

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

45th Legislative Day

April 20, 1993

Speaker McPike: "Mr. Black here? I'd like to recognize him for the Pledge of Allegiance. He had his light on last night when I adjourned, I didn't have a chance to recognize him. Well, we have a crowd this morning. The House will come to order. The Chaplain for today is Reverend Frank Beard of the AME Allen Chapel in Springfield, Illinois. Reverend Beard is the guest of Representative Mike Curran, who is not here this morning."

Reverend Frank Beard: "Let's bow our heads. Eternal God, Our Father, we thank You for this opportunity. We ask You to Bless this House. Bless all the Bills that's passed through it. We ask You to Bless the leaders of this place, but Oh Father, we ask You to Bless each and every one that puts effort forth to make this a better situation. We pray, God, that Thou would rest upon every Bill, no particulars within the Bills and that it would come out better served by people. We thank you for your faith. We thank You for Your presence. We thank You for Your divine Holy Spirit. We ask You, God, to come in and have a seat right now; sit by these minds, sit by their thoughts, sit by their actions. Now let the words of our mouth and meditation of my heart, be acceptable in Thy sight, oh Lord, my Strength and my Redeemer. Amen."

Speaker McPike: "We...we...We'll be led in the Pledge of Allegiance by Representative Balthis."

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

Speaker McPike: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Excused absences today are

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Representatives Bob LeFlore, Harold Murphy and Eugene Moore."

Speaker McPike: "Mr. Kubik."

Kubik: "Thank you, Mr. Speaker. ...Let the record reflect that Representative Pedersen, Bernard Pedersen is excused today."

Speaker McPike: "Mr. Kubik would you repeat those? Mr. Kubik?"

Kubik: "I'm sorry, Mr. Speaker. The...excused absence on the Republican side is Representative Pedersen, Bernie Pedersen."

Speaker McPike: "Okay. All right."

Kubik: "Incidentally, Mr. Speaker."

Speaker McPike: "Is he all right?"

Kubik: "...Representative Pedersen is still in the hospital from what I gather and...recovering, but he's still in the hospital."

Speaker McPike: "Okay. Mr. Clerk, take the record. Mr. Black, let the record reflect that I recognized you for the Pledge of Allegiance and...your light has been on all night. Now, I never left last night, I stayed right here. I had my secretary bring a suit in. I changed some clothes up here this morning about 6:00, your light was still on. I recognized you at 9:00 for the Pledge of Allegiance. Oh, wouldn't let him in. All right. Mr. Black. Turn him on please. Let the Gentleman speak. He's been wanting to speak all night."

Black: "Yes, thank you very much, Mr. Speaker. ...I indeed had my light on all night, but that last minute...Bill, but it is subsequently burned out. Could you have the electrician put a new bulb in my speak light today? ...I'd...I'd be very grateful."

Speaker McPike: "Mr. Wennlund came up and thanked me this morning

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because he had an opportunity to present Representative Kubik's Amendment that was adopted last night at three minutes to eight. Mr. Kubik wasn't even here to hear his Amendment adopted. Mr. Wennlund came up to thank me...Mr. Wennlund, came up to thank me for recognizing him last night."

Black: "He does an outstanding job."

Speaker McPike: "Yes, he did. Well, I said, Mr. Black had his light on and you had your light on, so I I'll recognize one of the two of you."

Black: "Well, one out of two isn't bad, but I do need a new bulb today, Mr. Speaker."

Speaker McPike: "Mr. Kubik, your Amendment was on the Bill for about...12 seconds last night. Mr. Kubik. Mr. Kubik? Mr. electrician?"

Kubik: "Thank you, Mr. Speaker. Although I was here this morning, I know Representative Black was probably having breakfast with Representative Preston, so he wasn't here for the quorum call."

Speaker McPike: "All right. Children and Family Law. Take the record. One hundred and fourteen Members answering roll call, a quorum is present. Read the Resolutions."

Clerk Rossi: "House Resolution 487, offered by Representative Biggert. House Resolution 488, offered by Representative Steczko; House Resolution 489, offered by Representative Brady; House Resolution 490, offered by Representative Andrea Moore; House Resolution 491, offered by Representative Andrea Moore; House Resolution 492, offered by Representative Schakowsky; House Resolution 494, offered by Representative Sheehy; House Resolution 496, offered by Representative Frederick; House Resolution 497, offered by Representative Wojcik; House Resolution 498, offered by

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Representative DeJaegher; House Resolution 499, offered by Representative DeJaegher; House Resolution 500, offered by Representative DeJaegher; House Resolution 501, offered by Representative DeJaegher; House Resolution 502, offered by Representative Schakowsky; House Resolution 503, offered by Representative Frederick; House Resolution 504, offered by Representative Frederick; House Resolution 506, offered by Representative Lawfer; House Resolution 507, offered by Representative Speaker Madigan; House Resolution 508, offered by Representative Leitch; House Resolution 511, offered by Representative Stroger; House Joint Resolution 21, offered by Representative Rutherford." Senate Joint Resolution 46, offered by Representative Maureen Murphy. Senate Joint Resolution 525 or House Resolution 525, offered by Representative Granberg."

Speaker McPike: "The question is, 'Shall the Agreed Resolutions be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Death Resolutions."

Clerk Rossi: "House Resolution 493, offered by Representative Dart, with respect to the memory of Brendan M. Murrihy. House Resolution 522, offered by Representative McPike, with respect to the memory of Bob Hardy."

Speaker McPike: "The question is, 'Shall the Death Resolutions be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Death Resolutions are adopted. General Resolutions."

Clerk Rossi: "House Resolution 486, offered by Representative Walsh; House Resolution 495, offered by Representative Brunsvold; House Resolution 505, offered by Representative Black; House Resolution 509, offered by Representative Zickus; House Resolution 510, offered by Representative

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Woolard; House Joint Resolution 20, offered by Representative Granberg."

Speaker McPike: "Committee on Assignment. Senate Bills, First Reading. Introduction - First Reading of Bills. Senate Bill 7, offered by Representative Santiago, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 14, offered by Representative McPike, a Bill for an Act in relation to public accounting. First Reading of the Bill. Senate Bill 52, offered by Representative Wennlund, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 57, offered by Representative..."

Speaker McPike: "Mr. Clerk, would you change that? The McPike Rider to Rider McPike, please?"

Clerk Rossi: "Yes. Introduction - First Reading of Bills. Senate Bill 57, offered by Representative Currie, a Bill for an Act to amend the Probate Act of 1975. First Reading of the Bill. Senate Bill 60, offered by Representative Balthis, a Bill for an Act to amend the Fire Protection District Act. First Reading of the Bill. Senate Bill 85, offered by Representative Hassert, a Bill for an Act to amend the Illinois Pesticide Act. First Reading of the Bill. Senate Bill 95, offered by Representative Kubik, a Bill for an Act to amend Sections 216d and 271 of the Revenue Act of 1939. First Reading of the Bill. Senate Bill 142, offered by Representative Brady, a Bill for an Act to amend the Freedom of Information Act. First Reading of the Bill. Senate Bill 188, offered by Representative Currie, a Bill for an Act to amend the Illinois Solid Waste Management Act. First Reading of the Bill. Senate Bill 240, offered by Representative Andrea Moore, a Bill for an Act to amend the Environmental Protection Act. First Reading of the

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Bill. Senate Bill 290, offered by Representative Krause, a Bill for an Act concerning the Department of Rehabilitation Services. First Reading of the Bill. Senate Bill 371, offered by Representative Cowlshaw, a Bill for an Act to amend the Northeastern Illinois Planning Act. First Reading of the Bill. Senate Bill 372, offered by Representative Biggert, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 420, offered by Representative Kubik, a Bill for an Act to amend the Illinois Plumbing License Law. First Reading of the Bill. Senate Bill 421, offered by Representative Cowlshaw, a Bill for an Act to amend The School Code. First Reading of the Bill. Senate Bill 493, offered by Representative Hannig, a Bill for an Act concerning forensic science. First Reading of the Bill. Senate Bill 546, offered by Representative Cowlshaw, a Bill for an Act to amend the Public Community College Act. First Reading of the Bill. Senate Bill 560, offered by Representative Mautino, a Bill for an Act in relation to construction contracts. First Reading of the Bill. Senate Bill 706, offered by Representative Capparelli, a Bill for an Act to amend the Cook County Forest Preserve District Act. First Reading of the Bill. Senate Bill 775, offered by Representative Flowers, a Bill for an Act to amend the Illinois Parentage Act of 1984. First Reading of the Bill. Senate Bill 786, offered by Representative Gash, a Bill for an Act to amend the Criminal Code of 1961. First Reading of the Bill. Senate Bill 871, offered by Representative Balthis, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 880, offered by Representative Maureen Murphy, a Bill for an Act to amend the Code of Criminal Procedure of 1963. First

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Reading of the Bill. Senate Bill 954, offered by Representative Hannig, a Bill for an Act to amend the State Finance Act. First Reading of the Bill. Senate Bill 955, offered by Representative Hannig, a Bill for an Act to amend the State Finance Act. First Reading of the Bill. Senate Bill 966, offered by Representative Steczko, a Bill for an Act to amend the Professional Engineering Practice Act of 1989. First Reading of the Bill. Senate Bill 973, offered by Representative Parke, a Bill for an Act to amend the Structural Work Act. First Reading of the Bill. Senate Bill 987, offered by Representative Edley, a Bill for an Act relating to the public universities of this State. First Reading of the Bill. Senate Bill 993, offered by Representative Levin, a Bill for an Act to amend The School Code. First Reading of the Bill. Senate Bill 1031, offered by Representative Parke, a Bill for an Act to amend the Liquor Control Act of 1934. First Reading of the Bill. Senate Bill 1043, offered by Representative Harold Murphy, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 1068, offered by Representative Persico, a Bill for an Act to amend the Criminal Code of 1961. First Reading of the Bill. Senate Bill 1076, offered by Representative Brunsvold, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. Senate Bill 1083, offered by Representative Wennlund, a Bill for an Act to amend the Fire Protection Districts Act. First Reading of the Bill. Senate Bill 1096, offered by Representative Burke, a Bill for an Act to amend the Private Business and Vocational Schools Act. First Reading of the Bill. Senate Bill 1105, offered by Representative Hicks, a Bill for an Act to amend the Liquor Control Act of 1934. First Reading

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of these Senate Bills."

Speaker McPike: "Granberg."

Granberg: "Mr. Speaker, I didn't know this. Can the podium hold that much weight? Could the...is the podium structurally sound?"

Speaker McPike: "Well, now that Mr. Wennlund has left, I think we're safe. Personal Health, Third Reading. Third Reading, right here, Personal Health, Third Reading. Mr. Schoenberg. Tell me...keep it just like that, Tony. Don't change anything. Representative Wennlund, how can I help you, Sir?"

Wennlund: "Thank you, Mr. Speaker. There appears to be an error in the Calendar. The Bills on Personal Health, by each Bill shows Second Reading, but at the top it shows Third Reading."

Speaker McPike: "Yes, Representative Currie pointed it out to me."

Wennlund: "Okay. Third Reading is near. Correct?"

Speaker McPike: "Yes, I...I told her Third Reading, she said, 'No, Second' Reading. I'm not sure if Representative Currie was correct, but I think you're correct, Sir."

Wennlund: "Thank you."

Speaker McPike: "You're welcome. All right, Seniors, Third Reading...that's Third Reading, Mr. DeJaegher is here. Ready on 355? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 355, a Bill for an Act amending the Illinois Act on Aging. Third Reading of the Bill."

Speaker McPike: "Mr. ...Mr. Clerk, read the Bill. Have you read the Bill? Mr. DeJaegher."

DeJaegher: "Mr. Speaker, Members of the General Assembly, I would like to bring House Bill 355 for the purposes of an Amendment."



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Speaker McPike: "The Chair wanted to go to Third Reading, so we could get some Members over here. Now you're on Second Reading again. Basically, the Gentleman has basically requested that the...that the...the Bill basically be moved back to Second. Basically this Bill. Leave is basically granted. The Bill is on Second. Mr. Clerk, any Amendments?"

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

Speaker McPike: "Mr. DeJaegher, on Amendment #1."

DeJaegher: "Thank you, Sir. Amendment #1 to House Bill 355 amends the Illinois Act on Aging to allow public to comment on any proposed changes to eligibility criteria that would negatively impact those persons currently receiving services or limit the privilege of similar service to future applicants by holding a public hearing for that purpose and each of the designated planning and service area. That's the intent of the Amendment, Sir."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Representative Flowers. Representative Granberg. Mr. Granberg, on House Bill 2008? No? It's on Third Reading. Do you want to hold it on Third Reading or... Let's hold it on Third Reading. Representative Phelps."

Phelps: "Thank you, Mr. Speaker. Just to register a complaint. Last night when we adjourned, I felt like you had more vision to adjourn at a more pleasurable time. It was raining cats and dogs. The reason I know that is I stepped in a

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poodle."

Speaker McPike: "Would you explain that joke to Representative Woolard? He's...he didn't get it. Civil Justice, Third Reading, Representative Currie, 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. Third Reading of the Bill."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House."

Speaker McPike: "This is Third Reading for those people that are in the Stratton Building. This is Third Reading. First Bill on Third Reading."

Currie: "This measure provides the opportunity for cooperative arrangements between clerks of circuit courts and states attorneys in respect to developing programs to deal with the more efficient form of child support. I know of no opposition and would appreciate your support."

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

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

Speaker McPike: "Yes."

Wennlund: "Will you tell us what changes are being made by this Bill in the child support enforcement, Representative?"

Currie: "Merely, merely giving statutory authority to local clerks of the circuit court and states attorneys to engage in cooperative agreements in respect to how they handle child support enforcement cases."

Wennlund: "They don't currently have this authority?"

Currie: "...There seems to be some question whether they do."

Wennlund: "Can you tell us where this came from?"

Currie: "I believe that there were some people in the County of Cook that were interested in this Bill. As I say, I know

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of no opposition."

Wennlund: "So, the thought is that the deadbeats are going to pay more attention to the states attorneys' stationery than they would to the circuit clerks' stationery?"

Currie: "The hope is... Apparently in Kane County there is beginning to develop some kind of cooperative arrangement that seems to be moving support enforcement cases more quickly, and I think that...that may be a model to encourage the introduction of this Bill."

Wennlund: "Couldn't we find something more controversial to get Members on the floor?"

Currie: "I've got some others on the same Calendar, that we may..."

Wennlund: "I bet you do. Okay, thanks."

Speaker McPike: "Representative Currie, are you finished? 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 Bill, there's 110 'ayes', 1 'no'; and House Bill 1790, having received the Constitutional Majority, is hereby declared passed. Representative Kubik, 1804. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1804, a Bill for an Act in relation to Criminal Law. Third Reading of the Bill."

Speaker McPike: "Mr. Kubik."

Kubik: "Thank you, Mr. Speaker. With leave of the Body, I would have Representative Wennlund present the Bill because his Amendment really has become the Bill, so with leave I..."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. What the...the Bill does, it...there was a definition of a heinous battery included causing severe and permanent disability and disfigurement,

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by means of a caustic substance. Well, after some people set some other people on fire last year, we determined the need to amend it to include a flammable substance, and that's the technical change that this Bill accomplishes, and I ask for its adoption."

Speaker McPike: "The question is, 'Shall House Bill 1804 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Dart. Mr. Dart, you're on. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 110 'ayes', 0 'nays'. House Bill 1804 having received the Constitutional Majority, is hereby declared passed. House Bill 1808, Mr. Hoffman. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1808, a Bill for an Act amending the Unified Code of Corrections. Third Reading of the Bill."

Speaker McPike: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill would on...all it would do is increase the maximum term of imprisonment for second degree murder from 15 to 20 years."

Speaker McPike: "The question is, 'Shall House Bill 1808 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', 0 'nays'. House Bill 1808, having received the Constitutional Majority, is hereby declared passed. House Bill 1825, Representative Erwin. Read the Bill, Mr. Clerk. No. Out of the record. Representative Kubik, 1886. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1886, a Bill for an Act amending the Juvenile Court Act. Third Reading of the Bill."

Speaker McPike: "Representative Kubik."

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Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Again, with leave of the Body, I would like Representative Wennlund to...present..."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. What the Bill does is prior to this time there was no definition in the statutes anywhere as to what a juvenile police officer was and this brings the definition...of what constitutes a juvenile police officer. It means a sworn police officer who completed the basic training course and it, also, includes the definition for state police for a juvenile police officer."

Speaker McPike: "The question is, 'Shall House Bill 1886 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 111 'ayes' and 1 'no'. House Bill 1886, having received the Constitutional Majority, is hereby declared passed. House Bill 1888, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1888, a Bill for an Act amending the Illinois Domestic Violence Act of 1986. Third Reading of the Bill."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is a Bill that clarifies the opportunity for police officers called to a...an instance of domestic violence to take weapons that the police individual has probable cause to be...believe were involved in the fracas. There was no opposition to this Bill in committee, and I know of no opposition at this point, and I'd appreciate your support."

Speaker McPike: "The question is, 'Shall House Bill 1888 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all

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voted? Have all voted who wish? Have all voted who wish?  
The Clerk will take the record. On this Motion, there are  
110 'ayes', 0 'nays'. House Bill 1888, having received the  
Constitutional Majority, is hereby declared passed. House  
Bill 1900, Representative Hoffman. Read the Bill, Mr.  
Clerk."

