border Illinois (with the exception of Iowa) have it, and it's been proven in the State of Florida that enacted it in 1987 that its handgun related crimes, robbery, murder, have decreased by 23%. There's been a significant crime reduction in all the states that, in fact, have this Bill.

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In fact, Oregon homicide rates fell 20% in the first two years that it's had it, and gun related homicides fell 16%. It's been proven by the FBI crime reports that in the states that have this Bill, the crime rates are 50% lower than in the states that do not have it. Gun related homicide rates in the non...in the states that do not have it are 55% higher, like Illinois, New York, California. In states that have it like Oregon and Florida...Arkansas is even considering it. It's passed the Senate in Arkansas, robbery rates are 55% higher in states that do not have this law. All of the fears in the State of Florida that this law would create a shootout at the O.K. Corral have simply not proven true. Law enforcement in the State of Florida, the Department of Florida State Police have all said that the Bill is working very well; and, in fact, has reduced crime. The real issue here is self-defense, and in fact, seven out of ten women in the United States got to be a victim of violent crime during their lifetime. In Illinois, from 1988 to 1992, there was a 53% increase in the number of women who obtained FOID cards. That means that at least three-to-five out of ten are, in fact, carrying a concealed weapon. A woman can carry a weapon around the house all day long, but once she steps out the door and onto the public street, she becomes an instant felon carrying an unlawful weapon. We simply should remove this so that honest, law-abiding citizens in Illinois can, in fact, carry a weapon to defend themselves. The number of women who now own guns..."

Speaker Currie: "Representative Schakowsky, for what reason do you rise?"

Schakowsky: "Germane? I rise for a ruling on whether or not this Amendment is Germane."

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Speaker Currie: "We'll check that. Thank you very much."

Speaker McPike: "Representative Martinez, for what reason do you arise?"

Martinez: "Mr. Speaker, I...while I agree with the Gentleman's concept, I think he should have put that in his own Bill instead of trying to put it as an Amendment to mine. I consider it a hostile Amendment, and I would ask..."

Speaker McPike: "Well, we're checking the Germaneness. Representative McPike, in the Chair. Amendment's not Germane. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Seniors, Third Reading. House Bill 354, Mr. DeJaegher. Representative Flowers. Turn her on, please."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. I would like to take this opportunity to invite you all to the St. Nick's tonight. We're having a party in honor of Representative Bob LeFlore, so please join us later on tonight at the St. Nick's. Thank you very much."

Speaker McPike: "Mr. DeJaegher, on House Bill 354. Mr. Clerk, have you read the Bill?"

Clerk Rossi: "House Bill 354, a Bill for an Act amending the Illinois Act on Aging. Third Reading of the Bill."

Speaker McPike: "Mr. DeJaegher."

DeJaegher: "Is there an Amendment on this Bill, Mr. Speaker?"

Speaker McPike: "Mr. Clerk."

Clerk Rossi: "House Amendment #1 was adopted."

Speaker McPike: "Yes."

DeJaegher: "All right. What happens is the Amendment becomes the Bill. It adds a provision that requires the Department of Aging to conduct a study by April 1, 1994, of the feasibility of implementing the existing senior companion

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program throughout the state for fiscal year beginning July 1st, 1994."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 115 'ayes' and 0 'nays'. House Bill 354, having received the Constitutional Majority, is hereby declared passed. House Bill 355, Mr. DeJaegher. Out of the record. Mr. Martinez, 587. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 587, a Bill for an Act to amend the Civil Administration (sic-Administrative) Code of Illinois. Third Reading of this Bill."

Speaker McPike: "Mr. Martinez."

Martinez: "Thank you, Mr. Speaker, Ladies and Gentlemen of this House. I ask leave to bring this Bill back from Third to Second for purposes of an Amendment."

Speaker McPike: "Mr. Martinez."

Martinez: "Yes. I requested to bring the Bill back from Third to Second."

Speaker McPike: "All right. Gentleman has leave to return the Bill to Second. Gentleman has leave. Second Reading. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Martinez."

Speaker McPike: "Mr. Martinez."

Martinez: "The Amendment becomes the Bill, and it's an Agreed Bill with the agency of aging, so..."

Speaker McPike: "On the Agreed Amendment, Mr. Black. Question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 977, Mr. DeJaegher. You want this Bill called? Out of the record. Mr. Granberg, 2008. Out of the record. Mr. DeJaegher, 2169. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2169, a Bill for an Act to amend the Illinois Act on Aging. Third Reading of this Bill."

Speaker McPike: "Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. Basically, what this Bill does...it amends the Illinois Act on Aging, provides that the Department on Aging may receive first funds from the Community Service Employment program. Right at the present time, the Department of Agency (sic-Aging)...Department of Agency (sic-Aging) has currently the authority because SCEP is funded through Older Americans Act, which is covered under provisions of the statute. The Department of Aging has the authority to receive and disburse funds it made available under the Older Americans Act. This Bill would codify the current practice of the department, so that's what it basically would do, it would codify..."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Mr. DeJaegher votes... Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 115 'ayes', 0 'nays'. House Bill 2169, having received the Constitutional Majority, is hereby declared passed. House Bill 2221, Mr. DeJaegher. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2221, a Bill for an Act to amend the Partnership for Long Term Care Act. Third Reading of this Bill."

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Speaker McPike: "Mr. DeJaegher."

DeJaegher: "What this does, it amends the Partnership for Long Care Term Act, deletes the provisions that the Department of Aging shall not implement the Act unless a private grant is received to pay the administration cost of the pilot program, and it implements it immediately."