Clerk Rossi: "House Bill 1900, a Bill for an Act amending the  
Bill of Rights for victims and witnesses of Violent Crime  
Act. Third Reading of the Bill."

Speaker McPike: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. All this Bill would do is it  
would include in the victim's Bill of Rights, certain  
offenses or the definition of violent crimes, certain  
offenses committed by juvenile offenders."

Speaker McPike: "Any discussion? The question is, 'Shall House  
Bill 1900 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 is 111  
'ayes' and 0 'nays'. House Bill 1900, having received the  
Constitutional Majority, is hereby declared passed. House  
Bill 1901, Mr. Lang. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1901, a Bill for an Act amending the  
Illinois Criminal Justice Information Act. Third Reading  
of the Bill."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. House Bill 1901 would add two  
members to the criminal justice information authority. It  
would take it from 15 to 17. It would add two circuit  
clerks. It's their request. Move for passage."

Speaker McPike: "The question is, 'Shall House Bill 1901 pass?'  
All those in favor vote 'aye'; opposed vote 'no'. Have all  
voted? Have all voted who wish? The Clerk will take the

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record. On this Motion, there's 112 'ayes', 0 'nays'. House Bill 1901, having received the Constitutional Majority, is hereby declared passed. House Bill 1903, Mr. Lang. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1903, a Bill for an Act amending the Unified Code of Corrections. Third Reading of the Bill."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. House Bill 1903 is also at the request of the Clerks Association. It would transfer from the Clerk of the Circuit Court to the sheriff certain responsibilities over defendants' earnings when a defendant has been sentenced to periodic prison...imprisonment. I know of no opponents, and it's proposed by the Clerk's and the Sheriff's Association."

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

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

Speaker McPike: "Yes."

Wennlund: "Why do we want to transfer the responsibility of the clerk to handle money for periodic imprisonment to the sheriff? I mean doesn't it...isn't it a more proper place to be handling money through the Clerk's office?"

Lang: "Well this is something the Clerks wanted to do to relieve themselves of the paperwork. The Sheriff's Association was in favor of it, presumably since these prisoners are working where the sheriffs are, it would be easier for the Sheriffs to handle the moneys. They're both in favor. They would like to do this transfer."

Wennlund: "All right, fine, thank you."

Speaker McPike: "Mr. Wennlund, are you finished? Anything else? Do you have any objections to this Bill? No. The question is, 'Shall House Bill 1903 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted

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who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there is 109 'ayes' and 2 'noes'. House Bill 1903... Speaker 'aye'. McPike, 'aye'. On this Mo...on this Motion, there is 111 'ayes' and 2 'noes'. House Bill 1903, having received the Constitutional Majority, is hereby declared passed. House Bill 1906, Mr. Lang. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1906, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. House Bill 1906, is also a request of the circuit clerks, and I know of no opposition in committee. It provides that instead of forwarding conviction reports through the Supreme Court, the clerks could forward conviction reports by computer directly to the Secretary of State to make for easier suspension of drivers licenses in DUI cases. I move passage."

Speaker McPike: "The question is, 'Shall House Bill 1906 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 is 111 'ayes' and 0 'nays'. House Bill 1906, having received the Constitutional Majority, is hereby declared passed. House Bill 1907, Mr. Lang. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1907, a Bill for an Act amending the Code of Criminal Procedure. Third Reading of the Bill."

Speaker McPike: "Mr. Lang."

Lang: "Thank you. One more Bill for the circuit clerks and, again, I know of no opposition in committee. This would require the clerk to notify provider of bail that regardless of whether the conditions of bail are not complied with...causing the bail to be forfeited and the



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bail may be used to pay costs, attorneys' fees, fines or other purposes authorized by the court. I know of no opposition. I move passage."

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

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

Speaker McPike: "Yes."

Wennlund: "Representative Lang is this a vehicle Bill or..."

Lang: "This is not a Vehicle Bill."

Wennlund: "How does it change the current law?"

Lang: "Currently the Code of Criminal Procedure provides that a \$5 credit for each day of incarceration shall be applied to a fine assessed against the person who is incarcerated for a bailable offense who did not supply bail. The proposed legislation would delete language requiring the Clerk of the Court to notify the defendant in writing at the time of conviction of the credit."

Wennlund: "So, it just relieves the Clerk of a duty to..."

Lang: "To notify. That's correct."

Wennlund: "Thank you."

Speaker McPike: "The question is, 'Shall House Bill 1907 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 is 106 'ayes' and 1 'no'. House Bill 1907, having received the Constitutional Majority, is hereby declared passed. Mr. Rotello, 1951. Rotello? Mr. Rotello? Is he here? Representative Gash, 2102. Miss Gash? Is the Lady here? Representative Mautino, 2109. Mr. Mautino? Mautino? Read the Bill, Mr. Clerk, 2109."

Clerk Rossi: "House Bill 2109, a Bill for an Act amending the Code of Civil Procedure. Third Reading of the Bill."

Speaker McPike: "Representative Mautino."

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Mautino: "Thank you, Mr. Speaker, Members of the House. This Bill changes the...in the serving of processes. Current they can distribute the...the summons or the papers to only a family member. This changes to household member. It came about in the district when they..."

Speaker McPike: "Is there any opposition to this Bill? The question is, 'Shall House Bill 2109 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's 110 'ayes' and 0 'nays'. House Bill 2109, having received the Constitutional Majority, is hereby declared passed. Representative Leitch, 2129. Mr. Leitch? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill..."

Speaker McPike: "Out of the record. Out of the record. We might not get back to this this week. We might not get back to any of these Bills this week. (House Bill) 2129. Out of the record. Representative Frias, 2152. Representative Santiago has co-sponsored the Bill. Would you like to call it? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2152, a Bill for an Act amending the Code of Criminal Procedure of 1963. Third Reading of the Bill."

Speaker McPike: "Representative Granberg, would you...give Mr. Santiago the Bill? Mr. Hoffman, to explain the Bill."

Hoffman: "...Yes, Mr. Speaker, I think I was in committee when Mr. Frias gave an excellent presentation. This will...this will allow closed circuit TV's in an initial perfunctory time proceedings so that we can save money on transportation of prisoners within the counties."

Speaker McPike: "Does anyone rise in opposition? The question is, 'Shall House Bill 2152 pass?' All those in favor vote

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'aye'; opposed vote 'no'. Have all voted? You're great. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 109 'ayes' and 2 'noes'. House Bill 2152, having received the Constitutional Majority, is hereby declared passed. Congratulations to Mr. Frias on his first Bill. Mr. Leitch, on 2129? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2129, a Bill for an Act concerning income withholding. Third Reading of the Bill."

Speaker McPike: "Mr. Leitch."

Leitch: "Thank you, Mr. Speaker. This is a...is a very simple Bill. It provides for the termination of withholding to an employer...automatically when those have been written into...the agreement so they don't have to go back to court and they'll save a lot of paperwork, and I don't know of any opponents."

Speaker McPike: "The question is, 'Shall House Bill 2129 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's 107 'ayes' and 0 'nays'. House Bill 2129, having received the Constitutional Majority, is hereby declared passed. Representative Lang, 2160. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2160, a Bill for an Act amending the Code of Civil Procedure. Third Reading of the Bill."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. House Bill 2160, looks like a vehicle Bill, but is not. It is really a Bill to correct the technical flaw in legislation that we passed last year. I don't...have no plans for it in the Senate, other than to pass it as is. I move adoption."

Speaker McPike: "Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "What exactly change does this make, Representative?"

Lang: "There's a section heading number, just a second. On page 3, line 25, there is simply a typographical error. It said subparagraph (e); it should be subparagraph (c). That's the only change in the Bill."

Wennlund: "And...and this is not a vehicle?"

Lang: "This is not a vehicle. That's an actual mistake that was made when it was drafted last year, and that's all this is intending to do."

Wennlund: "Whoever discovered it?"

Lang: "Well, I did not discover it. It was called to my attention."

Wennlund: "...Now, this isn't going to turn into the Rapist Rights Bill, is it?"

Lang: "Excuse me?"

Wennlund: "This isn't going to turn into a Rapist Rights Bill, is it?"

Lang: "No, it certainly is not."

Wennlund: "Oh. All right. Thank you very much."

Speaker McPike: "The question is, 'Shall House Bill 2160 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 93 'ayes' and 13 'noes'. House Bill 2160, having received the Constitutional Majority, is hereby declared passed. House Bill 2163, Mr. DeJaegher. Mr. DeJaegher? Where is Mr. DeJaegher? All right. Read the Bill, Mr. Clerk. He's coming. Read the Bill."

Clerk Rossi: "House Bill 2163, a Bill for an Act amending the Consumer Fraud and Deceptive Business Practices Act. Third

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Reading of the Bill."

Speaker McPike: "Mr. DeJaegher, 2163."

DeJaegher: "Thank you, Mr. Speaker, Members of the General Assembly. This is Attorney General Burriss' Bill and I think everybody realizes what's taking place. There are scam artists out here that are using the living trust will that basically is unnecessary, and this is really the content of the Bill to overcome this deceptive practice as it's being perpetuated upon the senior citizens of the State of Illinois."

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

Wennlund: "Thank you. Representative DeJaegher, it is our understanding that this House Bill 2163 does not apply to activities of the corporate fiduciaries associated with the financial trust departments. Is that your understanding?"

DeJaegher: "That's my understanding."

Wennlund: "For the purpose of legislative intent? Is that correct?"

DeJaegher: "Yes."

Wennlund: "Thank you very much."

Speaker McPike: "The question is, 'Shall House Bill 20... Representative... The question is, 'Shall House Bill 2163 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 is 108 'ayes' and 3 'noes'. House Bill 2163, having received the Constitutional Majority, is hereby declared passed. House Bill 2294, Mr. Parke. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2294, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Representative Parke."

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Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amended at the request of the State Bar Association, House Bill 2294 places the primary breath test device in its intended place in the DUI arrest process. These tests are used to develop probable cause for the arrest and there is no penalty for refusing any of these tests. This change does not affect the states Implied Consent Law. This Bill meets with the approval of the State Fire Association and has the support of AIM and DASA. I would ask the Body to support this Bill."

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

Dart: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Dart: "Who, who proposed this Amendment or this Bill?"

Parke: "Who wrote it?"

Dart: "Yeah."

Parke: "I was with the request of the Illinois State Police."

Dart: "The...the effect of this Amendment, if I'm not mistaken, or the Bill would reduce the threshold of when the police officers...can give...requires a driver to submit to a breath test? Correct?"

Parke: "I'm not sure I understand. Say it again, please."

Dart: "The effect of this Bill would be to reduce the threshold upon which a police officer would require an individual to submit to a breathalyzer. Is that correct?"

Parke: "That is correct."

Dart: "Why do we want to reduce the threshold for when a police officer is going to make somebody take a breathalyzer?"

Parke: "Because that's what the Bar Association requested."

Dart: "The Bar Association or the State Police requested it?"

Parke: "Just a minute, please. It was put in because the test was required to do that, and the Bar Association felt that

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it was not being done that way and requested that in fact it be done that way."

Dart: "But...but, this was a State Police initiative, correct?"

Parke: "Yes, it was."

Dart: "And the Bar Association language was to clean up the initial language?"

Parke: "...The Bar Association requested that we amend it to what they felt was their needs to be able to administer the law more properly."

Dart: "Would the Sponsor take this out of the record for a moment?"

Parke: "...Mr. Speaker, if I take it out, you had indicated that we will not be getting back to..."

Speaker McPike: "No, we'll get back to it if you take it out. We'll get back to it as soon as we recognize..."

Parke: "Thank you, very much, Mr. Speaker."

Speaker McPike: "Yes, just call the Chair's attention and we'll get back to it. (House Bill) 2363, Mr. Burke. Mr. Burke? Representative Gash? You have two Bills on this order, Representative Gash. We've already passed over one of them. (House Bill) 2102, do you want to call that? (House Bill) 2102. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2102, a Bill for an Act amending the Unemployment Insurance Act. Third Reading of the Bill."

Speaker McPike: "Representative Gash."

Gash: "We're on 2102. Okay. This is a Bill that would amend the Unemployment Insurance Act. All major business and labor groups have agreed to this Bill, including the Illinois State Chamber of Commerce, the Management Association of Illinois, the Illinois Manufacturers Association, the Illinois Retail Merchants Association, and I won't go on and the Illinois State AFL-CIO, and I won't go on. The

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Bill requires the Director of Employment Security to simplify forms for small businesses and that includes...and that includes individual employers of domestic help, so that they can actually pay the taxes for the employees in a more easy way. We require a lot of them. We want them to pay their taxes. We want to make it easier. This is a simple Bill, and I urge your 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 2102 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 is 107 'ayes', 0 'nays'. House Bill 2102, having received the Constitutional Majority, is hereby declared passed. House Bill 2399, Representative Gash. Read the...I might not get back to this. It's up to you. No. Out of the record. Representative Dart, 2407. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2407, a Bill for an Act amending the Juvenile Court Act of 1987. Third Reading of the Bill."

Speaker McPike: "Representative Dart."

Dart: "Thank you. Thank you, Mr. Speaker. This would provide that when a protective supervision order is modified or terminated that the court should make all necessary modifications in their order to reflect that. I know of no opposition and move for the passage."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. All of these should be on the Agreed Bill list. Every one, every one. It should be on Consent Calendar. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there's 109 'ayes' and 0 'nays'. House Bill 2407, having received the Constitutional Majority, is hereby declared passed. On



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House Bill...House Bill 2363. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2363, a Bill for an Act amending the Probate Act of 1975. Third Reading of the Bill."

Speaker McPike: "Representative Dart."

Dart: "Thank you, Mr. Speaker. This Bill attempts to clarify and make up for...a loophole in the law right now. This would allow for the petitioner to pay in certain probate actions right now where the state is presently required to pay. I would move for its adoption."

Speaker McPike: "The question is, 'Shall House Bill 2363 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's 109 'ayes' and 0 'nays'. House Bill 2363, having received the Constitutional Majority, is hereby declared passed. Representative Murphy. Representative Murphy?"

Murphy, M.: "Vote 'yes' on that, please."

Speaker McPike: "Let the record reflect that Representative Murphy desired to vote 'yes' on the last Bill."

Murphy, M.: "Thank you."

Speaker McPike: "Representative Laurino, 2420. Mr. Dart, can you handle this Bill? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2420, a Bill for an Act amending the Juvenile Court Act of 1987. Third Reading of the Bill."

Speaker McPike: "Mr. Dart."

Dart: "Thank you, Mr. Speaker. This Bill would do two things: One it would require that when there is evidence of a controlled substance or cannabis in an infant's bloodstream that the court would order a micronium test which would determine whether or not that was or...is in fact in the bloodstream. It would also require that...we prima facie our evidence of neglect when a parent is...has been

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...proven and done repeated use of drugs in front of an infant. I move for the adoption."

Speaker McPike: "The question is, 'Shall House Bill 2420 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 108 'ayes', 0 'nays'. House Bill 2420, having received the Constitutional Majority, is hereby declared passed. House Bill 2422, Mr. Dart. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2422, a Bill for an Act amending the Juvenile Court Act of 1987. Third Reading of the Bill."

Speaker McPike: "Mr. Dart."

Dart: "Thank you, Mr. Speaker. This would require...this would state that in instances of child abuse that the statements of a child can be...out-of-court statements can be used for the finding of abuse or neglect. I move for its adoption."

Speaker McPike: "The question is, 'Shall House Bill 2420...' Mr. Wennlund, on a 'do pass' Motion."

Wennlund: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Wennlund: "I believe the word 'not' is in there, isn't it? Correct? It shall not be used."

Dart: "No, this would allow for the child not to have to be brought into court and would allow for the out-of-court statements to be used in regards to the abuse and neglect charges."

Wennlund: "Well. It was...so it deletes the provision that a minors' out-of-court statement concerning allegations of abuse and neglect...cannot be used. Deletes that. Is that correct?"

Dart: "No, the provision that it deletes says that the statements by the minor cannot be used unless the minor itself...the

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minor himself is brought into court. What this would allow is for the people who the minor makes the outcry statements to that I was sexually abused or physically abused. It will allow those people to testify for and allow that to be prima facie evidence of the act itself."

Wennlund: "Okay. Thank you very much."

Speaker McPike: "Does anyone rise in opposition to this? Anyone rise in opposition? Mr. Homer."

Homer: "Mr. Speaker, could we ask the Sponsor to take the Bill out of the record for a moment? Will you take it out of the record please, for a moment?"

Speaker McPike: "Yes, he'll take it out of the record, for a moment, and we'll get back to it. Mr. Dart, on 2423. Mr. Dart? Mr. Dart, 2423? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2423, a Bill for an Act amending the Juvenile Court Act..."

Speaker McPike: "Mr. Electrician, please turn off Mr. Turner."

Clerk Rossi: "...1987. Third Reading of the Bill."

Speaker McPike: "Mr. Dart."

Dart: "Thank you, Mr. Speaker. This will provide that a foster parent who has had a minor who is a subject of a proceeding at his or her home, who's had the minor...at his or her home for more than a year shall have standing intervenor in the case of the minor. I move for its adoption."

Speaker McPike: "The question is, 'Shall House Bill 2423 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', 0 'nays'. House Bill 2423, having received the Constitutional Majority, is hereby declared passed. House Bill 2424, Mr. Dart. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2424, a Bill for an Act amending the

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Adoption Act. Third Reading of the Bill."

Speaker McPike: "Mr. Dart."

Dart: "Thank you, Mr. Speaker. This Bill would...specify that for purposes on fitness, a failure to complete a service plan within a specific amount of time would be...would represent a failure for a parent to make a reasonable progress. I move for its passage."

Speaker McPike: "The question is, 'Shall House Bill 2424 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 104 'ayes' and 0 'nays'. House Bill 2424, having received the Constitutional Majority, is hereby declared passed. House Bill 69, Mr. Dart. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 69, a Bill for an Act in relation to child abandonment. Third Reading of the Bill."

Speaker McPike: "Mr. Dart."

Dart: "Thank you, Mr. Speaker. House Bill 69 is a Bill that's been the subject of some degree of discussion. I've been in discussion with Members of the other side of the aisle as to an agreement on this Bill. We are working out some Amendments that may be necessary to the Bill, which we've agreed will be taken care of in the Senate. The Bill itself deals with the Child Abandonment Statute as is in existence right now. The statute that's presently in existence which was evidenced by the Schoo Case, which was disposed of yesterday does not work. The Child Abandonment Law that is presently in existence was written in the 1800. It does not apply, and numerous courts are finding that out now. This Bill responds to that and provides that a laundry list of items so that a definition is in fact supplied for the Bill. I move for its passage."

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

Lindner: "Mr. Speaker. Will the Sponsor yield?"

Speaker McPike: "Yes."

Lindner: "It's my understanding that we have an Amendment that is going to be ready this afternoon. I would ask that you remove this from the record until then."

Dart: "I'd be happy to remove this from the record as long as I know we can get back to it this week."

Speaker McPike: "Well, you indicated you were gonna put the Amendments on in the Senate. Do you want to vote on it this way or not?"

Lindner: "We do have one Amendment that they have promised me would be ready this afternoon."

Speaker McPike: "They won't be ready this afternoon. It might be filed this afternoon, but it won't be ready this afternoon."

Lindner: "It will be filed this afternoon, I stand corrected."

Speaker McPike: "Yeah. It's up to you, Mr. Dart. Do you want to move the Bill or hold it?"

Dart: "If we can get back to it this week I will go with it; otherwise, I mean..."

Speaker McPike: "We may or may not get back to these Bills this week."

Dart: "I'll go with it."

Speaker McPike: "The question is...the question is, 'Shall House Bill 16...' Mr. Wennlund?"

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

Speaker McPike: "Yes."

Wennlund: "What's wrong with the Bill as it was currently amended?"

Dart: "There's nothing wrong with the Bill, as amended. But Representative Lindner and myself were in discussions about

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the Bill. I offered to meet with her. We met last night, I was going to meet with her States Attorney, from her district last night. He was unable to make it because the Schoo Case was being disposed of last night. I told him that I had no pride of authorship in a sense that I am willing to sit down and discuss this Bill. The Amendment that she is talking about right now would add a specific thing dealing with a specific type of probation which is right now available for cases of aggravated battery of a family member. I said in this instance, in this case, that might be something that might very well be appropriate for this type of legislation as well and I'd be willing to consider that. And my concern, once again, was that we got the Bill passed this week so we had something over in the Senate and that's the entire reason why I was saying I want to call this now."

Wennlund: "Well, have you come to an agreement with Representative Lindner with respect to the language of the Bill...of the Amendment?"

Dart: "For the most part, yes, we have. The only thing is that, as I said before, the purpose of us meeting last night was to meet with the State's Attorney from her area who was unable to make it. The sponsorship of the Bill, in the Senate, I believe, is going to be Senator Petka or Hawkinson. I do anticipate that if we do not work out an agreement on this, the Bill will not go very far."

Speaker McPike: "Mr. Black."

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

Speaker McPike: "Yes."

Black: "The Bill is presently constituted as it stands before us. Does it put any teeth in...in this law. Because, as you

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know, these people had a 100...I think 107 counts filed against them and boy, did they ever get punished yesterday. I think they got, 'Oh, wow'. I think they got two years probation."

Dart: "Yes...Representative..."

Black: "Oh heaven forbid. I don't know how they could have been so tough on them."

Dart: "Representative Black, you hit the nail on the head. The...the judge made a preliminary ruling that the Child Abandonment Act, which this is dealing with, would not apply in this case because it was such an archaic law. And as a result they were plead guilty on lesser charges and ended up being two years probation and, I believe, it's 200 hours of community service, which ends up being approximately nine days of community service that they're going to end up serving for doing this. And they also were pleading guilty to charges of beating their kids and leaving them in the crawl-space as well. This Bill does add some teeth to it. It makes it a heightened felony, if in fact, the child is under the age of seven years old, so that we do believe that not only does it clarifying the law, but it is adding the teeth in the situations where it is necessary."

Black: "Okay. Let me, let me just... If Representative Lindner could give me some indication. If this meets with her approval and she thinks it will be amended in the Senate, then we have no objections. All right..."

Speaker McPike: "All right. Representative Davis."

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

Speaker McPike: "Yes."

Dart: "Yes."

Davis: "Representative, is there anything in that legislation

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that protects the children in the sense that, I'm sure these School children must be wondering what in the world have we done wrong that we have not been able to see our parents for this length of time. You know, I think it's very... I think it's a tragedy that these children are being treated as if they were criminals and had done something wrong. Something in this legislation should allow those children to see their parents. Now, I understand after the court case it still may be another two months. Now, using or selling marijuana does not mean that you're a bad parent necessarily and I think children may not even know that you're doing that. All those two children must know is, we are something that is very, very wrong that we cannot even see our parents. It must be an extremely frightening situation for them. They must be tremendously fearful and wondering, 'What's going to happen to us next'. I think that was the greatest travesty that ever occurred. Representative Dart, I will trust you, that you will see that children are allowed to see their parents when their parents have been charged. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 69 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's 105 'ayes' and 1 'no'. House Bill 69, having received the Constitutional...having received the Constitutional Majority, is hereby declared passed. House Bill 71, Mr. Dart. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 71, a Bill for an Act to create the offense of vehicular endangerment. Third Reading of the Bill."

Speaker McPike: "Representative Dart."



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Dart: "Thank you, Mr. Speaker. This...this Bill deals with a particular incidence that was brought to my attention when I had a constituent who was involved in an incident where he was killed. ...This law attempts to fill a loophole that presently exists in the law right now in regards to incidents where people throw rocks or other objects such as that from overpasses in the light and murders somebody. The way the murder statute is presently written, there has been numerous courts that haven't covered and that...under that, and as a result people who are in fact murdering other people are getting off with sentences of two years and three years in prison. This would attempt to fill that void. There was an Amendment in committee. It was at the suggestion of the committee to clarify numerous things in this law and it gained unanimous approval with the Amendment. I move for the passage."

Speaker McPike: "The question is, 'Shall House Bill 71 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's 110 'ayes' and 0 'nays'. House Bill 71, having received the Constitutional Majority, is hereby declared passed. House Bill 161, Representative Dart. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill...House Bill 161, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of the Bill."

Speaker McPike: "Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the Assembly. I... House Bill 161 would enhance the penalty for offenses where jail employees are bringing contraband and or into the prison system and it would also enhance the penalties for individuals who attempt to aid in the escape of an

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individual from a prison system. This Bill, in the Amendment form, was drafted by the Department of Corrections, and I was working with them on this and they are in support of this, and I move for its passage."

Speaker McPike: "Representative Lindner."

Lindner: "I vote 'yes' on 71."

Speaker McPike: "Representative Lindner indicates that she...would have voted 'yes' on House Bill 71. The question is, 'Shall House Bill 161 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Davis."

Davis: "Yes, I just wanted to know what the enhancement of this penalty was?"

Speaker McPike: "Representative Dart. Explain your vote. The question is, 'What is the enhancement of the penalty?'"

Dart: "...It raised it up one class for individuals who bring guns or drugs into the prison system. ...It raised it up one class. I believe to a class III, I believe."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there's 111 'ayes', 0 'nays'. House Bill 161, having received the Constitutional Majority, is hereby declared passed. House Bill 252, Representative Dart. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 252, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker McPike: "Mr. Dart."

Dart: "Thank you, Mr. Speaker. This...this Bill was suggested to me by the State's Attorney from Grundy County. This Bill deals with defendants who have been sentenced to the penitentiary who decide to continue the harassment and victimizing of the victim. This Bill, what it does, is it would prohibit them from sending out communications from

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the prison to the victims of their crime. This...Bill also was done in concert with the Department of Corrections. As a matter of fact they drafted the legislation, so that it would not be an administrative problem. Representative Johnson put an Amendment on that clarified the language that...contained in this and I would move for its passage."

Speaker McPike: "The question is, 'Shall House Bill 252 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's 104 'ayes' and 0 'nays'. House Bill 252, having received the Constitutional Majority, is hereby declared passed. House Bill 356. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 356, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of the Bill."

Speaker McPike: "Representative Burke. Dart. Representative Dart."

Dart: "Thank you, Mr. Speaker. This Bill would amend the Criminal Code to change the definition of a peace officer to include an officer of the federal government commissioned by federal statute to make arrests for violations of the federal laws. Under current law, those federal officers are only peace officers regarding the unlawful use of weapons. I move for the passage."

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

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

Speaker McPike: "Yes, he will."

Dart: "Yes."

Wennlund: "Representative Dart. Do you have more Bills filed than Representative Lang?"

Dart: "Yeah. I was under the misguided perception that I got

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paid more for each Bill."

Wennlund: "Oh, okay, thank you."

Speaker McPike: "Mr. Preston thought the same thing.  
Representative Homer."

Homer: "Mr. Speaker, I would just make an observation that we  
tendered an Agreed Bill list last week that had most of  
these Bills on the list and..."

Speaker McPike: "Yes, that's correct and the Republicans knocked  
them all off the list. That's correct."

Homer: "And we never received back a reply, I'm not sure what  
the..."

Speaker McPike: "No."

Homer: "...concern was, but..."

Speaker McPike: "No, all these Bills were on the Agreed List last  
week, but the Republican leadership thought they were too  
controversial to leave on an Agreed Bill list. The  
question is, 'Shall this Bill 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's 113 'ayes' and 0 'nays'. House Bill 356,  
having received the Constitutional Majority, is hereby  
declared passed. House Bill 382, Mr. Hoffman. Read the  
Bill, Mr. Clerk."

Clerk Rossi: "House Bill 382, a Bill for an Act in relation to  
public works projects. Third Reading of the Bill."

Speaker McPike: "Representative Hoffman."

Hoffman: "Yes, Mr. Speaker, Ladies and Gentlemen of the House.  
This would create the Second Lowest Bidders Protection Act.  
It would provide that the second lowest bidders on a public  
works project and any person that entered into a contract  
with the second lowest bidder who suffers damages as a  
result of the bid of a public works project not being

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accepted because the successful bidder violated certain labor acts may bring an action for damages against the violator. I ask for an 'aye' vote."

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

Wennlund: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Wennlund: "It's my understanding that...that Central Management Services, the Capitol Development Board and the Illinois Department of Transportation are all opposed to this measure. Is that correct?"

Hoffman: "...I... They probably were last year, so I think they probably still are; I had some Amendments. But they probably still are, yeah."

Wennlund: "What does the Bill do? Supposing a contract or on a public works project had a laborer driving a bobcat...and therefore, not getting 150 wages but getting laborers rate wages; is...is he then in violation as a con...that he can be sued by the second lowest bidder?"

Hoffman: "...Ask again. I apologize."

Wennlund: "Suppose a contractor on a public works project that's covered by this Bill has a laborer who gets paid laborers rates operating a bobcat, not being paid the wages of a 150 operator. ...Does that then create a cause of action for the second lowest bidder to sue the lowest bidder?"

Hoffman: "If...if what happens is...is there's a violation and there's bound to be a violation and an adjudication and there's bound to be a violation of the Prevailing Wage Act. Yes, it would."

Wennlund: "Thank you. To the Bill, Ladies and Gentlemen of the House. You better take a real strong look at this Bill, because it could have some violent and sudden impact on not only road projects throughout the state but on all of your

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local contractors who might be bidding on a local public works project that would be covered under the terms of this Bill. You create havoc between the unions, lawsuits between bidders on a construction project and the filing of complaints merely to harass and to slow down the work of the public works project. I think it's a dangerous precedent for Illinois to set is to use this type of a procedure to slow down and it cost...eventually it's going to cost more for public works projects, road projects, sewer and water projects in this state, and it's a real dangerous precedent. You should take a real serious look at this and a 'no' vote is the correct vote on this Bill."

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

Hoffman: "Let me just make one thing clear. There are many contractors and many contractor associations who are in favor of this Bill. ...There is only one contractor association that I know of that is against the Bill. This Bill and the genesis of the Bill comes from a contractor, in my district and the reason is what's happening here and what is happening in Illinois is the good contractors who are following the law, the good contractors who are paying prevailing wage, the good contractors who are paying unemployment insurance are losing contractors to scab contractors, because they're not willing to follow the law. All this says, is if there's an adjudication, they've been found that they have violated the law, then the second lowest bidder who didn't get the contract by virtue of the first lowest bidder violating the law then can have an action in order to make up for the damages. What we're saying is, if you're a good contractor, you're gonna follow the law, you're going to get the bid and the scab contractors who are not following the law, who are breaking

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the law are taking advantage of other good contractors are not, are going to pay damages to the good contractors."

Speaker McPike: "The question is, 'Shall House Bill 382 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Weller, one minute to explain your vote."

Weller: "Well, actually...Mr. Speaker, I had a question for the Spon..."

Speaker McPike: "Well, you didn't have your light on until after he closed. One minute to explain your vote."

Weller: "All right. Well, I was wondering specifically which...contractor groups were supporting the Bill?"

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. If we're really serious about protecting the integrity of the bidding process and making sure that those people who get the bids are in total compliance with the law, then why do we only focus on some concepts of labor laws here? Why not environmental law? I think if there's any chicanery on public works project and contractors, it's from those contractors who fudge on environmental law, who don't do the environmental impact studies, who don't cleanup the job like they're supposed to. That's where they save the money, and I think this Bill needs a lot more work and I would advise you to vote 'no' or 'present' because if you're gonna let people violate environmental laws, those are the people that are ripping us off."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there's 64 'ayes' and 47 'noes'. House Bill 382, having received the Constitutional Majority, is hereby declared passed. House Bill 513, Representative Pugh. Out of the record."

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Representative Giorgi, 672. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 672, a Bill for an Act amending the Juvenile Court Act of 1987. Third Reading of the Bill."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, this is the Bill that we've talked about earlier. The court-appointed special advocate Bill. It amends the Juvenile Court Act to allow court-appointed special advocates to act in interest of the minor, where you're having trouble showing the family service in the juvenile system and the court-appointed volunteer serves at the...serves at the request of the judge. He is a fact-finder for the judge. He speaks for the child in the court-room and he evaluates the needs of a minor..."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed voted 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there's 113 'ayes' and 0 'nays'. House Bill 672, having received the Constitutional Majority, is hereby declared passed. House Bill 675, Representative Giorgi. Read the Bill, Mr. Clerk. Representative Giglio."

Clerk Rossi: "House Bill 675, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill emanates from the Illinois Bar Association. It had a fair hearing in the Judiciary Committee and came out 20 to zero. What it does it requires the States Attorney of the county where a person has served with a statutory summons suspension on notice on a DUI, upon demand produce various documents to that person, and it all...what it does it just gives the defense



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attorney and the people the same option in order to present its case to the prosecuting attorney."

Speaker McPike: "The question is, 'Shall House Bill 675 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Johnson, to explain his vote. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there's 110 'ayes' and 0 'nays'. House Bill 675, having received the Constitutional Majority, is hereby declared passed. House Bill 743, Representative John Dunn. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 743, a Bill for an Act concerning juveniles. Third Reading of the Bill."

Speaker McPike: "Representative Dunn. We might not come back to this order. All right. Out of the record. Representative Homer, 935. Tom Homer. Representative Lang, 936. Read the Bill, Mr. Clerk. Representative Gash, for what reason do you rise?"

Clerk Rossi: "House Bill..."

Speaker McPike: "Miss Gash."

Gash: "I think it was House Bill 675 that we just passed by. I'd like my vote recorded as I would have voted 'aye'."

Speaker McPike: "All right, on..."

Gash: "(House Bill) 672, I'm sorry, I've been corrected."

Speaker McPike: "There's two Bills, 672 or 675, which one?"

Gash: "It was 675."

Speaker McPike: "Now, there's two different Bills. Which one?"

Gash: "It was the second one."

Speaker McPike: "The second one, 675. The Lady...would have voted 'aye' on House Bill 675, and the record will so reflect. House Bill 936. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 936, a Bill for an Act amending the Code of Civil Procedure. Third Reading of the Bill."

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Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. This is pretty much an agreed Bill to grant quick-take powers to the Cook County Highway Department and the Lake County Highway Department of Transportation for a period of 24 months only to build railroad underpasses. This is for the village of Northbrook, and I am joined in this Bill by Representative Parcels."

Speaker McPike: "Mr. Hartke, on the Bill. The question is, 'Shall House Bill 936 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 71 'ayes' and 32 'noes'. House Bill 936, having received the Constitutional Majority, is hereby declared passed. House Bill 999, Representative Currie. Read the... Representative Leitch, 1004. Mr. Leitch. Where's Mr. Leitch? Out of the record. Representative Laurino, 1094. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1094, a Bill for an Act in relation to security guards. Third Reading of the Bill."