Speaker McPike: "Mr. Black, on a 'do 'pass' Motion."

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

Speaker McPike: "Yes."

Black: "Representative, this Bill...correct me if I'm wrong. This Bill is identical to House Bill 134 which has already passed out of this chamber which was a Balthis-DeJaegher Bill. Now, do you wanna to pass the same Bill out? I'm not opposed to it if that's what you want to do."

DeJaegher: "I agree with you. It's similar to Balthis' Bill, and I think that him and I have been working well on both of these, and I don't feel that there's going to be a problem putting out both Bills at the present time."

Black: "All right. Thank you very much. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. This is identical to a Bill that was introduced by the House Republican Conference on their welfare reform package, and it's already passed out of the House. If the Republican Bill is an outstanding Bill as they always are, this is a pretty good Bill, so I'll vote for it, too."

Speaker McPike: "The question is, 'Shall House Bill 2221 pass?' All in favor vote 'aye'; opposed vote 'no'. Mr. Balthis, to explain his vote."

Balthis: "I just rise to support the Gentleman's Bill and appreciate working with him on this issue."

Speaker McPike: "Have all voted? Have all voted who wish? Have

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all voted who wish? The Clerk will take the record. On this Motion, there is 109 'ayes', 0 'nays'. House Bill 2221, having received the Constitutional Majority, is hereby declared passed. Mr. DeJaegher."

DeJaegher: "Would you be so kind as to bring me back to 977, Sir?

I didn't have my information at that time."

Speaker McPike: "House Bill 977. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 977, a Bill for an Act to amend the Respite Program Act. Third Reading of this Bill."

Speaker McPike: "Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. For the benefit of many of you that are in this House today, nine years ago we submitted...and passed a series of Bills dealing with Alzheimers. There were seven in number. This was one of those pieces of legislation. We have not made much progress with Alzheimer's problems, we have been successful with Rush Hospital and Southern Illinois University in acquiring federal money for experimental purposes. We were also quite successful in the checkoff, and we have generated over a \$100,000; and again, this has been a good piece of legislation; but, by and large, the most important part of those series of bills that we've presented for Alzheimers, where over a 180,000 people are afflicted in the State of Illinois, with this dreadful disease, we've made very little progress. What I want to do is to continue and when funds become available, that the state address itself to this cause. I'm not asking for \$50 million, \$100 million, but all I'm asking the State of Illinois is consideration. I believe the time has come that somewhere somehow, we must, we must try to benefit those people, not those people that are basically afflicted with the disease itself, but those people that

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care for these people that have this terrible disease, and this is why I'm asking for support and passage of this legislation."

Speaker McPike: "Mr. Black, on 'do pass Motion.'"

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

Speaker McPike: "Yes, he will."

Black: "Representative, you're a man known for your integrity. Do you recall or perhaps I've been misinformed, but do you recall telling Members in committee that you would form a subcommittee of other Members and that you would work this Bill out so that you...the Bill would be contingent upon receiving federal financial participation?"

Speaker McPike: "Mr. DeJaegher."

DeJaegher: "I don't recall that. But last year, we put a piece of legislation out that basically would isolate federal funding for respite care because it was a big movement in Washington, at that particular time; hopefully, that will continue. But I'm not asking for a funding mechanism, I'm just asking for consideration."

Black: "Well, thank you very much. Representative...Mr. Speaker, Ladies and Gentlemen of the House. I would...I would ask for your consideration and attention, because this matter is very important to the Sponsor but it's also very important to me and very important to the Department of Aging. What the Gentleman's Bill does, is to delete language providing that the implementation of respite care projects is contingent upon federal financial participation. Now, I was under the impression this was supposed to be worked out, but he...evidently not. In the absence of that sentence, this Act requires 24-hour, evening and weekend staff to be available to provide

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respite care. Now, Ladies and Gentlemen, without federal financial participation, this has a fiscal impact of \$5 million and you're asking people to supply 24-hour respite care that they aren't going to get paid for. I... You know, in all honesty, we thought this was going to be worked out and the Bill advanced to this level because we thought that federal financial participation would be required. Now we find that's not the case; and since it's not the case and you are setting up an entitlement program that could cost a tremendous amount of money without the federal participation, I respectfully ask you to vote 'no' or 'present' on this Bill."

Speaker McPike: "Mr. DeJaegher, do you want to take this out of the record or do you want to proceed? Mr. DeJaegher? Do you want to take this out of the record?"

DeJaegher: "I don't believe it's necessary too take this Bill out of the record."

Speaker McPike: "Or do you want to proceed? Pardon me?"

DeJaegher: "I don't believe it's necessary for taking this Bill out of the record, I think you could still continue with..."

Speaker McPike: "All right, fine. Mr. Lawfer. Mr. Lawfer."

Lawfer: "Will the Sponsor yield?"

Speaker McPike: "Yes, he will."

Lawfer: "I serve on that committee, and I think that this Bill has tremendous merit and I...back the Sponsor in regard to this Bill; however, it does have some problems and I...and I was part of a committee that was to meet to work out some of these problems. That committee, to my knowledge, has never met to work out the wording problems on how this would be implemented and how it would be funded. So, until that is done, I as a Member of the Aging Committee, will

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oppose this. It passed out of the committee with the agreement that this would take place, and...I had committee Members that voted for this that felt that this committee could work it out and that has failed to happen."

Speaker McPike: "Representative Schakowsky. Representative Davis."

Davis: "Thank you, Mr. Chairman. I would just like to say that when Earnfare passed, originally, there were no dollars for that either, and... So, I certainly support this initiative."

Speaker McPike: "Thank you. Representative Schakowsky."

Schakowsky: "Thank you, Speaker. I...I'm on that committee, and I'm afraid I don't recall the requirement that there be a subcommittee to work this out; but in any case, I think it's important for everyone to understand that funding for this legislation is still contingent on the availability of legislative appropriations and that the department will continue and is continuing to seek federal funding for this. It simply says that they don't have to, but we still have to appropriate dollars which is up to this General Assembly to do or not do. So, this Bill is not going to cost money, if we don't have it. It only establishes that respite care is worthy of our...of a program to fund."

Speaker McPike: "The question is, 'Shall House Bill 977 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Mulligan, to explain her vote."

Mulligan: "This concerns me a great deal because...you hate to create expectations and right now we're under several Consent Decrees, and...I think if you create an expectation, you're asking for a lawsuit and that concerns me alot. I think we need to look into the proper funding of these matters and not look to the federal courts to tell

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us how to run our state agencies and what we're doing and that's really.... It's a very, very difficult vote, and I don't like being put in that position."

Speaker McPike: "Mr. DeJaegher, to explain his vote."

DeJaegher: "Mr. Speaker, let me make one thing clear. I am a man of my honor. And when we was talking about a Bill it was 355, which was a vehicle Bill, that I got out of committee. And I guaranteed the Minority Chairman of that, before I would move that Bill, I would give him the substantive language. This was not pertaining to this particular Bill that we're reading at the present time. (House Bill) 977 is long near and dear to my heart, and if you people would read, 'Respite projects authorized under this Act shall be funded only to the extent of available appropriations for this purpose'. Now, we've been battling this for nine years. We go to the senior citizens centers and say, 'Yes, we're receptive to your needs and your care. We want to do something for you'. We get an opportunity and I'm not even asking for specific amounts of money, I'm saying when and if the funds become available, if we're going to participate with federal funding then we've got to come up with a match, also. So, I think there should be more and more green votes on this. If you're going to go out and speak to these senior citizens, you're going to do something for 'em, then put your money where your mouth is."

Speaker McPike: "Mr. Black."

Black: "Mr. Speaker, in all due respect, I certainly don't mean and didn't mean or would never mean to impune the integrity of Representative DeJaegher. Your...your suggestion, perhaps, was the best. To take it out of the record and meet with the Department of Aging. If they're wrong..."

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Speaker McPike: "But, I can't take it out of the record and I can't take it out of the record, and you spoke in debate."

Black: "All right. All right."

Speaker McPike: "Mr...Representative Biggert."

Biggert: "...Will the Sponsor yield?"

Speaker McPike: "One minute to explain your vote."

Biggert: "Thank you. I...I was in that committee, and I was the first one to vote, and I...I did vote 'no' because we didn't have the funds and I...I recall that the Sponsor was very upset and then said that he would work with the subcommittee to deal with the funding, and the voting then proceeded."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this...on this Motion there are 67 'ayes', 14 'noes'. House Bill 977, having received the Constitutional Majority, is hereby declared passed. Housing, Third Reading, Representative Capparelli, 419. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 419, a Bill for an Act to amend the Housing and Development Act. Third Reading of the Bill."

Speaker McPike: "Mr. Capparelli."

Capparelli: "Mr. Speaker, I'd like to bring House Bill 419 back to Second Reading for an Amendment."

Speaker McPike: "All right. Does the Gentleman have leave? Leave is granted. The Bill's on Second Reading. Any Amendments, Mr. Clerk?"

Clerk McLennand: "Floor Amendment #2, offered by Representative Capparelli."

Speaker McPike: "Mr. Capparelli."

Capparelli: "This Amendment has been agreed by all parties, I understand. The Amendment deletes the provision that would

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statutorily set the value to provide a bond under the new program, if they are used by banks as collateral for state deposit. I ask for a favorable roll call on this Amendment."

Speaker McPike: "The question is, 'Shall Amendment 2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 420, Mr. Capparelli. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 420, a Bill for an Act to amend the Illinois Housing Development Act. Third Reading of this Bill."

Speaker McPike: "Mr. Capp... Mr. Capparelli."

Capparelli: "Mr.... Thank you, Mr. Speaker. House Bill 420 is exactly what it says, it specifies that the definition of residential mortgage applies to mortgages on real property and on unimproved multi-units, structures as well as single units. I guaran...I understand this is agreed. I ask for a favorable roll call."

Speaker McPike: "The question is, 'Shall House Bill 420 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 93 'ayes', 11 'noes'. House Bill 420, having received the Constitutional Majority... Representative Moseley votes 'aye'. On 94 'ayes', 11 'noes'; House Bill 420, having received the Constitutional Majority, is... Representative Lin...Lindner votes 'aye', votes 'no', votes 'no'. On this Motion, there are 94 'ayes' and 12 'noes'. House Bill 420, having received the Constitutional Majority, is hereby declared passed. House Bill 527, Representative Turner.

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Out of the record. The next four Bills are out of the record. House Bill 1124, Representative Novak. Mr. Novak? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1124, a Bill for an Act to amend the Illinois Development of Finance Authority Act. Third Reading of the Bill."

Speaker McPike: "Mr. Novak."

Novak: "An inquiry of the Chair, Mr. Speaker. Wasn't this Bill on the Agreed Bill list?"

Speaker McPike: "If it was, then it's gone."

Novak: "Well, okay, okay. As I discussed yesterday..."