Speaker McPike: "Mr. Laurino."

Laurino: "Mr...Mr. Speaker, with leave of the House, I would like to bring this Bill back to Second Reading for..."

Speaker McPike: "The Gentleman asks leave to return to Second Reading. The Bill's on Second Reading. Any Amendments, Mr. Clerk?"

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

Speaker McPike: "Mr. Laurino."

Laurino: "...Thank you, Mr. Speaker. This Amendment satisfies the NRA's position concerning the...the Bill's priorities, and I agree with...their...their initial impact. What

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they're trying to do is to satisfy the NRA's membership..."

Speaker McPike: "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 Rossi: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1109, Mr. Laurino. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1109, a Bill for an Act amending the Criminal Code of 1961. Third Reading of the Bill."

Speaker McPike: "Mr. Laurino."

Laurino: "Thank you, Mr. Speaker. House Bill 1109 addresses the situation where we have tried to satisfy our needs or concerns relating to people that possess firearms around state...around the schools, parks and public housing projects. We've expanded that now to the courthouses, and I ask for a favorable vote."

Speaker McPike: "The question is, 'Shall House Bill 1109 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's 105 'ayes', 1 'no'. House Bill 1109, having received the Constitutional Majority, is hereby declared passed. House Bill 1154, Mr. Leitch. House Bill 1158, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1158, a Bill for an Act amending the Code of Civil Procedure. Third Reading of the Bill."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is a Bill that would provide in situations where an individual is able to show willful violation of one of the important rights granted under Article I and Article III of the

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Illinois Constitution, the opportunity for the prevailing attorney to be awarded fees. This would apply only to willful violations. This is part, of course, of the federal court system and has been for many years, but that is not available in Illinois. What this means is that somebody who has a substantial case of a willful violation of a basic right granted under our Constitution would have the opportunity to access the courts. I think..."

Speaker McPike: "The question is, 'Shall House Bill 1158 pass?'  
And, on that Motion, Representative Biggert."

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

Speaker McPike: "Yes, she will."

Biggert: "...I have...a question and a little problem with this.  
Is this going to be very costly if there is a class action brought against a public entity?"

Currie: "Representative, I would assume not. First of all, the Bill only applies if there were willful violations. It's a pretty high standard for the plaintiff to meet. Secondly, the Bill only applies to very basic issues for example an intrusion upon ones religious rights, free speech rights, by a governmental unit, so I would imagine that the costs here are going to be not substantial because it's my view, certainly my hope, that governments in this state do not go about cheerfully and frequently, willfully violating our basic rights."

Biggert: "Okay, my next question is that there's no common law right to attorneys' fees for prevailing plaintiffs, but under this...this grants attorneys fees for the plaintiffs? It's mandatory that attorneys' fees will be awarded to the plaintiff?"

Currie: "In the event that the showing was willful violation and in the event we are talking about one of the basic rights

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that are covered by this Bill."

Biggert: "Well...I'm afraid that this Bill then has the...the potential to increase the cost of government operations in certain situations. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 1158 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 68 'ayes', 42 'noes'. House Bill 1158, having received the Constitutional Majority, is hereby declared passed. House Bill 1187, Mr. Turner. House Bill 1189, Representative Dart. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1189, a Bill for an Act amending the Liquor Control Act of 1934. Third Reading of the Bill."

Speaker McPike: "Mr. Dart."

Dart: "Mr. Speaker, I'd ask that this move...Bill be moved back to Second for purposes of an Amendment."

Speaker McPike: "The Gentleman asks leave to return the Bill to Second Reading. Leave is granted. The Bill is on Second Reading. Are there any Amendments?"

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

Speaker McPike: "Representative Salvi."

Salvi: "Thank you, Mr. Speaker, Members of the House. The Dram Shop Act originated in the 1930's and at that time it didn't have any cap. A cap of \$15,000 was placed on the Dram Shop Act in recognition of the fact that of the view that the liquor industry earns a lot of money in the sale of alcohol. It should pay a very small portion of the cost to society. ...The cap only increases to \$30,000, and I think Representative Dart's Bill is a good one. It increases the limits in the Dram Shop Act to \$100,000. My

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Amendment, however, would do a couple of things to limit Mr. Dart's Bill. First it would lower the \$100,000 to a \$50,000 cap; and, secondly, it would eliminate the right of next of kin or a spouse to make a claim under the Dram Shop Act. I think it's more palatable with the Amendment. I think it's a reasonable Amendment; and, lastly, I...the Amendment also would require that a Dram Shop submit, when it gets...when the dram shop gets its license renewed, it must submit, under my Amendment, a certificate indicating that it has Dram Shop coverage. ...That's to make sure that...a liquor store does not go uninsured...and that will protect victims of drunk driving and other accidents related to drunken activity. So I would move..."

Speaker McPike: "Mr. Black."

Salvi: "...a 'yes' vote on my Amendment."

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

Speaker McPike: "Yes, he will."

Black: "Representative, does your Amendment become the Bill?"

Salvi: "Yes, it does."

Black: "Does your Amendment...keep intact the crippling of current dram shop limits or does it take that language out of the Bill?"

Salvi: "I'm sorry. Could you say that again? I didn't hear you."

Black: "Does your Amendment remove from the Bill the provision that cripples the current Dram Shop limits?"

Salvi: "The current dram shop limits are \$30,000. This Amendment to Mr. Darts' Bill would raise that to \$50,000. So does that answer your question, Representative Black?"

Black: "No, it doesn't. I thought the...that the underlined Bill triples the dram shop limits to \$300,000?"

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Salvi: "No, or triples, I didn't underlying what you said. No, it does not triple. My Amendment would lower Mr. Dart's Bill. Mr. Dart, Mr. Dart had a \$100,000 cap. Now, there's actually three elements to every dram shop action. There's the \$100...presently, there's \$30,000 cap in cases where an individual is insured as a direct result of an intoxicated person's negligence, and that \$100,000 cap or that \$30,000 cap would be raised to \$50,000. There's also a property damage cap of \$30,000; that would be raised to \$50,000, also. Or I believe it would be raised to \$60,000 under my Amendment...and I think that Mr. Darts' Bill is \$100,000, this lowers it to \$50,000 for property damage. Mr. Dart's Bill, I'm not sure what it is, but it's a little higher; mine would lower it to \$60,000 so I'm trying to bring down the limits from Mr. Darts' Bill."

Black: "Does it add recovery for wrongful death, loss of consortium."

Salvi: "No, mine, Mr. Dart's original Bill did. My Bill eliminates the right for a loss of consortium action or any action in a case of a death."

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

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Representative Currie, 1203. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1203, a Bill for an Act amending the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

Speaker McPike: "Representative Currie."

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Currie: "Thank you, Speaker and Members of the House.

This...this measure would do two things. First it would provide the factors that a court should consider when making the determination whether a custodial parent can take a child out of the state. Second, it would apply the same provision, with respect to sharing the address of the child with a non-custodial parent when the child lives in the State of Illinois to the child who has been removed from the state. I know of no opposition to the Bill, and I'd appreciate your support."

Speaker McPike: "The question is, 'Shall House Bill 1203 pass?' All those in favor say...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's 110 'ayes', 1 'no'. House Bill 1203, having received the Constitutional Majority, is hereby declared passed. House Bill... House Bill 1235, Mr. Homer. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1235, a Bill for an Act amending the Criminal Code of 1961. Third Reading of the Bill."

Speaker McPike: "Mr. Homer."

Homer: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is the Bill we amended yesterday that deals with the stalking law that we passed last year. This Amendment is the fruit of discussions with the State's Attorneys Association, Illinois appellate prosecutor, the purpose of which is to provide law enforcement and prosecutors with an additional tool to protect victims of stalkers. Specifically, the Bill leaves the felony offenses for stalking and anti-stalking, but it creates a new misdemeanor offense...which...creates the offense of unlawful infliction of emotional distress. It removes the



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requirement to prove that there was a threat and, also, lowers the mental state...required for the victim. I would... I know of no opposition. I would move the...passage of the Bill."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker McPike: "Yes."

Black: "Let's just make sure that we...our files are up-to-date. Floor Amendments 2, 3 and 4 have all been withdrawn, correct?"

Speaker McPike: "Mr. Clerk?"

Clerk Rossi: "That is correct."

Black: "Amendment #5 has been adopted?"

Clerk Rossi: "Correct."

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

Speaker McPike: "Yes."

Black: "Representative, Amendment #5 becomes the Bill, correct?"

Homer: "Yes."

Black: "And that has been...worked out and agreed to by the Minority Spokesman and all those parties involved?"

Homer: "Yes."

Black: "And it...and it doesn't...this doesn't cover me if I come over to follow you around to ask you a question about a Bill, now I'm not gonna...you're not gonna charge me with stalking, are you?"

Homer: "No. I think that Representative Parke could have...fit within that description, but the statute of limitations, I think, has run on that one."

Black: "I certainly hope so. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 1235 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all

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voted? Have all voted who wish? The Clerk will take the record. On this Motion, there's 110 'ayes' and 0 'nays'. House Bill 1235, having received the Constitutional Majority, is hereby declared passed. Mr. Dart, 1255. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1255, a Bill for an Act amending the Probation and Probation Officers Act, Third Reading of the Bill."

Speaker McPike: "Mr. Dart."

Dart: "Thank you, Mr. Speaker. I'd ask leave to move this back to Second for the purpose of an Amendment."

Speaker McPike: "Gentleman asks leave to return the Bill to Second Reading. Leave is granted. The Bill is on Second Reading. Any Amendments?"

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

Speaker McPike: "Mr. Dart."

Dart: "I would ask to withdraw Amendment #1."

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

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

Speaker McPike: "Mr. Dart."

Dart: "Thank you, Mr. Speaker and Members of the House. This was a proposal by the Probation and Court Services Department. This would allow a court in juvenile matters to impose a fee on the defendant in that case, so it would be similar to the statute in existence right now for criminal cases. It will allow the court to do it when the defendant can afford to pay it. I move for its adoption."

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, and the Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Representative Hoffman, 1256. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1256, a Bill for an Act to permit drug testing as a condition of probation, conditional discharge or supervision. Third Reading of the Bill."

Speaker McPike: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All this Bill would do is codify some things done in most jurisdictions throughout the state, allowing drug testing as a condition of probation and it isn't mandatory, but the judge can order it, if he deems appropriate condition."

Speaker McPike: "The question is 'Shall House Bill 1256 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 is 110 'ayes', 0 'nays'. House Bill 1256, having received the Constitutional Majority... Lou Jones, Representative Jones, 'aye', Representative Schoenberg, 'aye', Representative Flowers, 'aye'. Representative Edley, 'aye'. On this Motion, there is 114 'ayes' and 0 'nays'. House Bill 1256, having received the Constitutional Majority, is hereby declared passed. House Bill 1257, Mr. Lang. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1257, a Bill for an Act amending the Franchise Disclosure Act of 1987. Third Reading of the Bill."

Speaker McPike: "Mr. Lang."

Lang: "Thank you Mr. Speaker. House Bill 1257's a very simple

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Bill that had no opposition in committee. This Bill would hold all contracts relative to franchises that require venue or jurisdiction outside of Illinois to be void. This is because we have some contracts relative to franchises that require that an Illinois company defend or sue in another state, and that should be void against public policy of our state. I move passage."

Speaker McPike: "The question is, 'Shall House Bill 1257 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 is 113 'ayes', 1 'no'. House Bill 1257, having received the Constitutional Majority, is hereby declared passed. House Bill 1277, Representative Santiago. OUT of the record. House Bill 1298, Representative Hoffman. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1298, a Bill for an Act amending the Mechanics Lien Act. Third Reading of the Bill."

Speaker McPike: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. This Bill would allow a contractor to place a lien on property for his or her attorney's fees or court costs associated with that property, so it amends the Mechanics Lien Act. That's all it would do."

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

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

Speaker McPike: "Yes."

Wennlund: "What's the change in current law?"

Hoffman: "I don't think it's addressed in current law. Let me look real quick."

Speaker McPike: "The question is, 'What is the change to current law?'"

Hoffman: "It would simply add that this...they could put a lien

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on property for the attorney's fees and court costs."

Wennlund: "So, the change that this makes is, currently, when a contractor performs any work or a subcontract or on real estate, that now, instead of just the cost of the work, he's going to be able to lien the property for his attorney's fees in addition to that?"

Hoffman: "If he incurs some as a result of the problems which brought the lien about to begin with. Yes."

Wennlund: "You mean...well, if he pays an attorney to prepare and file a mechanics lien, he's incurred attorney's fees, hopefully."

Hoffman: "Yes."

Wennlund: "So...so what we're really doing is we're allowing an expanding of the Mechanics Lien Act by permitting a contractor or subcontractor who performs any work on any real estate in addition to the cost or the contract amount of doing the work to also lien it for the amount of attorney's fees he's incurring. Is that correct?."

Hoffman: "That's correct."

Wennlund: "So, there is a substantial change in Illinois law."

Hoffman: "I didn't say there wasn't a substantial change. I said that all this Bill would do is it allows for...to place...amends the Mechanics Lien Act to allow a contractor to place a lien on property for his or her attorney's fees and court costs associated with the property."

Wennlund: "How does the Illinois Association of Realtors feel about it?"

Hoffman: "I don't think they put a slip in against it. I don't know. I can't tell you, because I don't know."

Wennlund: "Okay. Thank you."

Hoffman: "They didn't in committee, I don't think."

Wennlund: "Thank you very much. To the Bill, Ladies and

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Gentlemen of the House. This Bill makes a substantial change in the rights of mechanics lien claimants in Illinois by permitting them to add in their costs attorney's fees, any court costs incurred on top of the amount of the work that they have performed. So there is a substantial change, and you should consider that when you vote. Thank you."

Speaker McPike: "Representative Biggert."

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

McPike: "Yes."

Biggert: "Thank you. Just as...to the Bill. As a real estate attorney, and I do work with mechanics liens and contractors and owners of property, and I think that in the case where there usually is a lien by the contractor, it usually is quite a dispute between the owner and the contractor, and I really have strong objections to furthering the law to provide attorney's fees. Thank you."

Speaker McPike: "Yes, Representative. It's not necessary to ask if the Sponsor will yield unless you ask the Sponsor a question. Representative Murphy."

Murphy, M.: "Yes. I speak in opposition to this Bill. It's not about getting attorneys their rightful fees. It simply has to do with the clouding of title for anybody...any property owner that find themselves misliened, which often happens, particularly with common names such as Murphy, Smith, Johnson to name a few. I really suggest that those of you who have engaged in the sale of property, you don't need to be an attorney to understand that to give additional hurdles at the time of transaction can be quite onerous. Let attorneys find ways to collect their fees without clouding title unnecessarily. So again, it's not against

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attorneys to be against this legislation, it's pro-property owner and pro-title company to sort out who owes what. The attorneys are very good at being able to collect their fees on their own. Mechanics liens already are clouding title. We don't need to add to that final hurdle when someone goes to sell their largest asset to again have to face an attorneys wrath for a past judgment. Thank you."

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

Hoffman: "Thank you, Mr. Speaker. I've just been informed that the Realtors Association is not in opposition to this Bill. So I think that clarifies the question that the Representative had earlier. All this would do is, if you have to place a Mechanics Lien on the property or place a lien on the property, that you would be allowed to recover for the problems that you would...you have to go through in placing that lien on the property. That's absolutely all it would do. The realtors are not opposed to this Bill. I ask for an 'aye' vote."

Speaker McPike: "Question is, 'Shall House Bill 1298 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 63 'ayes' and 47 'noes'. House Bill 1298, having received the Constitutional Majority, is hereby declared passed. House Bill 1272. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1272, a Bill for an Act amending the Circuit Courts Act. Third Reading of the Bill."

Speaker McPike: "Mr. Lopez."

Lopez: "Thank you, Mr. Speaker. What House Bill 1272 does, it authorizes the judges in the Circuit Court of Cook County who hear criminal or domestic relations matters, to cancel

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court if the judge believes there is a lack of security in the courtroom, and I ask for a favorable vote."

Speaker McPike: "The question is 'Shall House Bill 1272 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 111 'ayes' and 0 'nays'. House Bill 1272, having received the Constitutional Majority, is hereby declared passed. House Bill 1331, Mr. Steczo. Steczo. Currie, on 1332. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1332, a Bill for an Act amending the Open Meetings Act. Third Reading of the Bill."

Speaker McPike: "Ms. Currie."

Currie: "Thank you, Speaker and Members of the House. This Bill is a rewrite of the Open Meetings Act, including uniformity with some of the exemption provisions. As you know, the Act is more than ten years old, and exemptions and changes have crept in rather-like topsy. The work is the result of about two years of task force activities on questions of Open Meetings Act. There are some local governments that actually support this Bill, including the Association of School Boards, Community College Trustees, the State Board of Education is for this Bill, as well; park districts too are comfortable with its provisions. I think some other units of local government are not as pleased, but as I say, it's an effort not to make substantial substantive changes in the underlying program of open meetings in the state, but rather to clarify to make uniform the exemptions and to involve ones self in a substantial public policy statement. I'd appreciate your support and be happy to answer your questions."

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



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

Speaker McPike: "Yes."

Balthis: "Representative, is the State Clerk's Association in support of this Bill?"

Currie: "Which group? Sorry."

Balthis: "The State Clerk's Association."