Speaker McPike: "Well. If it's on the Agreed Bill list, then we've already voted on it. Mr. Clerk, is it on that list?"

Novak: "That's right, that's what I thought."

Clerk McLennand: "The Bill's on the Agreed Bill list. The Bill was on the Agreed Bill list."

Speaker McPike: "Thank you. Mr. Morrow, 1238. Charles Morrow. Mr. Pugh, 1855. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1855, a Bill for an Act to amend the Illinois Housing Development Act. Third Reading of the Bill."

Speaker McPike: "Mr. Pugh."

Pugh: "Thank you, Mr. Speaker, Ladies and Gentlemen...Ladies and Gentlemen of the House. House Bill 1855 is designed to create a...respite care program, a pilot...pilot program that would provide respite care for homeless individuals once they've been hospitalized due to injuries...sustained, as the result..."

Speaker McPike: "All right. On the Gentleman's, of being homeless 'do pass Motion', Representative Hawkins."

Hawkins: "Personal privilege. I...I just need to be recorded as 'aye' on the previous Bill."

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Speaker McPike: "All right. The Gentleman had intended to vote 'aye' on the previous Bill, and the record will so reflect the Gentlemen's request. On a 'do pass' Motion on Mr. Pugh, Mr. Black."

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

Speaker McPike: "Yes, he will."

Black: "Representative, very quickly. Your Amendment is entirely permissive? It's not mandatory? You're not mandating anything, correct?"

Pugh: "No, Sir. The...the program is designed to...if the funds are available to create the program."

Black: "All right. And the Amendment does become the Bill."

Pugh: "Yes, Sir."

Black: "Correct? And you're working with the Lutheran Society in trying to convert a hospital et cetera?"

Pugh: "Yes, Sir."

Black: "Fine. Thank you. It's a good idea."

Speaker McPike: "The question is, 'Shall House Bill 1855 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 115 'ayes' and 0 'nays'. House Bill 1855, having received the Constitutional Majority, is hereby declared passed. House Bill 2061, Mr. Black. Bill Black."

Clerk McLennand: "House Bill 2061, a Bill for an Act to amend the Housing Authorities Act. Third Reading of the Bill."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. I thought this Bill went on the Agreed Bill list, but otherwise it's..."

Speaker McPike: "Mr. Clerk, is this on the Agreed Bill list? Yes, it is. Out of the record. Professional Regulations,

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Third Reading, appears House Bill 208, Mr. Hicks. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 208, a Bill for an Act to amend the Real Estate License Act of 1983. Third Reading of the Bill."

Speaker McPike: "Mr. Hicks."

Hicks: "Mr. Speaker, an inquiry of the Chair, please."

Speaker McPike: "Yes."

Hicks: "Has there not been an Amendment filed for 208 on whether or not you can take it back to Second?"

Speaker McPike: "Mr. Clerk, are there any Amendments filed to this Bill?"

Clerk McLennand: "No Amendments have been adopted."

Speaker McPike: "Are there any Amendments filed to this point?"

Clerk McLennand: "No Amendments are filed."

Speaker McPike: "No. Out of the record. Mr. LeFlore, 324. Out of the record. Mr. Hannig. Mr. Hannig, here? Mr. Hannig? Mr. Novak, 577. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 577, a Bill for an Act to amend the Tanning Facility Permit Act. Third Reading of this Bill."

Speaker McPike: "Mr. Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Yesterday, Representative...Representative Han...Hannig passed out a similar Bill to mine with an Amendment and with an Agreed Amendment with the Department of Public Health concerning the...the nature of the structure of the...fees and the licenses, I should say, concerning tanning facilities. The Department of Public Health has agreed to do a study 'cause they simply haven't had enough time. Representative Hannig's Bill is passed out. I simply would like to have my Bill passed out, go over to the Senate and be held in Rules, so when the study

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is complete and we have...and we will have an active Bill that we can use to hopefully restructure some equity and some fairness into the fee system for tanning facilities."

Speaker McPike: "The question is, 'Shall House Bill 577 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 99 'ayes' and 13 'noes'. House Bill 577, having received the Constitutional Majority, is hereby declared passed. House Bill 619, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 619, a Bill for an Act to amend the Liquor Control Act of 1934. Third Reading of this Bill."

Speaker McPike: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 619 is a Bill that allows the liquor commissioner in the State of Illinois to allow a licensee or a...a license to be renewed for certain parcels of property, if the license has been suspended, but if that license...if the licensee or the owner of the property was not caused to have been a notorious establishment. So, what happens now, if a liquor license is lost, a liquor establishment or tavern or bar or whatever, can not be reopened on that premises for over a year. It is the opinion of the liquor control commissioner in the State of Illinois, as well as many other people, that...unless that establishment is...is considered notorious, then there should be that opportunity to be able to have that premise reopened with that kind of establishment and not penalize the owners of the property. So, this Bill has been introduced in order to resolve that problem, Mr. Speaker, and I would answer any questions the Members might have or, if not, ask for your affirmative

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votes."

Speaker McPike: "The question is, 'Shall House Bill 619 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Lang, 'aye'. Have all voted who wish? The Clerk will take the record. On this Motion, there are 113 'ayes' and 0 'nays'. House Bill 619, having received the Constitutional Majority, is hereby declared passed. Representative Davis, 706. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 706, a Bill for an Act to amend the Illinois Dental Practice Act. Third Reading of the Bill."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker. ...House Bill 706 is a Bill that provides a mechanism for the Department of Professional Regulations to bring civil proceedings against individuals who practice dentistry without a license. The Bill will not interfere with the powers of the Attorney General or his...ability to criminally prosecute those who violate the law."