Currie: "State..."

Balthis: "Clerks."

Speaker McPike: "Clerks."

Currie: "Clerks. I don't know."

Balthis: "Okay. Thank you."

Speaker McPike: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. I don't know about the rest of the Body, but I think that every small town and community in my district has written me a letter in opposition to this piece of legislation. It will put an undue burden on those many small units of local government, and I stand in opposition to the legislation, and it would encourage many downstaters who have small communities to do likewise."

Speaker McPike: "Mr. McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. I would speak in opposition, also, for only one reason. The mayors in the small towns in my district called me and asked me to be against this. They think it's an unneeded burden on them and they're opposed to it and it's going to cost 'em a lot of extra money."

Speaker McPike: "Mr. Hawkins."

Hawkins: "Yield."

Speaker McPike: "Yes."

Hawkins: "Is the Illinois Press Association supporting this legislation?"

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Currie: "Yes."

Hawkins: "Thank you."

Speaker McPike: "Representative Murphy."

Murphy, M.: "Point of clarification, Ladies and Gentlemen of the General Assembly. The Illinois Municipal Clerks Association was first and foremost against this and witness slipped against this legislation some time ago. From that point on, all of our municipalities...the IML is against it, and do not confuse the State Board of Education as being a board of education, IAS, the Illinois Association of School Administrators are definitely against this. The 48 hour provision is most onerous. It does not allow our local municipalities and school board members that walk amongst their constituents daily the freedom necessary...they all have agendas, they hold open meetings, the Act has been working quite fine, thank you. But it is important because we all come from districts with school boards, library boards, park districts, and it's not just a vote against clerks and for the press. This is truly another mandate that does not need to be taken effect. So again, the clerks are against it, the school boards are against it, library districts are against it, and the City of Chicago is against it and the Cook County Board of Commissioners are against it. Thank you. I appreciate your 'no' vote on this legislation."

Speaker McPike: "Question is 'Shall House Bill 1332 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Moseley, to explain her vote."

Moseley: "Yes, I just wanted to say that the main reason I'm voting in favor of this measure is because one of the problems we face every time we go back for election is people telling us they don't know what's going on in

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government. If you want to have open government, you're going to have to allow things like the Open Meetings Act to be clear and concise, and I think that anybody out there who is actually thinking of their voters will vote 'yes' on this. It's the voters that we're here to represent, not necessarily the municipalities."

Speaker McPike: "Mr. Wennlund."

Wennlund. "Thank you, Mr. Speaker. Does Representative Currie have the same script that I have to be in the legislative intent?"

Speaker McPike: "Yes. Go right ahead."

Wennlund: "Thank you. Representative Currie, I understand that Exception #4 contained in Section #2 as amended by House Bill 1332 is intended to replace exceptions previously provided for specific quasi-adjudicative bodies including the Illinois Gaming Board and the Illinois Commerce..."

Speaker McPike: "Representative Currie."

Currie: "Correct."

Speaker McPike: "Mr. Wennlund. Turn him on, please. Turn on Currie and Wennlund."

Wennlund: "Given the fact that all exceptions are intended to be strictly construed under the amendatory language, questions have been raised as to what is included within the scope of evidence or testimony for purposes of Exception #4. Specifically, the Gaming Board and the Illinois Commerce Commission is concerned with the issue of whether presentations made to the Gaming Board or the ICC by licensees, whether prospective or current, would be considered to be evidence or testimony for the purposes of the exception, thus allowing those bodies to consider such presentations in its closed deliberations on licensing determinations and rate case proceedings."

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Currie: "If an entity is a quasi-adjudicative body, which the Illinois Gaming Board and the Commerce Commission certainly are, this language would authorize them to consider in a closed session all information presented to it openly which is pertinent to its adjudication or determination."

Wennlund: "Representative Currie, to that extent you would not consider evidence or testimony to refer only to formal evidenciary submissions and sworn testimony."

Currie: "Correct. The point of the exception is to allow bodies authorized by statute to conduct a judicatory proceedings to have a measure of confidentiality in evaluating the information that's presented at an open hearing. The format in which the information is presented to the body, the quasi-adjudicative body is a matter for determination by the body."

Wennlund: "Thank you."

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

Mulligan: "Yes. I'd like to explain my vote. I've worked with the Open Meetings Act for years, and I've found it quite sufficient, and I think when you look at penalties, it's the taxpayers that pay the penalties. They pay the increased fees and fines and everything involved with it. It's the taxpayers of local municipalities that cover those costs. So that's why I'm voting 'no'."

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

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. This Bill is a very modest change in the Open Meetings Act. This is...It's hard to believe that local government would be against this Bill. This Bill talks about regular meetings, doesn't talk about special meetings. All it says is, that

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if an agenda for a regular meeting is going to be put out, that it be posted two days before. You know, I find it hard to believe that anybody can be opposed to this Bill. Frankly speaking, most agendas for most local governments are decided far before 48-hours prior to the meeting. This is...you know, I know local government wants to be against everything, that everything's a mandate, but all this does is makes some code changes in the law and, frankly speaking, this is a good Open Meetings Act. It's hard to believe the Municipal League and others would be against it. They're against it just to be against it."

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 71 'ayes', 32 'noes'. House Bill 1332, having received the Constitutional Majority, is hereby declared passed. House Bill 1344, Mr. Dart. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1344, a Bill for an Act amending the Criminal Code of 1961. Third Reading of the Bill."

Speaker McPike: "Mr... Take this out of the record for a minute. Representative Ryder, on 1391. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1391, a Bill for an Act amending the Good Samaritan Food Donor Act. Third Reading of the Bill."

Speaker McPike: "Mr. Ryder."

Ryder "Thank you, Mr. Speaker. This Bill, which received approval in committee, and was amended in committee, will allow charitable organizations to make donations under the Good Samaritan Food Donor Act. It does have the definitions required by the Department of Public Health, and I would urge its adoption."

Speaker McPike: "The question is, 'Shall House Bill 1391 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all

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voted? Have all voted who wish? Have all voted who wish?  
Clerk will take the record. On this Motion, there are 112  
'ayes', 0 'nays'. House Bill 1391... On this Motion, there  
are 112 'ayes' and 0 'nays'. House Bill 1391, having  
received the Constitutional Majority, is hereby declared  
passed. Mr. Dart, 1344. Has the Bill been read a third  
time?"

Clerk Rossi: "The Bill has been read a third time previously."

Speaker McPike: "Mr. Dart."

Dart: "Thank you, Mr. Speaker. This Bill would change  
definitions to the Money Laundering Act to bring it into  
compliance with the federal statute. There's no opposition  
in the committee and I move for its passage."

Speaker McPike: "The question is, 'Shall House Bill 1344 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 1344, having received  
the Constitutional Majority, is hereby declared passed.  
House Bill 1347, Mr. Burke. Mr. Dart, can you handle this  
Bill? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1347, a Bill for an Act amending the  
Parental Responsibility Law. Third Reading of the Bill."

Speaker McPike: "Mr. Dart."

Dart: "Thank you, Mr. Speaker. This would create a new offense  
called criminal defacement of property, and it is an  
offense which is done when the person knowingly damages the  
property of another without his or her consent for the  
defacing or deforming of it, and I'd move for its adoption  
and passage."

Speaker McPike: "There's an Amendment filed to this Bill. Let's  
take this out of the record. Mr. Sheehy, 1362. Read the

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Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1362, a Bill for an Act in relation to motor vehicle ignition interlock devices. Third Reading of the Bill."

Speaker McPike: "Representative Sheehy."

Sheehy: "Thank you, Mr. Chairman. House Bill 1362 was amended in committee, and the Amendment is now the Bill. The Bill, as amended, requires the Secretary of State to set up a pilot program to test the effectiveness of the ignition interlock devices on persons convicted of drunk driving. The device would be installed in the offenders' car, and he or she would then be required to pass a breathalyzer test before that car would start. Be more than happy to answer any questions."

Speaker McPike: "Representative Tim Johnson on the 'do pass' Motion."

Johnson, Tim: "I didn't understand. Does this just creates an optional pilot project on this?"

Sheehy: "Yes, it does."

Johnson, Tim: "It doesn't mandate that this be a program statewide."

Sheehy: "No, it does not."

Johnson, Tim: "Why do we need to pass...well, I guess I should ask, would this Bill authorize some courts to utilize these mechanisms as a matter of sentencing?"

Sheehy: "No, just... No, it's just a pilot project right now, Representative, and that could be worked out with the Secretary of State."

Johnson, Tim: "What does a pilot project mean? I suppose...does this just mean you can go and experiment with them, or does it mean in actual real cases that a judge can order these to be used and call that a pilot project?"

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Sheehy: "It would be used within the population of the Secretary of State. Right now."

Johnson, Tim: "I'm not really trying to harass you, Representative, but I just wish you'd answer my question. Does this Bill permit courts to order people who are one or two time offenders, whatever the Bill says, to submit to these devices, or doesn't it?"

Sheehy: "No, it doesn't."

Johnson, Tim: "Well, then why do we need a Bill...what is a pilot project mean? Why do we need a Bill to do that? I mean, I presume, if it's a pilot project, and they're scientific experiments, that we can do that without the Legislature designating that it be done."

Sheehy: "The Secretary of State would like to study the effectiveness of this project."

Johnson, Tim: "I can't hear you."

Sheehy: "The Secretary of State would like to study the effectiveness of this pilot program. Right now, it's...pilot programs have been used in California and other states, and the Secretary of State would like to do the same."

Johnson, Tim: "Well, just tell me what do you mean by a pilot project. What are we doing? I mean, we passed this Bill. What are we doing to facilitate pilot projects? Why do we need the Bill, and where are we going to carry out the pilot projects? Just in some laboratory or what?"

Sheehy: "The pilot project is the initiative of the Secretary of State. I have to just say this, Representative..."

Speaker McPike: "Representative Sheehy, the Gentleman is going to persist in trying to get an answer to this question. It's the fourth time he's answered it. Now, if you want to take the Bill out of the record for a minute, we can. But he's



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asking a specific question in regards to a pilot project. If the court can't mandate it, where is the pilot project? It's the fourth time he's asked it."

Sheehy: "It's going to be in the Secretary of State's office."

Johnson, Tim: "Well, I guess you win. You're not going to answer the question, so I guess we'll just vote on it blind."

Sheehy: "Representative Johnson, Representative Balanoff may be able to help you with this."

Speaker McPike: "Mr. Balanoff."

Balanoff: "What it is is, originally the legislation was going to be statewide. At the request of the Secretary of State, and he has this ability, probably, without this legislation. They wanted to do a pilot project and set the guidelines and parameters for a pilot program. So it would be...it would be the Secretary of State that would have to set up a pilot program, in the State of Illinois, for automobile ignition interlocking devices, which have been proven effective in 23 states and two foreign countries to reduce repeated offenses by 66%."

Speaker McPike: "Mr. Balanoff, the question that we are trying to get an answer to is whether or not this pilot program is in a laboratory or is it in a court?"

Balanoff: "The pilot program would be in areas of the State of Illinois. It's not in a laboratory. It would be in either a judicial district or in hearings that come before the Secretary of State. That's what we've been told that it could be."

Speaker McPike: "Representative Murphy."

Murphy, M.: "Yes. Ladies and Gentlemen of the General Assembly, as the hyphenated co-sponsor of this, I'd like to address the court issue. It is in...this idea is in its infancy. It would truly be a pilot program using the laboratory

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sense from what I understand. The Secretary of State's Office is in favor of this. We are working on this. The idea of it has to do with going after the second DUI offender. Twenty-three states have this. The Secretary of State's Office has worked with the Sponsors of this legislation to begin the process and filter down just what the pilot program will entail. I believe 20 counties may be involved. It's in its very beginning of germination. The concept is good. Twenty-three states have it. I obviously speak in favor of this legislation. This legislation, if passed, will just give the go-ahead to the Secretary of State's Office to begin the pilot program. Thank you."

Speaker McPike: "Mr. Black."

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

Speaker McPike: "Yes."

Black: "Representative, I see nothing in the legislation that specifically grants any authority to a court to carry out the intent of this law. What do we have here?"

Balanoff: "This will be carried out through the Secretary of State, Representative Black. This is their Amendment, it was voted on in committee. The Secretary of State's going to take control of this."

Black: "You mean the Secretary of State already has the authority to do this? He doesn't need to give any power to the courts to so order? I think this Bill is flawed; I really do. I think you ought to take it out of the record. This doesn't give anybody authority to do anything. It looks nice, but if you read this Bill, there is absolutely no authority in this Bill for anybody to do anything. If you're not giving the authority to a court, then you

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haven't given the Bill any teeth whatsoever, and I doubt (in all due respect to the Secretary of State), that he or she would ever have the authority to unilaterally do this. The Bill is flawed. I would advise you to take the Bill out of the record if you don't do that it's your business. I intend to vote 'no' or 'present'."

Speaker McPike: "The question is, 'Shall House Bill 1362 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 83 'ayes' and 16 'noes'. House Bill 1362, having received the Constitutional Majority, is hereby declared passed. Representative Dunn, (House Bill) 1369. John Dunn here? Mr. Dunn. Representative Ronen, 1372. Ronen. You want this Bill called? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1372, a Bill for an Act amending the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

Speaker McPike: "Representative Ronen."

Ronen: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 1372 would make permissive a judge ordering cost...the costs of child care in addition to child support orders. If the judge does choose to do so, he would do it based on an income shares model. The custodial and non-custodial parents paying on the basis of their income. I move for passage of this Bill."

Speaker McPike: "The question is, 'Shall House Bill 1372 pass?' Mr. Wennlund, on that Motion."

Wennlund: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Wennlund: "Thank you. So what you're saying, is that in addition

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to the statutory guidelines being applied, that the court can add on top of that a \$200 bill per week for a day-care center for the child or children. Is that what this Bill does?"

Ronen: "The Bill allows the judge to do that. It is permissive, it is not mandatory. If there are child care costs associated, and it calls for the parents to pay for it and if what we think is a fair basis based on their share of income."

Wennlund: "Does this increase the guidelines at all?"

Ronen: "No, it does not."

Wennlund: "All right. To the Bill, Ladies and Gentlemen of the House. In addition to the statutory guidelines which now apply a percentage to a respondents' income...if he had three children for instance, it's mandatory that the judge determine that child support will be in the amount of 32% of the respondents' income, with a few exceptions and deductions. What this Bill is saying, and you ought to listen up, before you go back home and tell your constituents what you voted on is on top of that 32% of his income, you can add another \$200 a week, \$300 a week or whatever the child day-care center costs the petitioner. This you ought to be real careful of, because it could mean a drastic increase in the child support guidelines, by virtue of allowing judges to add on additional costs each week for respondents. You ought to be careful when you vote on this."

Speaker McPike: "Representative Krause."

Krause: "Mr. Speaker, I, also, would rise in support of this Bill. I think the time has come to recognize in those cases of child support, that the court at least be given the discretion, on the affidavits that are submitted to the

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court, to weigh and to consider the child care costs that now are weighing in all types of families. This is a benefit to both parties and should be given consideration when the court does weigh the amount of child support to be given. I think it is needed, and I would urge a 'yes' vote."

Speaker McPike: "Representative Lindner."

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

Speaker McPike: "Yes."

Lindner: "Yes. I, also, rise in support of this. Certainly you will note that it says 'may' and not 'shall'. So it's discretionary. I think this Bill will eventually help men and help lower child support because of the fact that many times a woman has trouble, she cannot pay for child care costs and cannot therefore find employment. This will help women become employed and eventually help equalize the support burden for all parents."

Speaker McPike: "Representative Frederick."

Frederick: "Thank you, Mr. Speaker. I, also, rise in support of this Bill. I think we should remember that the Bill is permissive. It does allow the judge at his or her discretion to add on the costs of child care if he or she deems it necessary. I urge your 'aye' vote."

Speaker McPike: "Mr. Hicks. Mr. Hicks."

Hicks: "Question of the Sponsor."

Speaker McPike: "Yes."

Hicks: "Representative, I keep hearing that the court may judge to add on this cost. May the court not do that now?"

Ronen: "Yes, Representative, the court may do that. What this Bill does in addition to that is saying that if the judge chooses to order child support, it's done on a fair basis that the custodial and non-custodial parents both pay their

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fair share."

Hicks: "So, you're really saying that now the judge is really going to have to do this now."

Ronen: "No, we are not. It is still permissive. If the judge chooses..."

Hicks: "I guess I don't understand why it's necessary. If the court may do this now, what is the necessity of having this legislation?"

Ronen: "What it's doing is acknowledging that there's a need there, but most importantly it's saying, if the judge chooses to, and it is permissive that he does it based on an income shares model; that the non-custodial parent pays only that portion that he or she should pay. So this is a more fair way of aligning what are needed...needed in child care"

Hicks: "So we're restricting again what a judge may take in as making that determination of what a person may pay."

Ronen: "I'm sorry..."

Hicks: "We're now restricting what a judge may take in...to his opinion...when he forms his opinion, we are limiting how he must form that opinion of who must pay."

Ronen: "We are suggesting a fair way of allotting the costs of child care, yes, on an income shared model."

Hicks: "It's fair in our mind."

Ronen: "That's...we think logically here and objectively here."

Hicks: "Thank you very much."

Speaker McPike: "The question is 'Shall House Bill 1372 pass?' All those in favor vote 'aye'; opposed vote 'no'. Mr. Black, did you want to talk on this?"

Black: "Well, I'll just explain my vote. I think it's a total waste of time. The Bar Association needs to revisit this entire matter of child support. You're nickel and diming

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these people to death. You don't recognize the amount of time the non-custodial parent may have the child. You're not recognizing income limits in this. You're not recognizing the asset level of the custodial parent who may have remarried. You're nickel and diming these people to death, they're getting tired of it. In summation, and I know it's going to pass because it's a glitzy issue, but you don't even have a guarantee that these support payments go to the child. That's the ultimate failure of all these child support Bills. If it really went to the child and the non-custodial parent could get some guarantee of that, I think a lot of these non-custodial parents would feel a lot better about paying than they do now. The child support laws in Illinois are ridiculous, and you're just giving carte-blanche to judges."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Motion, there are 78 'ayes' and 11 'noes'. House Bill 1372, having received the Constitutional Majority, is hereby declared passed. House Bill 1452, Mr. Dart. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1452, a Bill for an Act amending the Criminal Code of 1961. Third Reading of the Bill."

Speaker McPike: "Mr. Hicks. Mr. Hicks."

Hicks: "Is there some reason, Sir, you skipped over my Bill?"

Speaker McPike: "It was my error. I'll go right back to it."

Hicks: "Thank you."

Speaker McPike: "Mr. Dart."

Dart: "Thank you, Mr. Speaker. House Bill 1452 would attempt to give potential witnesses the same protections that are afforded under the law to witnesses. This was proposed by the Illinois States Attorney's Association, and I move for

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its passage."

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

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

Speaker McPike: "Yes."

Wennlund: "Could you tell the Ladies and Gentlemen of the House, how is a person to determine who a potential witness is?"

Dart: "Usually it's done quite easily through the...by going through a Motion for Discovery which is done at the initial stage of the trial. At that point, each side is required to list its potential witnesses who they may or may not call to testify in the proceeding. It's a document that's filed with the court that each party exchanges and that would be what they're working off of."

Wennlund: "But how is a person to know who those people are?"

Dart: "Who? You mean the defendant?"

Wennlund: "Well, the Act says a person who, with the intent to harass or annoy, anyone who might be expected to serve as a witness, or a potential witness, for potential testimony, how is a person supposed to know that? It says a person, a person. You don't have to be a part of the litigation under this statute."

Dart: "No, under this statute, what it says is if a defendant is harassing somebody who potentially would testify against him, because quite often in a criminal proceeding which I dealt with quite extensively, you have a list of 50 witnesses or so, you will call maybe 20 of 'em. The other ones there you might not have, so this would deal with the ones who potentially would be there who may not actually testify 'cause they had somebody else who testified to the exact same things. So the State's Attorney pulled it out of the record or did not put that witness on, and this would attempt to provide them the same protections because



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in a lot of these gang incidents that we've been facing lately, especially in Chicago, you have a lot of instances where witnesses are being threatened and they will not come forth and testify then. This would say that the witness, even though he physically does not testify in the case, if he is there as a witness, potentially going to testify, but he is afforded those same protections. This has been proposed by the State's Attorney Association because of the problems they've been facing in regard to this; namely gang cases."

Wennlund: "Thank you very much. To the Bill, Ladies and Gentlemen of the House. We're simply just going too far. We're expecting any person who might annoy another person and for heaven sakes, we all know that we also have a tendency to annoy one another once in a while, there's no way in the world you'd ever know that he might be a potential witness. You don't even have to be a party to the litigation. You don't even have to be a party to the criminal proceeding. All you have to do is annoy somebody. If that person turns out to be a potential witness, then you're committing a crime. I mean, how far is this police state going to go. This is absolutely ridiculous."

Speaker McPike: "The question is, 'Shall House Bill 1452 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? Clerk will take the record. On this Motion, there are 85 'ayes', 26 'noes'. House Bill 1452, having received the Constitutional Majority, is hereby declared passed. House Bill 1426. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1426, a Bill for an Act amending the Illinois Marriage and Dissolution of Marriage Act. Third

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Reading of the Bill."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1426 deals with a problem that in 1986 I passed a Bill dealing with the presumption of joint custody in the best interests of the child. Last year in some legislation instead of saying shall be in the best interests of the child, Senator Marovitz was able to put in 'not', and I'm simply taking out the word 'not'. Instead of being shall 'not be' in the best interests of the child I believe that in joint custody the presumption should be there. And I'd be happy to answer any questions."

Speaker McPike: "Representative Lindner."

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

Speaker McPike: "Yes."

Lindner: "Yes, I would urge a 'no' vote on this. As a family law practitioner for the last ten years, there should not be a presumption that any kind of custody is in the best interest. There is already statutory criteria in the statute to determine custody. That should be determined either by the parties or by the court on the facts and circumstances of that...individual case. I would urge a 'no' vote."

Speaker McPike: "Representative Lindner and to...to everyone that's in their first term: When you stand to speak, you don't have to ask if the Sponsor will yield unless you intend to ask the Sponsor a question. Okay. Representative Homer."

Homer: "Thank you, ...Mr. Speaker. I never knew that rule, ...but I do now. No, I...I wanted to...address the Bill, Mr. Speaker. It looks to me like there's an obvious middle ground here for compromise. The current law provides that

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there shall be a presumption against joint custody. Representative Hicks wants there to be a presumption in favor of joint custody. His Bill's opposed by the Illinois Coalition Against Domestic Violence, who has given me a fact sheet showing, it looks like about, 20 or 30 organizations that oppose this Bill, including...a Judge Ben Mackoff, the presiding judge of the Domestic Relations Division of the Circuit Court of Cook County. And it seems to me that we've got tug-of-war going on here and that the proper...position of this Bill ought to be there ought to be no presumption, and we oughta let the court determine, without worrying about presumptions unless in the best interest of the children. If joint custody's in the best interest, then that's what the court should find. If...if one parent should be given custody, then the judge should be allowed (without interference by the General Assembly) to do that. So, I don't begrudge the Gentleman for trying to change current law, I only suggest that maybe he goes too far in going 180 degrees, and...I'm not going to oppose...I'm going to oppose this Bill in its current form. If it fails, I would urge the Gentleman to put an Amendment on the Bill that would simply remove the current presumption against...joint custody and pass the Bill without any presumptive language, whatsoever. So, ...I...I would...I would recommend a 'no' vote on the Bill in its present form."

Speaker McPike: "Representative Tim Johnson."

Johnson, Tim: "You know, what the Legislature has done and tries to do is to set general parameters of public policy. I think that's appropriate, and then I think that's what our function is. This is really a modest attempt by Representative Hicks to do something that is so grossly

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overdue in this state that it borders on being obscene. We passed little patchwork laws here and there in this area, but what this Bill does is to say that it's the general presumption of the Illinois Legislature, obviously, up to the courts in individual situations to make a determination. Nothing about the Bill prohibits judicial discretion, and nothing about the Bill would prohibit a case-by-case determination, but the presumption is that both parents oughta continue to be involved in the upbringing and...care, custody, control and education of their child, unless there's some reason to the contrary. And in a society when all of us supposedly at least give lip service to gender equality and to the ability of mothers and fathers playing equal roles in their children's lives, what could be more simple than a Bill that sets public policy in that direction? It just amazes me the people who on the one hand who say that they wanna have even-handed treatment but on the other hand they wanna cling to the old notion that one parent or the other really gets the break in custody and visitation cases. This is the most modest Bill I can ever imagine in this subject matter. And if we can't come in here as a matter of public policy statement and say that in the absence of one parent or the other being less than desirable in terms of raising their child, that they oughta both be involved on a relatively equal basis. What more can we do? This is a very reasonable and long, long overdue Bill, and if it doesn't pass, it just demonstrates to the people who give lip service on the one hand to these principles don't really mean it at all."

Speaker McPike: "Representative Biggert."

Biggert: "Thank you, Mr. Speaker. ...I rise in opposition of the

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Bill. I think that...that the Illinois State Bar Association that's not been mentioned is, also, opposed to this Bill, and I think that this presumption...is heavily weighted in one direction and would not be good. Thank you."

Speaker McPike: "Representative Hicks, to close."

Hicks: "Well, ...you know, I...I've heard several comments here that I just can't believe. ...No one...no one from Illinois Bar Association has told me they're...they're opposed to this Bill. If they are, that's news to me. ...You know, this was the law in Illinois since 1986, until last year Senator Marovitz very quietly put in the word 'not', period. This was the law. The judges in the circuits told me it worked wonderfully well. I've talked with dozens of them. This is what they said worked well enough that they had no problems with doing what we were doing, and then last year there was a change made. Now, suddenly everybody in the world seems to be against this. It's just amazing to me. ...I think this is the right thing to do for children of Illinois, and I think that's what we oughta be concerned with. I'd ask for passage of House Bill 1426."

Speaker McPike: "The question is, 'Shall House Bill 1426 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 67 'ayes' and 42 'noes'. House Bill 1426, having received the Constitutional Majority, is hereby declared passed. House Bill 1453, Mr. Dart. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1453, a Bill for an Act amending the criminal Code of 1961. Third Reading of the Bill."

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Speaker McPike: "Representative Dart."

Dart: "Thank you, Mr. Speaker. This Bill makes a technical clarification to the forcible felony definition. This was suggested by the State's Attorneys Association, and I move for its passage."

Speaker McPike: "Mr. Black, on a 'do pass' Motion."

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

Speaker McPike: "Yes."

Black: "It's my understanding that you're simply adding residential burglary and aggravated arson as forcible felonies, Class IV felonies?"

Dart: "No, residential burglary, I believe, is a Class I non-probationable felony. I believe aggravated arson's a Class X felony. Presently in the statute, the definition of forcible felony it already contains burglary, which is obviously a lesser of residential burglary. Through an oversight they never put in the enhanced version of burglary which is a residential burglary. They already have arson contained in here as well. They never put in the enhanced version of that which is the aggravated arson, which are both obviously forcible felonies."

Black: "I guess my question to you is, by redefining 'forcible felony', aren't we simply putting more...enhancing the chances that somebody involved 'with a forcible' felony is going to end up in the Department of Corrections for a considerable period of time in a system that's already overcrowded?"

Dart: "There's a possibility of that, but to be quite frank with you, these changes truly are technical and are necessary based on the fact that in the present law right now, we have burglary. So right now a person who commits burglary,

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which is breaking into a garage say, can be...it's considered a forcible felony but whereas if you break into someone's house, it's not. That makes no sense, and also if you light a car on fire which would be arson, that's a forcible felony, but if you light someone's house on fire with them in it, that is not a forcible felony. It makes no sense. So this would just clarify that and bring some sense into the law."

Black: "Well, I thought if you broke into someone's house it was home invasion, which is a very serious felony under Illinois law."

Dart: "That's if you know somebody's in the house at the time, but if you break into their house late at night when there's no one around or anytime when there's nobody in the house, that is residential burglary. If you know someone's in the house at the time, that's home invasion."

Black: "Well, thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House. You know, every time I visit the correctional center in my district, everybody in there tells me they're in there on a technicality. So here we are giving some additional technicalities to the law. I'm just simply relying on what staff tells me that they find no apparent reason to redefine 'forcible felony' and my only fear is, and again, we get to crime issues and all of the Willie Horton type things that scare all of us to death. I see no reason for this, and I see no reason to further burden an already overcrowded Department of Corrections system, so I intend to vote 'present'."

Speaker McPike: "The question is, 'Shall House 1453 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 91 'ayes' and 5 'noes'. House Bill 1453, having received the Constitutional Majority, is hereby declared passed. House Bill 1466, Mr. McAfee. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1466, a Bill for an Act amending the Trust and Trustees Act. Third Reading of the Bill."

Speaker McPike: "Mr. McAfee."

McAfee: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1466 amends the Trust and Trustees Act. It provides that if all primary beneficiaries are adults and not incapacitated, an agreement construing the trust or an agreement regarding any duty of the trustee between the trustee and all its beneficiaries shall be final and binding on the trustees. This was an initiative of the corporate fiduciary..."

Speaker McPike: "The question is, 'Shall House Bill 1466 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 1466, having received the Constitutional Majority, is hereby declared passed. House Bill 1476, Ms. Currie. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1476, a Bill for an Act amending the Code of Criminal Procedure of 1963. Third Reading of the Bill."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. What this does is to use some of the federal standards in defining our Rape Shield Law. The Bill came out of committee unanimously. I'm aware of no opposition, and I'd appreciate your support."

Speaker McPike: "The question is, 'Shall House Bill 1476 pass?'"



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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 is 111 'ayes' and 0 'nays'. House Bill 1476, having received the Constitutional Majority, is hereby declared passed. House Bill 1641, Mr. McAuliffe. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1641, a Bill for an Act amending the Illinois Police Training Act. Third Reading of the Bill."

Speaker McPike: "Representative McAuliffe."

McAuliffe: "Mr. Speaker, at the request of the Police Training Board, I'd like to put this Bill on interim study."

Speaker McPike: "Come up to the well and sign a slip. House Bill 1643. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1643, a Bill for an Act amending the State Police Act. Third Reading of the Bill."

Speaker McPike: "Mr. McAuliffe."

McAuliffe: "Yes. Requires back pay to police officers if found not guilty in a suspension hearing or who served a suspension greater than the state police merit report prescribed."

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? Clerk will take the record. On this Motion, there are 113 'ayes' and 0 'nays'. House Bill 1643, having received the Constitutional Majority, is hereby declared passed. House Bill 1671, Mr. Lang. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1671, a Bill for an Act amending the Environmental Protection Act. Third Reading of the Bill."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. House Bill 1671 would require in any case before the Pollution Control Board the hearing

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officer presiding shall prepare a recommendation and proposed order which the board can then adopt, modify or reject at the appropriate time. The reason for this is to make it easier for the Pollution Control Board to do their work and to understand the issues before them. I move passage."

Speaker McPike: "Question is, 'Shall House Bill 1671 pass?' Mr. Wennlund on that Motion."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's important that you know that the Illinois Manufacturer's Association, State Chamber of Commerce and the Pollution Control Board itself are opposed to this. The Pollution Control Board estimates that it would need four full-time hearing officers and one supervisor at a cost of \$46,000 a year per hearing officer, and \$60,000 a year for a supervisor to cover its 150 to 200 cases per year. So additional expenses would be \$27,500 for a secretary and \$166,000 for operational support costs. And the reason the Pollution Control Board is against this is that the annual estimated cost of this proposed legislation is just under a half million dollars a year; \$430,000 is the conservative estimate of the Pollution Control Board. That's why they're opposed to it, because they simply do not have the additional half million dollars a year it would take to implement this Bill in their budget. It's a budget buster. It's going to require more money. There's no tax increase on the horizon. We simply can't afford it and we should vote against this Bill."

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

Lang: "Thank you, Mr. Speaker. The dollar estimates are wrong. There's already a hearing officer. They don't have to hire any new hearing officers. They may have to hire one

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secretary to type up their reports. One secretary to type up their reports. Mr. Wennlund indicated the people who are opposed to this Bill, the people that are in favor are all the green groups, the environmental groups, the Sierra Club, this has been proposed by Attorney General Burriss as part of his environmental package. The reason the Pollution Control Board is opposed is because they don't want anybody mixing into what they're doing. They want to continue to act under the cloak of secrecy that sometimes they act under. The actions by the hearing officer can be rejected or modified by the Pollution Control Board, but it's important that the issues be delineated, and that's the need, the reason for these reports to be prepared. I would urge passage to help protect the environment."

Speaker McPike: "The question is 'Shall House Bill 1671 pass?' All those in favor vote 'aye'; opposed vote 'no'. Mr. Black, to explain his vote."

Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. If the figures are wrong on the fiscal note, I would ask you to ask the Attorney General why he filed those figures. I quote, 'The office of the Attorney General does not dispute this estimate of this fiscal note, signed by John Stevens, counsel to the Attorney General.' So even the Attorney General seems to think this may be extremely costly legislation."

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 60 'ayes' and 50 'noes'. House Bill 1671, having received the Constitutional Majority, is hereby declared passed. House Bill 1678, Mr. Ryder is waiting for an Amendment from Mr. Tim Johnson. He's waiting for an Amendment from Mr. Tim Johnson who is not

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here. House Bill 1691, Mr. Homer. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1691, a Bill for an Act in relation to the distribution of drug related fines. Third Reading of the Bill."

Speaker McPike: "Mr. Homer."

Homer: "Speaker, I was just informed there may be a technical problem. I would like to take the Bill out of the record."

Speaker McPike: "All right. The Bill's out of the record. Representative Parcels."

Parcels: "Mr. Speaker, I'd just like the record to reflect that on House Bill 1109 called previously I would have voted 'yes'. My switch didn't work. Thank you."

Speaker McPike: "All right. The record will so reflect. Financial Institutions, Second Reading, House Bill 2079. Is the fiscal notes filed?"

Clerk Rossi: "A fiscal note has been filed."

Speaker McPike: "Third Reading. Financial Institutions, Third Reading. Representative Deuchler, House Bill 1410. Out of the record. We're going to go to a different Bill...a different order. Roads and Transportation, Third Reading. Mr. Lang, House Bill 95. Read the Bill, Mr. Clerk. (House Bill) 95."