Speaker McPike: "The question is, 'Shall House Bill 706 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 107 'ayes' and 1 'no'. House Bill 706, having received the Constitutional Majority, is hereby declared passed. Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I rise to clear up a problem with one of the Members and also...have got a little...confusion with the leaf burning Bill. I notice that some of the Reps that were voting for the Bill and speaking for the Bill against leaf burning are back by the restroom sucking on leaves. Also, there's been a problem with one of our leaders, Representative Dunn was in the

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Chair the other day and asked for Representative Helm to present a Bill, and I've asked my secretary to scour the new Members list and we cannot find Representative Helm. So, we proceeded to investigate the...the abbreviations and we find that Representative Helm is actually House Elementary. Would you please inform Representative Dunn that Representative Helm doesn't exist, that's House Elementary?"

Speaker McPike: "Well, the Chair would inform him of that, but earlier on the person in the Chair asked Mr. Pollak who Helm was and Mr. Pollak had no idea and then Mr. Mapes came out and we asked him who Mr. Helm was and he had no idea. So, it was only to Mr. Dunn that actually you said on the microphone, Mr. Helm. I asked Mr. Black who he was, and he said, 'He was a Republican Member that he hadn't met yet'. Consent Calendar, Third Reading, Mr. Granberg, on a...Motion on Consent."

Granberg: "Mr. Speaker, Ladies and Gentlemen of the House. Yesterday on House Bill 2120, we removed a House Bill, that House Bill from the Consent Calendar. Since that time it has been...has been read. We would like to remove our objection to...to having that Bill placed on the Consent Calendar, and we would like to move now to have it put on the Consent Calendar and have it passed today."

Speaker McPike: "All right. That's House Bill what?"

Granberg: "(House Bill) 2120."

Speaker McPike: "House Bill 2120 was removed by the Consent Calendar by Mr. Granberg. Mr. Granberg has now removed his objections. House Bill 2120 will be added to Consent. Mr. Clerk, read the Bills."

Clerk McLennand: "Consent Calendar, Third Reading. House Bill 76, a Bill for an Act to amend the Senior Citizens Real

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Estate Tax Deferral Act. House Bill 292, a Bill for an Act concerning the service of process. House Bill 342, a Bill for an Act to amend the Code of Civil Procedure. House Bill 405, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. House Bill 684, a Bill for an Act to amend the Revenue Act of 1939. House Bill 747, a Bill for an Act to amend the Revenue Act of 1939. House Bill 1295, a Bill for an Act to amend the Charitable Games Act. House Bill 1397, a Bill for an Act to amend the Department of Public Health Act. House Bill 1398, a Bill for an Act to amend the Vital Records Act. House Bill 1434, a Bill for an Act to amend the Alton Lake Heritage Parkway Law. House Bill 1707, a Bill for an Act to amend the Solid Waste Planning and Recycling Act. House Bill 1854, a Bill for an Act to amend the Environmental Protection Act. House Bill 2120, a Bill for an Act to codify the law in relation to townships.

Third Reading of these Bills."

Speaker McPike: "The question is, 'Shall these Bills pass?' All those in favor vote 'aye'; opposed vote 'no'. It's Consent Calendar, Third Reading. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On these Bills, there are 116 'ayes' and 0 'nays'; and these Bills, having received the Constitutional Majority, are hereby declared passed. Constitutional Officers, Third Reading, House Bill 318, Mr. Balanoff. Balanoff. Mr. Novak, 325. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 325, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this Bill."

Speaker McPike: "Mr. Novak."

Novak: "Yes, Mr. Speaker, can I take this Bill out of the record. I'm expecting some information."

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Speaker McPike: "Yes. Yes, you can."

Novak: "Thank you."

Speaker McPike: "Mr. Frias, 328. Was 328 on the Agreed Bill list, Mr. Clerk?"

Clerk McLennand: "Yes, it was."

Speaker McPike: "All right. Out of the record. Mr. Phelan, 537. Out of the record. Mr. Black, 596. Where did Mr. Black go? Mr. Black is...he's always here. Where is he? There he is. No, he's here. He's always here. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 596, a Bill for an Act the amend a vehicle...Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 596, we've been working on for about three years. This year will be the 40th anniversary of the ending of the Korean War. I have a lot of Korean War Veterans in my district that would like consideration for a plate like other veterans groups has. That's all they're asking for. This was one of the bloodiest, nastiest wars fought. In nine years, in Vietnam, we lost 58,000 killed in action. In three years in Korea, we lost 54,000 American soldiers. We call this the forgotten war and with...with just cause, I might add. Ladies and Gentlemen of the House, if we can advance a Bill to pay homage to Elvis Presley, I think we can advance a Bill that would let Korean War Veterans have a special plate to commemorate their service. I ask for your favorable vote."

Speaker McPike: "The question is, 'Shall House Bill 596 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The

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Clerk will take the record. On this Motion, there are...there are 115 'ayes' and 0 'nays'. House Bill 596, having received the Constitutional Majority, is hereby declared passed. House Bill 913, Mr. Woolard. Woolard. Out of the record. Mr. Homer, 1052. Out of the record. Representative Flowers, 1342. Out of the record. Mr. McAfee, 2227. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2257."

Speaker McPike: "House Bill 2227."

Clerk McLennand: "House Bill 2227, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Mr. McAfee."

McAfee: "Mr. Speaker, I believe it's on the Agreed Bill list, if I'm not mistaken."