Clerk Rossi: "House Bill 95, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 95 would require seat belts on all new school buses that are manufactured in the State of Illinois. For those that have discussed with me reports they've seen from Canada and from other states, I've explained that the study in Canada was flawed because it

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only studied rear-end and front-end collisions; it did not study side collisions. And any study done on side collisions, we've seen that kids go flying into the aisles. We've got hundreds of kids up here in the gallery. They need to be protected on their way to and from school. Those of you that were in committee know that I had 40 or 50 kids come down from my district. Some of them testified in the Transportation Committee as to why they think they need seat belts on their school buses and in that district they do. Those kids are protected. They're protected if they're driven to school by their parents in the morning because the parents must belt them up. Why should they not then be protected on the school buses. Vote to protect the kids. Vote for safety for the kids. These kids up here, your kids and my kids. Vote 'aye'."

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

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker McPike: "Yes."

Black: "I had filed a Floor Amendment #1 to this Bill and since it's moved to Third I...what, would the Chair advise me to...whether the Amendment was not filed in a timely fashion, or did it just get lost?"

Speaker McPike: "All right. Mr. Clerk, can you tell me when the Amendment was filed? Mr. Lang. Mr. Lang."

Lang: "Mr. Speaker, my understanding is the Amendment was filed after the Bill went to Third Reading."

Speaker McPike: "Well, we'll check it."

Clerk Rossi: "The Amendment was filed on April 1st."

Speaker McPike: "April 1st. When was the Bill put on Third Reading?"

Clerk Rossi: "March 9th."

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Speaker McPike: "March 9th. Let's see. Mr. Black, you were 22 days late. Twenty-two days late."

Black: "The Bill went to Third Reading on March 9th."

Speaker McPike: "Yes."

Black: "Okay. That's all I wanted to know. Thank you."

Speaker McPike: "All right. All right. Who stands in opposition to this Bill? Representative Roskam, with a question of the Sponsor."

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

Speaker McPike: "Yes."

Roskam: Representative, does your Bill require the students to wear the seat belts or does it just require the manufacturers to place 'em?"

Lang: "It requires belt on the school buses. We'll leave totally up to the schools how they want to administer the use of the belts, but if your kids and my kids are required to wear belts in their car, how can we possibly send them to school without belts? We set up...we want them to continue to wear belts when they grow up to be safe in their cars as adults and we can't...if we're inconsistent with children, they don't understand what we're doing as adults, and that's the reason for the legislation."

Roskam: "So, I'm...just so that I understand. The legislation does not...I mean, we're telling manufacturers that they've got to put belts in the buses. We're not telling children, we're not telling anybody that they've got to wear these belts."

Lang: "That's correct, but I should tell you that surveys seem to show that when belts are on the buses the kids will wear them."

Roskam: "Thank you."

Speaker McPike: "All right. I think everyone understands this

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issue. We're going to have someone talk against the Bill and then we'll explain our votes. Mr. Parke, to speak against the Bill."

Parke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The Sponsor of this Bill has traditionally sponsored this Bill and we as a Body have beaten this Bill. Let me explain to you why. Yes, we all want our children protected. We all want them to be in safe vehicles, but there are many other reports that have said that high back seats are in fact the best safety; that, in fact, seat belts on these kids ties kids in, there are lots of internal injuries when they have it. If there happens to be a major accident, it's hard to get the kids out of the seat belts on these the...big buses that have 'em. We have traditionally beat this. Don't let the rhetoric fool you. This is not a good idea. If it is such a good idea, then let Representative Langs' school district do so if they choose to do so, but my school district and your school district ought to have the right to determine whether or not this is a good idea. Now, it's not that simple, folks. It's not something that just simply makes sense by virtue of what he's saying. There is a lot of things that they have to be taken into consideration, and I ask you to think about whether or not...why buses have had the high seats for all these years and why it has been effective. We don't need to mandate to our school districts. I will remind you, we continue to keep mandating and mandating these things to our schools. I think that the local school board ought to have the right to make these decisions. Just because we're in Springfield does not give us the right to make all the decisions for our school districts. We have conscientious school board

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members that are elected to those school boards. Let them determine whether or not that's a good idea. Let them decide. Why do we continue to make these decisions for our local elected officials down at here? So I would just ask you to vote 'no' against this, though the Sponsor makes you sound like this is the only thing since sliced apple pie that'll protect our children and, in fact, it is counterproductive. The high back seats on those buses are what really protects our children. They ought to be continued, and I would ask you to vote 'no' on this."

Speaker McPike: "Mr. Lang, to close and then everybody can explain their votes."

Lang: "Thank you. A couple of things briefly. First of all, the studies regarding the high back seats make sense in a rear-end collision, but in a side collision the child does not bounce off of that high padded seat. Children go flying into the aisles. They become human missiles. I don't think we want to do that to our children. Secondly, we're here to protect children. Yes, school boards and school districts should have the right to protect children as well, but we're here to make policy for the overall safety of children around the State of Illinois. We're here to protect them when they're in school with curriculum and rules and regulations, and we should be protecting them on the way to and from school as well. The only sane and safe vote for your children is an 'aye' vote. I'm joined in this by most of the pediatric surgeons. The pediatric doctors across the United States of America support this. Vote 'aye'."

Speaker McPike: "The question is, 'Shall House Bill 95 pass?' All those in favor vote 'aye'; opposed vote 'no'. Mr. Biggins, to explain his vote."



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Biggins: "Thank you, Mr. Speaker. I would like to explain my vote, and I think that we should give this Bill a name. The Children Late for Dinner Bill, because when we mandate that you have to have a belt on a bus, and the school board mandates that it has to be worn, and the driver is mandated to keep the belt on the children or you can't move the vehicle, some of those kids are going to be late for dinner, because we know children, and they will take the belts off. Thank you."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have before me the results of the study performed by the National Transportation Safety Board in Washington, D.C.. The Safety Board does not recommend the federal school bus safety standards be amended to require all new large school buses to be equipped with lap belts. They found this based on a huge study of numerous school bus accidents, and the National Transportation Safety Board doesn't even recommend it. It just amounts to another mandate on your local school districts to increase the cost of buying school buses. It's been defeated every year in the past...in the past six years that I can recall, and it ought to be defeated again this year."

Speaker McPike: "Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. In the interest of research on this Bill, I just interviewed six students from Illinois Valley Central, whose principal is in the audience, and she might be surprised, they all stand in opposition to this Bill, which gives me hope for the future, and I vote 'no'."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. When each and every one of us

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gets in our car, we have to put on our seatbelt. We're required to put small children into car seats. We encourage our children to use seat belts. This is a Bill whose time has come. We need to pass this for our school children. It's unsafe in school buses, and I really urge finally to have some more 'aye' votes on this Bill."

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 52 'ayes' and 58 'noes'...the Gentleman requests postponed consideration. The Bill will be placed on postponed consideration. Representative Hartke, 457. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 457..."

Speaker McPike: "Oh. Excuse me. I have to go back to a Bill that I mistakenly put on Third Reading. That was House Bill 2079. The Chair asked if a fiscal note had been filed. It had been, but there was an Amendment on the Bill. The Bill was moved to Third Reading in error. House Bill 2079 will return to Second Reading. Mr. Clerk, any Amendments."

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

Speaker McPike: "Mr. Churchill."

Churchill: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #2 says that upon applying for the license under this Bill, the director of the financial institution shall consider the impact on the distribution of public aid checks, the impact on minority employment, the impact on providing vehicle licenses for both states and cities, impact on providing notary services, money orders and facilities for the payment of utility bills, and it also provides that an adversely impacted exchange may

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intervene in any hearing."

Speaker McPike: "Mr. Dart, on the Amendment."

Dart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment...not only is it a hostile Amendment, but this Amendment takes us ten steps backwards. The Bill which came out of the house committee 25 to zero was an attempt to break the monopoly and the stranglehold the currency exchanges have right now over a business. Rather than playing around with the numbers and the rates and anything like that, all we have asked for is to inject the free market system into the formula here. All we are saying is that by allowing other people the ability to operate, it will force down prices. Right now, the currency exchanges charge approximately three to four times as much to cash a check that you can get from an ambulatory currency exchange. For a check between 100 and 199 dollars, an ambulatory will charge one dollar to cash the check, a currency exchange charges \$3.70, and the numbers go up. It's outrageous that they not only are they opposing this Bill which is good government which opens this up to the free market, but it's outrageous that they filed this Amendment which makes it even more difficult for people to operate outside of their tight-knit circle. This Amendment is hostile in every sense of the word and should be defeated."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker McPike: "Yes."

Black: "Is it in order to ask the Sponsor of the underlying Bill a question, must I define my question only to the Amendment at hand?"

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Speaker McPike: "Well, usually we ask the Sponsor of the Motion a question, but certainly...just ask away. Ask away."

Black: "Well, thank you. I'll address my question to the..."

Speaker McPike: "You can ask anybody on the floor."

Black: "Let me address this question to Representative Dart..."

Speaker McPike: "All right. Mr. Dart, he picked you at random."

Black: "Thank you. Representative, is this...wasn't there a ruling made yesterday by the State of Illinois ordering currency exchanges to reduce their fees for cashing public aid checks?"

Dart: "For some people. Actually, they raised their rate for some people as well. They raised their rate a great deal. They lowered it in some instances. The currency exchange people went to the Financial Institution Board asking for another raise in the rates. They said it'll give them the raise as to certain people, other ones they lowered it."

Black: "So, it's your understanding that this Amendment would really consolidate the ability of currency exchanges to do business in the state to the detriment perhaps of other entities, correct?"

Dart: "Exactly, Representative."

Black: "Thank you."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Returning to Transportation on House Bill 457, Mr. Hartke. Read the... Out of the record. Mr. Hartke, on 458. Out of the record. Mr. Woolard, 460. Woolard. Out of the record. Mr. Laurino, 482. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 482, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Mr. Laurino."

Laurino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 482 provides that two actual trucks specifically equipped with front loading compactors..."

Speaker McPike: "Do you have an Amendment filed to this Bill? Mr. Clerk?"

Laurino: "I think the Amendment was adopted, Sir."

Speaker McPike: "Mr. Clerk?"

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

Speaker McPike: "What's your pleasure, Sir?"

Laurino: "Bring it back to Second, I guess."

Speaker McPike: "All right. Gentleman asks leave to return the Bill to Second Reading. Leave is granted. The Bill is on Second. Amendment #2, Mr. Laurino. All right. Mr. Black will explain the Amendment."

Black: "Thank you very much, Mr. Speaker. To the Sponsor of the Amendment. It's my understanding that Amendment #2 is technical in nature and removes a reference to posted weight limits. That simply isn't consistent with current statutes, makes no substantive changes to the Bill. It's a technical Amendment. Is that your understanding, Representative Laurino?"

Laurino: "Yes, Representative."

Black: "And it's a fine Amendment. Thank you."

Speaker McPike: "He was getting ready to give the same explanation. 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: "No further Amendments."

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Speaker McPike: "Third Reading. House Bill 1075, Representative Gash. Ms. Gash. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1075, a Bill for an Act amending the Road Worker Safety Act. Third Reading of the Bill."

Speaker McPike: "Representative Gash."

Gash: "This is not the Third...I want to take it back to Second Reading to put an Amendment on it."

Speaker McPike: "Is the Amendment filed?"

Gash: "Yes."

Speaker McPike: "Lady asks leave to return the Bill to Second Reading. Leave is granted. Bill is on Second Reading. Mr. Clerk, any Amendments?"

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

Speaker McPike: "Representative Gash."

Gash: "This is an Amendment that would remove the ten day notice requirement from the Illinois Highway Code, Section 9117, so that when someone obstructs a highway, the highway authority can do something about it immediately rather than having to wait for ten days while no one can get by."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1077, Mr. Churchill. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1077, a Bill for an Act amending the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker McPike: "Mr. Churchill."

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

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the House. House Bill 1077 does two things. It creates a feasibility study for the Amstutz Expressway, and then it...down in Dave Phelps area, it gives the Department of Conservation the power to grant a public utilities easement in Saline Valley Conservancy District for the Tunnel Hill Bicycle Trail."

Speaker McPike: "The question is, 'Shall House Bill 1077 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 104 'ayes' and 0 'nays'. House Bill 1077, having received the Constitutional Majority, is hereby declared passed. House Bill 1113, Mr. Hartke. Read the Bill, Mr. Clerk. Mr. Sheehy, for what reason do you rise?"

Sheehy: "My speaker wasn't working. I voted 'yes' for this Bill."

Speaker McPike: "Which Bill? The last Bill?"

Sheehy: "The last Bill."

Speaker McPike: "Gentleman intended to vote 'yes' on House Bill 1077. Mr. Clerk, read 1113."

Clerk Rossi: "House Bill 1113, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Mr. Hartke."

Hartke: "Well, thank you very much, Mr. Speaker and Members of the House. House Bill 1113, as amended, the Amendment guts the Bill and sets up the possibility for a mass transit system to accept federal moneys serving a non-urbanized area downstate. The Amendment was sponsored by Representative Woolard, and I would appreciate your support for this piece of legislation."

Speaker McPike: "The question is, 'Shall House Bill 1113 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all

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voted? Have all voted who wish? Have all voted who wish?  
The Clerk will take the record. On this Motion, there is  
112 'ayes', 0 'nays'. House Bill 1113, having received the  
Constitutional Majority, is hereby declared passed.  
Representative Hughes intended to vote 'aye' on 1113 and  
the record will so reflect. Representative Giolitto, 1224.  
Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1224, a Bill for an Act amending the  
Civil Administrative Code of Illinois. Third Reading of  
the Bill."

Speaker McPike: "Representative Giolitto. Mr. Black, for what  
reason do you rise?"

Black: "Question at the appropriate time."

Speaker McPike: "All right. Ms. Giolitto, you going to call this  
Bill? We might not get back to it. All right.  
Representative Giolitto."

Giolitto: "Thank you, Mr. Speaker."

Speaker Giglio: "Mr. Clerk, are you... Read the Bill."

Clerk Rossi: "House Bill 1224, a Bill for an Act amending the  
Civil Administrative Code of Illinois. Third Reading of  
the Bill."

Speaker McPike: "Representative Giolitto."

Giolitto: "Okay. House Bill 1224 is for the purpose of  
maintaining IDOT helicopter...emergency helicopter in  
northern Illinois. Now, this includes not only my district  
but several other districts in northern Illinois, and the  
ruling that IDOT recently made was to remove this  
helicopter from northern Illinois and take it to southern  
Illinois. Since that decision was made, I received many,  
many letters from my constituents asking me to try to help  
keep this helicopter in northern Illinois. So this is the  
purpose of the Bill."



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Speaker McPike: "Mr. Black, a question on the 'do pass' Motion."

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

Speaker McPike: "Yes."

Black: "We have a classic north-south confrontation here. Let me just...let me just tell you what this does, Ladies and Gentlemen. The Department of Transportation currently maintains an emergency helicopter in the greater Rockford area that does, indeed as the Sponsor said, serves several northern Illinois counties. However, there are now two private helicopter services in the greater Rockford area. I've been led to believe owned or operated or somehow affiliated with hospitals in that area, so IDOT made plans to move this emergency helicopter, which was now redundant, to Carbondale, which doesn't have any. So, you know, I can understand her reluctance to lose an emergency helicopter, but if...she's not...her area will not be without helicopter service. They have helicopter service. I submit to you that Carbondale and the southern part of the state area...we don't have any helicopter service. Heck, when a helicopter flies over down in my part of the state, everybody runs out of the house to see what it is. So in all due respect to the Sponsor, I...she is not being left without helicopter service. This needs to go to Carbondale where we have no concurrent service, and I simply think that that's where it should go, so I rise in opposition to her Bill."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. With due respect to Representative Black and...Bill, you ought to go out to the airport, they've got lots of things out there for you to watch. But as a

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downstater, this Bill does not require a helicopter to go to downstate. It does not require the helicopter to stay upstate. It says merely they may consider. So to my downstate friends, this does not take anything away from us, this is permissive language, and we rise in support of the Bill."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Representative Black has just indicated to us that this is a north-south Bill, and that he would like to have that helicopter down there. He also didn't tell you why you bring the helicopter down there. You're going to have to build an airport for him to land the helicopter down there, so a third airport is now being suggested. Okay. Thank you."

Speaker McPike: "How long of a runway do you need for helicopters? Representative Giolitto, to close."

Giolitto: "I would like to speak to Representative's Black's comments. Yes, we do have some hospital helicopter...a couple of hospital helicopters up there; however, these helicopters are not insured for rescue duties, and they do not have the same equipment. Therefore, we still don't have a rescue helicopter in northern Illinois, and I urge you all to please vote 'aye' for my district. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 1224 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 72 'ayes', 35 'noes'. House Bill 1224, having received the Constitutional Majority, is hereby declared passed. House Bill 1261, Representative Hartke. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 1261, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. House Bill 1261 sets up a new classification with the Illinois Vehicle Code for special waste haulers. And if they're mainly dealing with asphalt and concrete and if they are stopped and overweight, the State Police will send them on their way. They will still pay their fine, but this applies to the special waste haulers, the asphalt and concrete only, and that is in Amendment #1. I'd be happy to answer any questions on this piece of legislation."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative Hartke, we don't show that a Floor Amendment #1 was adopted to this Bill. Is that..."

Speaker McPike: "Mr. Clerk."

Clerk Rossi: "House Amendment #1 was adopted."

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

Speaker McPike: "Question is, 'Shall House Bill 1261 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 103 'ayes' and 9 'noes'. House Bill 1261, having received the Constitutional Majority, is hereby declared passed. Page 12, Special Order, Pensions. Mr. Blagojevich, for what reason do you rise?"