Speaker McPike: "Consumer Protection, Third Reading, House Bill 1017, Mr...Representative Schakowsky. Representative Davis, for what reason do you rise?"

Davis: "The previous Bill with that amber light for security companies' use, I think some people objected to it and it was on the Agreed Bill list or something, but it was taken off. Some people object to that."

Speaker McPike: "I don't know who took it off, Representative Davis. ...The objections were those that people that voted 'no'. The Bill was never removed from the Agreed Bill list."

Davis: "Oh, it wasn't."

Speaker McPike: "No, Ma'am."

Davis: "So, I mean, does that mean they don't get to talk about the Bill?"

Speaker McPike: "That's correct."

Davis: "So, that means that people that own these little security companies and little security guards will run around with

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cars like policeman with amber lights going on 'em?"

Speaker McPike: "If the Bill passes. Those Bills on House Calendar, Supplemental #1, the Agreed Bill List #1, these Bills having, received the Constitutional Majority, are hereby declared passed. Representative Schakowsky, 1017. The Lady wants to return the Bill to Second Reading. Does she have leave? Leave is granted. The Bill is on Second Reading. Any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Schakowsky."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. Floor Amendment #1 makes sure that...it protects the...attorneys and plaintiffs from being held liable in an action where a change of venue may inconvenience a defendant. This is a Bill that takes into concern, takes into consideration the concerns of attorneys and plaintiffs and I think is a Bill that will make it more amenable to everyone here, and I urge your adoption of Amendment #1."

Speaker McPike: "Mr. Wennlund, on the 'do adopt'."

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

Speaker McPike: "Yes."

Wennlund: "Was this Amendment recommended by the Illinois State Bar Association or the Chicago Bar Association?"

Schakowsky: "Actually this Amendment was drafted by, because of some concerns brought to me by Members, by a Member actually."

Wennlund: "How does it...how does this Amendment change the original Bill?"

Schakowsky: "Well, with...the...what the original Bill does is prevents a suit being brought in a distant county, so that it protects the defendant from having to travel far

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distances unnecessarily. What this does is say, in case a mistake is made or someone inadvertently filed that suit in a distant county, they will not be held liable, under this law."

Wennlund: "All right. Thank you, very much."

Speaker McPike: "Mr. Homer. No, he's not here. The question is, 'Shall Amendment 1 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Churchill, 1079. Out of the record. Representative Schakowsky, 1385. Schakowsky. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1385, a Bill for an Act to amend the Fraudulent Sales Act. Third Reading of this Bill."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "This actually was an Agreed Bill in committee and what it does is that it makes sure that out...going out-of-business sales can't operate without obtaining a license from the Clerk of the city in which the sale is to be conducted. This will help assure consumers that going out of business sales are more bona fide and there were no opponents to this Bill that I am aware of and as I say, it was an Agreed Bill coming out of committee with unanimous support. I urge its adoption."

Speaker McPike: "On 'do pass' Motion, Mr. Black."

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

Speaker McPike: "I know it's getting awful late, Mr. Black. Mrs. Black, I'm sorry."

Black: "Representative, I...it's my understanding that most cities already have this...provision, that you...you just

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can't come in and have a going out-of-business sale. I know my...the biggest city in my district has had this ordinance on the books for many, many years. Is this just over-kill or what are we doing here?"

Schakowsky: "Well, actually, there are some that do not require it as a condition and this will just strengthen it and Attorney General... it also provides that the Attorney General may bring an action in a circuit court to enjoin a sale being conducted without the required license now under the Fraudulent Sales Act."

Black: "But your Bill specifically mentions 'going out-of-business' sales. I mean is that...that's the only...is that the only provision in the Bill?"

Schakowsky: "It says any sale of goods can be called an 'insurance salvage removal' or 'going out-of-business' sale. I use that as a generic term, but it may be called a 'removal sale', or a 'salvage sale'."

Black: "Well, I...okay...I...I...I guess, I'm not going to vote against the darn thing, but I...I tell you what this...oh, the heck with it."

Speaker McPike: "The question is, 'Shall House Bill 1385 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On House Bill 13... On this Motion, the 'do pass' Motion, there are 111 'ayes' and 0 'nays'. House Bill 1385, having received the Constitutional Majority, is hereby declared passed. House Bill 1505, Representative Schakowsky. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1505."

Speaker McPike: "Out of the record. Representative McAfee, 1679.

Out of the record. Mr. Lang, 1768. Read the Bill, Mr.

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Clerk."

Clerk McLennand: "House Bill 1768, a Bill for an Act concerning utilization and review of health care service. Third Reading of this Bill."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1768 would create standards for utilization review. Utilization review is a process by which insurance companies or their agents review medical treatment to determine whether or not that treatment will be paid and in what amount it will be paid. This is something that is necessary to do to keep health care costs down and to make sure that patients and insurance companies aren't being gouged. There's no question about that. The appropriate review of the appropriateness of treatment has become an important part of controlling health care costs, but because it has become such a large part and such a major enterprise, hundreds of private review companies have come up all across the state and country. These companies bid on contracts. Most of the firms are conscientious using well-trained reviewers; however, some provide contracts for their review companies that provide a percentage of dollars saved when a patient is denied coverage. Accordingly, many review companies are denying coverage to patients that should not have it denied; thereby, getting a larger fee for doing that work. So, abuses have developed and because of these abuses, it has become necessary to license these firms and set standards for these activities. That's what House Bill 1768 would do. It's a consumer protection Bill. It's also a Bill designed to help...keep health costs down, and...I would ask your 'aye' votes."

Speaker McPike: "On a 'do pass' Motion, Mr. Black."

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Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I'm proud to co-sponsor this Bill, and I stand in full support of it. I have had a personal experience with some constituents in my district on the process of utilization review. The utilization review company can apply criteria of denial that he has never told you about. I had two constituents of mine go in the hospital under a self-insured plan with a company and they thought they were covered, and they left the hospital and they found out that they owed, they were going to be...guarnisheed...their wages were going to be garnisheed for thousands of dollars for treatment that they assumed was covered. When I tried to look into this matter on behalf of my constituents, I found out (and Representative Lang and I worked on this), in Illinois, you...any of you in here can go in the utilization review business tomorrow morning. There are no standards, there are no qualifications. You don't e...I ask a simple question of this utilization review company, 'Who made the determination of the denial; a nurse, a doctor, an auto mechanic?' They said, 'We don't have to tell you that. We don't have to tell you anything'. We made the determination, you don't...you don't even know on what standards they made the determination. All we're asking for in this Bill is to put utilization review companies on the same footing as any other type of business that deals with vulnerable consumers. This is true consumer protection. I urge an 'aye' vote on 1768."

Speaker McPike: "Does anyone rise in opposition of this? Do you rise in opposition? Representative Murphy."

Murphy: "Thank you,...thank you, Mr. Chairman, Ladies and Gentlemen. I know how close I am here in proximity to

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Representative Black, but I do rise in opposition to this Bill. I was the one 'no' vote on consumer protection and I want to explain that vote then and today's vote now. This is not true consumer protection. This...no one likes the insurance companies. No one likes the hospitals or the doctors that they go to. Both sides have such a big PR problem that they had mentioned to others that they were going to get together and work on this. This is another regulation, another thing for the Department of Regulation to manage. This does have a fiscal note on it. For all you folks who have manufacturers, Chambers of Commerce, and MAI people in your district, those are all on record against this, because it does not address the problem. No one likes the insurance problems that we have. We should have one form for people to fill out and this does not attack the problem. This regulates the utilization review agents and certificates them and adds another layer of bureaucracy that we don't have the money for. I am against all that paperwork. I feel sorry for people that can't get paid on time, but this is not what this legislation will do. Do not be fooled that this is consumer protection. This is...this is... We're up against a wall between the docs and the insurance companies and they should get together and straighten the insurance bureaucracy out. And we don't need regulation and another certification process when we've stripped the DPR or whatever their new name is of how many staffers. They can't regulate the doctors, beauticians and realtors that they have now. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 1768 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record.

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On this Motion, there are 94 'ayes' and 17 'noes'; and House Bill 1768, having received the Constitutional Majority, is hereby declared passed. Representative Novak, 1809. Read the Bill, Mr. Clerk. Out of the record. Representative Currie, 1928. Representative Bugielski, 1941. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1941, a Bill for an Act in relation to telephone solicitations. Third Reading of the Bill."

Speaker McPike: "Mr. Bugielski."

Bugielski: "Thank you, Mr. Speaker, Members of the House. House Bill 1941 creates the Telephone Solicitations Act and amends the Consumer Fraud Deceptive Business Practice Act. Right now we have many companies that do a lot of their sales by telephone. What this Bill would do, it regulates the telephone solicitations for the sale of goods by a live operator. It would prohibit calls from 9 in the evening till 9 in the morning by...."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 111 'ayes' and 1 'no'. House Bill 1941, having received the Constitutional Majority, is hereby declared passed. House Bill 2006, Mr. Representative Schakowsky. Insurance, Third Reading, House Bill 1229, Mr. Laurino. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1229, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Mr. Laurino."

Laurino: "Mr. Speaker, on further consideration, I would like to bring this Bill back to Second Reading and leave it there. I've got... I filed some Amendments, but I don't think

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they've been printed and distributed."

Speaker McPike: "All right. The Gentleman asks leave to return it to Second Reading. Leave is granted. The Bill's on Second Reading. Mr. Ryder, 1423. Ryder. Representative Parcells, 1456. Read the... Mr. Parcells. Representative Parcells. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1456, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker McPike: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker. This Bill would allow...for the coverage for dependent children and spouses of 100%, rather than the 50% that is presently in the law in an employee member agreement, and I would ask for the passage of this Bill."

Speaker McPike: "Representative Granberg."

Granberg: "Would the Lady yield?"

Speaker McPike: "Yes."

Granberg: "Representative Parcells, does this... I just grabbed the file. Is this any type of insurance mandates?"

Parcells: "No. This is optional. You may purchase up to 100% of the employees salary. It's presently at 50%, this will allow 100%, and at the request of Representative Homer, I think it was, we also increased it for children."

Speaker McPike: "The question is, 'Shall House...shall House Bill 145...' You finished? The question is, 'Shall House Bill 1456 pass?' All those in favor vote 'aye', opposed, vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 113 'ayes' and 0 'nays'. House Bill 1456, having received the Constitutional Majority, is hereby declared passed. House Bill 1457, Representative Parcells. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 1457, a Bill for an Act to amend the State Employees Group Insurance Act of 1971. Third Reading of the Bill."

Speaker McPike: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill is something that is necessary because of collective bargaining. The State Employees Group Insurance Act should be changed to remove the phra... to allow that...insurance at 100% of a salary can be received by an employee. Right now that's 50% and in collective bargaining it has been agreed to go 100%. We'd like the statute to reflect that, and I would ask for your 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 1457 pass?' All those in favor vote 'aye'; opposed vote... Is someone seeking my attention? The question is, 'Shall House Bill 1457 pass?' All those in favor vote 'aye'; opposed vote 'no'. 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 0 'nays'. House Bill 1457, having received the Constitutional Majority, is hereby declared passed. House Bill 1424, Mr. Ryder. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1424, a Bill for an Act concerning the reg...regulation of purveyors of indemnity contracts."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. This Bill, as amended..."

Speaker McPike: "Mr. Clerk, I don't think you said Third Reading of the Bill, did you? Third Reading of the Bill, Mr. Clerk."

Clerk Rossi: "Third Reading of the Bill."

Speaker McPike: "Thank you."

Ryder: "This Bill, as amended, on Second Reading, I think now it

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doesn't have opposition and it does clarify part of the insurance code for national standards. I appreciate Representative Laurino's work on the Amendment, and I'll be happy to answer questions."

Speaker McPike: "Mr. Granberg, on a 'do pass' Motion."

Granberg: "Thank you. Representative Ryder, did they remove the fee language that was in this Bill with Amendment #2?"

Ryder: "Yes, I'm informed by competent authority that indeed they did."

Granberg: "Who are your... Are the insurance companies, would they provide the funds for the Department of Insurance currently under this legislation?"

Ryder: "I'm informed by authority that yes they did."

Granberg: "And how much...how much would that be? Wasn't there some concern by Representative Hicks or some other Members that the Department of Insurance would become a captive agency by groups contributing and funding the agency itself?"

Ryder: "There was a problem with funds not from the insurance company but from the feds. And I think that's been worked out, and it's not acknowledged to be a problem."

Granberg: "Is a..."

Ryder: "And that's on my authority."

Granberg: "Has Representative Hick's concerns been taken care of then?"

Ryder: "We believe that they have, but I don't wish to speak for Representative Hicks."

Speaker McPike: "Mr. Laurino. Mr. Laurino."

Laurino: "Mr. Speaker. ...I was in,... I'm on the committee and I have the same concerns Representative Hicks has..."

Speaker McPike: "Mr. Hicks is right behind you."

Laurino: "Pardon me?"

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Speaker McPike: "He's right behind you, right next to you."

Laurino: "Well, he...he probably doesn't...didn't see the Amendment, but I pursued it and they did justify the language and changed it accordingly to our concerns."

Speaker McPike: "Very well. The question is, 'Shall...' Mr. Granberg, is that... The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 115 'ayes' and 0 'nays'. House Bill 1424, having received the Constitutional Majority, is hereby declared passed. Representative Granberg moves the House stands adjourned until tomorrow at the hour of 9:00 a.m. leaving perfunctory time for the Clerk for First Readings of Senate Bills. All those in favor of the Motion say 'aye'; opposed, 'no'. The 'ayes' have it, and the House is adjourned."

Clerk Rossi: "Introduction and First Reading of Senate Bills. Senate Bill 39, offered by Representative Walsh, a Bill for an Act to convey property in the State of Illinois. First Reading of the Bill. Senate Bill 168, offered by Representative Tom Johnson, a Bill for an Act concerning ambulance services. First Reading of the Bill. Senate Bill 179, offered by Representative Levin, a Bill for an Act to amend the Condominium Property Act. First Reading of the Bill. Senate Bill 186, offered by Representative Novak, a Bill for an Act to amend the Illinois Solid Waste Management Act. First Reading of the Bill. Senate Bill 224, offered by Representative Kubik, a Bill for an Act to amend the State Property Control Act. First Reading of the Bill. Senate Bill 230, offered by Representative Dart, a Bill for an Act to amend the Revenue Act of 1939. First

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Reading of the Bill. Senate Bill 266, offered by Representative Bugielski, a Bill for an Act concerning local tourism grants. First Reading of the Bill. Senate Bill 269, offered by Representative Granberg, a Bill for an Act to amend the Civil Administrative Code of Illinois. First Reading of the Bill. Senate Bill 273, offered by Representative Erwin, a Bill for an Act concerning domestic violence. First Reading of the Bill. Senate Bill 276, offered by Representative Novak, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 301, offered by Representative McGuire, a Bill for an Act to amend the Riverboat Gambling Act. First Reading of the Bill. Senate Bill 309, offered by Representative McGuire, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 339, offered by Representative Clayton, a Bill for an Act to amend the Illinois Underground Utility Facilities Damage Prevention Act. First Reading of the Bill. Senate Bill 356, offered by Representative Kubik, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 367, offered by Representative Currie, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 374, offered by Representative Tom Johnson, a Bill for an Act to amend the Airport Authorities Act. First Reading of the Bill. Senate Bill 381, offered by Representative Cowlshaw, a Bill for an Act in relation to breast cancer research. First Reading of the Bill. Senate Bill 389, offered by Representative Brunsvold, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 391, offered by Representative Levin, a Bill for an Act to amend the Revenue Act of 1939. First Reading of the Bill. Senate

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Bill 553, offered by Representative Kubik, a Bill for an Act in relation to taxation. First Reading of the Bill. Senate Bill 405, offered by Representative Hannig, a Bill for an Act concerning emission allowances authorized under the federal Clean Air Act. First Reading of the Bill. Senate Bill 490, offered by Representative Flinn, a Bill for an Act to amend the Credit Card Issuance Act. First Reading of the Bill. Senate Bill 502, offered by Representative Kubik, a Bill for an Act concerning nursing home recipients. First Reading of the Bill. Senate Bill 522, offered by Representative Kubik, a Bill for an Act in relation to fuels. First Reading of these Senate Bills. Being no further business, the House Perfunctory Session stands adjourned."

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