Blagojevich: "Thank you, Mr. Speaker. I rise regarding House Bill 1426. The roll call records me as being absent. I'd like the record to reflect that I'm voting 'no' on that Bill."

Speaker McPike: "The record will so reflect. Third Reading,

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Pension Bills. House Bill 1299. Read the Bill, Mr. Clerk.  
Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1299, a Bill for an Act amending the  
Illinois Pension Code. Third Reading of the Bill."

Speaker McPike: "Mr. Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. House Bill 1299, as amended, is a shell Bill.  
There is no substantive language in the Bill. It's a  
shell. We're trying to move it along. If there is an  
agreement reached between the Chicago Board of Education  
and the Teacher's Union, this Bill could be used as a  
vehicle to reflect any agreement that may be made. We'd  
like to keep the Bill alive in the opportunity that an  
agreement can be reached. So I would move for passage of  
the Bill."

Speaker McPike: "And on that, Mr. Black."

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

Speaker McPike: "Yes."

Black: "Representative, I appreciate your candor. This is indeed  
a vehicle Bill. Correct me if I'm wrong. I thought it was  
my understanding that after the five-plus-five last year  
that there was a moratorium on early retirement pension  
Bills this year. Did I just imagine that, or...I thought  
that even came out of your side of the aisle as memory  
serves me correct."

Granberg: "Representative, my understanding...they just wanted a  
vehicle Bill to move along in case for some unlikely  
reason there might be an agreement reached, but it would be  
a vehicle for that possible, possible agreement."

Black: "Okay. I...thank you very much. Mr. Speaker, to the  
Bill. This is a vehicle Bill, Ladies and Gentlemen. It

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may come back as an agreed pension Bill, and it may come back as a pension omnibus Bill that will cause some of you to make a very difficult decision later in the Session. I rise in opposition simply because it's a vehicle pension Bill, and I at this point don't have any idea how it might come back to the House. I intend to vote 'no'."

Speaker McPike: "Mr. Parke."

Parke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Representative Black has mentioned some good points that we ought to consider. But quite frankly, the agreed Bill process only works if it's agreed, and for our side to simply say is that we're not going to do anything is not what I think we mean to do, but I think we ought to do is maybe if you want to vote 'present' on this instead of voting 'no' just to see what is, because it might be a very good Bill when it comes back from the Senate. So I concur with what Representative Black and our side...if you don't want to vote for this, a 'present' vote would probably be more appropriate because if it comes back from the Senate as an acceptable Bill, you may not want a 'no' on it, so..."

Speaker McPike: "Mr. Granberg, to explain the vehicle."

Granberg: "Thank you, Mr. Speaker. The purpose of this Bill is a vehicle for any possible Chicago early retirement. It will not be used for anything else. The only purpose for this vehicle is for the Chicago early retirement if an agreement can be reached. There will not be an omnibus Bill. There'll be no other provisions contained in the Bill. This is the sole purpose for House Bill 1299, and I would appreciate your 'yes' vote."

Speaker McPike: "The question is, 'Shall House Bill 1299 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all

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voted? Have all voted who wish? Have all voted who wish?  
Have all voted who wish? Representative. Have all voted  
who wish? Have all voted who wish? The Clerk will take  
the record. On this Motion, there are 60 'ayes' and 5  
'noes'. House Bill 1299, having received the  
Constitutional Majority, is hereby declared passed. House  
Bill 1848, Mr. Granberg. Read the Bill, Mr. Clerk. Mr.  
Turner, in the Chair."

Clerk McLennand: "House Bill 1848, a Bill for an Act amending the  
Illinois Pension Code. Third Reading of the Bill."

Speaker Turner: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. House Bill 1848, as amended, provides for  
continuing appropriation for our underfunded pension  
systems. ...Many of you who are freshmen may not know, but  
our pension systems are totally underfunded. There is  
about approximately a \$13 billion unfunded liability that's  
gonna...it's like a time bomb ticking that'll go off in the  
next century. A few years ago, we passed Senate Bill 95,  
which provided for a phase-in period so we could actually  
fund our pension systems, which are not now being funded.  
We passed that. That Bill is law, but we have not funded  
it according to the provisions of Senate Bill 95. This  
Bill, as amended, will provide for that phase-in period,  
and it's, unfortunately, it's something we have to do  
because we have not had the ability to police ourselves.  
This will allow for continued appropriation for the  
downstate teachers, all the retirement systems, Cook  
County, the state university's retirement system; all  
retirement systems that are currently grossly underfunded.  
I'd be happy to answer any questions."

Speaker Turner: "Representative Parke, with a question."

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Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. ...I will concur with the Sponsor of this Bill is that we have...woefully underfunded our pension systems and that this Bill does...mandate, in essence, a certain amount of appropriations, and on...I would say to the Body and to the Republicans, we may very well want to vote for this, let it go over to the Senate, and let it be manipulated over there in terms of how it should be developed and how it should be worked out; because, in fact, what it does is that, in essence, it says that we should be complying with Senate Bill 95, which we passed in 1991, that we have not been fulfilling the commitments of that law. And I think that this is...this is a beginning to making sure that we fund our state pension systems in a proper manner. What that proper manner is may not be exactly as this Bill says, but it is something that we need to continue to talk about. So, I would say to especially the Members of our side, though it appropriates hundreds of millions of dollars, we should send it over to the Senate with a 'yes' vote and let them decide, with the Governor's Office and the Speaker of the House, just what that oughta be, and I think this should progress in that manner."

Speaker Turner: "Gentleman from Coles, Representative Weaver."

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

Speaker Turner: "He indicates he will."

Weaver: "Representative, I...have a lot of respect for you, and I...I really agree...I agree with this Bill. No, it's not no surprise. And...and I...I intend to support this Bill, but my...my big question is, 'I've got a lot of tired and frustrated teachers back home (as you do). We've got a lot of retirees who've been promised and promised and promised."

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Is there any way that we can guarantee that this law won't be as easily violated as Senate Bill 95 was, so we...we avoid giving 'em another promise that we're gonna break the first year out of the box'?"

Granberg: "Representative Weaver, I, too, have respect for you and your constituents, particularly the university. What this would do: Senate Bill 95 provides a substantive language that we had a schedule to maintain. This provides actual funding. These Bills will not have... They will be...actually...be channeled to the systems automatically. They will not have to come to this Body. They will go, first of all, to the pension systems. This will be..."

Weaver: "This will not be subject to administrative release?"

Granberg: "It's... This'll be on a continuing basis, so it would have to go to the pension...the...the pension systems. So, we would not be...we would not be restricted as we were with Senate Bill 95. This would actually do the appropriations to Senate Bill 95."

Weaver: "Now, is this coming out of GRF or does this come out of the common school fund?"

Granberg: "It's my understanding that this would be...GRF."

Weaver: "And do we have...just a ballpark figure on the first-year cost?"

Granberg: "The unfunded liability for the pension systems as a total is \$12.9 billion."

Weaver: "I mean, I mean, but this is the phase-in, right?"

Granberg: "Right. This is... It's the seven year phase-in period. It's advertised over a 40 year period, then you have a seven year phase-in, so this is the...with Senate Bill 95, this would be the..."

Weaver: "As I understand it, it's roughly \$500 million, around that neck of the woods?"



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Granberg: "That's...that's approximately correct."

Weaver: "Okay. Thank you."

Speaker Turner: "Gentleman from Logan, Representative Olson."

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

Speaker Turner: "He indicates he will."

Olson: "Representative Granberg, there's been a lot of respect passed back and forth here. I want to join those who...in my respect for my fellow Scandinavian. The continuing appropriation that you speak of, do you have specifics in your Bill as how it might relate to Senate Bill 95? Do we go back and catch up what we failed to do since the date of '95? Do we start from this day forward, on a regular schedule, similar to '95?"

Granberg: "Representative, we start from this day forward. ...This is going to be...a difficult thing to do, but we have to do it. For us to go back and pick up what we haven't done would be...would be extremely difficult, so we're phasing-in from this day forward, from this year forward."

Weaver: "So, there's a schedule similar to what was in '95 but it's from this day forward?"

Granberg: "Correct."

Olson: "Does this... Again, referring to continuing appropriation, is this Bill mandate that we set this money aside before we start any other appropriation processes?"

Granberg: "It would be a continuing appropriation, so it'd be...set aside automatically."

Olson: "Automatic. It's a good Bill, Ladies and Gentlemen."

Speaker Turner: "The Gentleman from McLean, Representative Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen. I stand in support of this Bill. I think the Sponsor's addressing it

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as best we can. I would prefer to see us fully fund Senate Bill 95 as originally enacted, but I speak in support of it, not only because I represent an area that has many state employees in it, but we all need to think about this Bill because this Bill deals with fiscal responsibility, and we all have constituents affected by that. If we fail...continue to fail to fund our retirement systems, we are putting this burden back on every constituent we have throughout the whole State of Illinois. It's time for fiscal responsibility, and this helps move in that direction, and I ask you to vote for this."

Speaker Turner: "Representative Granberg, to close."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As the previous speakers have mentioned, this is a horrible, horrible problem that we have...gotten ourselves into. Senate Bill 95, we tried to correct that problem a few years ago. We have not lived up to the standard we've set. This will make us live up to that standard. Otherwise, we're turning our backs on all the people who are on their pensions, who are going to receive pensions, and they'll not be properly funded. We have an obligation to make our...to continue the appropriation, to make sure their pensions are properly funded, and I would ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 1848 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. House Bill 1848... Turner, 'aye'. Parke, 'aye'. House Bill 1848, having received 110 'yesses', 0 'noes', 0 'presents'; this Bill, having received the required Constitutional Majority, is hereby declared passed. The Gentleman from

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Joe Davies, Representative Lawfer."

Lawfer: "Mark me as 'aye' on that last vote please."

Speaker Turner: "The record will so reflect. Under State And Local Governments, Second Reading, we have House Bill 2053, Representative McAfee. Out of the record. House Bill 2171, Representative Dart. Out of the record. Under State and Local Government, Third Readings, House Bill 169, Representative Lang. Out of the record. House Bill 335, Representative Lang. Representative Lang, on House Bill 335. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 335, a Bill for an Act concerning responsibilities of the State Treasurer. Third Reading of the Bill."

Speaker Turner: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. House Bill 335 is an initiative of the State Treasurer which will bring the state about \$300,000 in additional revenue by simply making some minor changes in the law. Firstly, it would allow the Treasurer to establish deposit agreements with financial institutions, which would give the state more flexibility in negotiating interest rates. Second, it would expand the definition of what can be paid out under the Bank Services Trust Fund and allow the Treasurer to pay from this fund for additional banking services. I would urge passage."

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

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

Speaker Turner: "He indicates he will."

Black: "Thank you. Representative, how are these services being paid for today?"

Lang: "Are you referring to the bank services in the second part

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of the Bill?"

Black: "Yes, I believe so."

Lang: "Those are paid for on a contractual basis."

Black: "You're sure it isn't through compensating balances in the trust fund and IPTIP?"

Lang: "The answer is no."

Black: "All right. For the record would it be the intent of the Treasurer's office to use this legislation to force other state agencies to pay the Treasurer's office for data capture?"

Lang: "The answer to that is no. The Bill is simple in what it says, and that's all it's intended to do."

Black: "All right. So, this is for purposes of legislative intent. Because in the past Treasurer's staff has occasionally suggested that state agencies may have to pay for data capture portion of lock box and electronic payment programs, and so your intent is that no, no state agency would pay for that?"

Lang: "There is no intention in this legislation to accomplish that purpose."

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

Speaker Turner: "The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield to a quick question?"

Speaker Turner: "He indicates he will."

Parke: "Thank you. Representative, you're working in an arena I'm not necessarily familiar, but I was wondering what the Illinois Bankers Association position was on this legislation, since it deals in that arena?"

Lang: "My understanding and recollection from committee is that they had no position whatsoever."

Parke: "So, they were not opposed?"

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Lang: "No."

Parke: "Thank you very much."

Speaker Turner: "Representative Lang, to close."

Lang: "Just ask for favorable votes."

Speaker Turner: "The question is, 'Shall House Bill 335 pass?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk shall take the roll. House Bill 335, having received 97...98 'yesses', 10 'noes', 1 'aye'. This Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 575, Representative Lang. Out of the record. House Bill 689, Representative Hoffman. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 689, a Bill for an Act to amend the Deposit of State Moneys Act. Third Reading of the Bill."

Speaker Turner: "Representative Hoffman."

Hoffman: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 689 would authorize the Treasurer, with the approval of the Governor, to lend securities acquired under the Act if sufficiently collateralized. Essentially what this would do, is Illinois's missing out on a significant amount of money by using a technique that would allow us to lend the securities, thereby allowing the Treasurer's office to reap the benefit of those lent securities. The safety of the security is assured because it is collateralized. There are several states, including Indiana, Connecticut, Ohio, Idaho, Louisiana, Maryland, Massachusetts, Montana, Nebraska, Tennessee, and Virginia that allow this, and I ask for an 'aye' vote."

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

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

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yield?"

Speaker Turner: "Only if you're going to ask a question."

Black: "Thank you. Representative, is it a safe assumption to say that security lending can be extremely risky?"

Hoffman: "Not this type of a... It is my understanding that not this type of a system, because it would be absolutely collateralized through cash that is given in return."

Black: "So some security lending is very risky, but some security lending is not very risky?"

Hoffman: "I'm not a financier, I don't think security lending is very risky."

Black: "Okay."

Hoffman: "That's my answer for today, Representative."

Black: "Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, in all due respect to the Sponsor, I think if you check with anybody in finance banking today, they will tell you that security lending is extremely risky. It can change in a matter of hours. Let me just remind you, Ladies and Gentlemen of the House, that banks can only become involved in security lending after reviewing those requests from banks on a case by case basis to the Commissioner of Banks and Trusts. We don't even allow banks in this state to get into security lending unless it is reviewed by the Commissioner of Banks and Trusts on a case-by-case basis. The security lending concept will only be safeguarded if you have very adequate and highly experienced personnel to deal in the volatile market of securities. Now, if we're going to allow the Treasurer's office to invest your tax dollars in security lending arrangements, then I think they should have to follow the same standards that our financial institutions follow. That isn't in this Bill. Now, it...it may not be

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a bad idea, but I'm simply here to tell you and for those of you who remember the savings and loan debauched that happened during my administration's tenure in Washington, I'm warning you security lending can be extremely risky, and I don't think you want to vote for this without sufficient safeguards that the Office Of Treasurer will have the same expertise and the same standards placed upon them that we now demand banks and financial institutions to have, and I don't see this language in this Bill. So, in all due respect to the Sponsor, I am not after this Bill for any political reason, believe me. I am simply opposing this Bill because I don't think it's in the best interest of the taxpayers to allow security lending without certain built-in safeguards. We've all seen what's happened when we allow banks and financial institutions to do this without adequate safeguards, I don't think you want to do this with taxpayers money. I would urge a 'no' vote."

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

Biggins: "Thank you, Mr. Speaker. Having served as Chairman of two Chicago area suburban banks, I can echo Representative Black's comments. Security lending is extremely risky, and only the most experienced personnel in a bank are allowed to do it. Also, it can be risky because in today's markets interest rates are very low, and there may be a tendency to go try something with a security because the returns are low now compared to history; and, therefore, a risky venture might be appealing to those that are inexperienced, and I don't see the agency...any agency overseeing the state Treasurer's proposed Bill. Thank you."

Speaker Turner: "The Gentleman from McLean, Representative Brady."

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Brady: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Brady: "Representative, would this arrangement require Gubernatorial approval as well?"

Hoffman: "Absolutely, and also a...I want to answer a question. Yes, it absolutely would require gubernatorial approval, but also, it would have to be done under the strict guidelines which are established by the federal financial institutions examination council in a properly collateralized manner. So, I think that addressed some of the concerns..."

Brady: "Representative, how many states allow this type of action?"

Hoffman: "Earlier I named eleven. Eleven states."

Brady: "Have there been any default to your knowledge?"

Hoffman: "Excuse me. I couldn't..."

Brady: "Have you ever had any... Have any of those states ever incurred a loss?"

Hoffman: "No, not that we're aware of."

Brady: "Thank you."

Speaker Turner: "The Gentleman from St. Clair, Representative Hoffman, to close."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think that there may have been some misconceptions. I'm not sure what were allowed by banks for security lending, but we're talking here about the governmental institutions. Eleven states currently do this. It wouldn't be allowed to be done unless it is fully collateralized and within the the guidelines of the federal Financial Institution Examination Council. Also, for the concerns of the individuals on the other side of the aisle, these things have to be approved by the Governor in



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addition to that. What we're doing is we're losing out on hundreds of thousands of dollars that we could be...we could be earning just as a result of using our money and our securities smarter in this state. So, I ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 689 pass?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 64 'yes', 48 'noes', 2 voting 'present'; this Bill, having received the required Constitutional Majority, is hereby declared passed. Under the Order of State and Local Government, House Bill 691, Santiago. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 691. A Bill for an Act to create the Illinois Capital Access Program and to prescribe its powers and duties. Third Reading of this Bill."

Speaker Turner: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. House Bill 691 creates the Invest in Illinois Act. The purpose of this Act is to establish a capital access program in order to increase the number of businesses in the Illinois economy that have access to credit from financial institution. This capital access program is based on a portfolio insurance concept. It provides incentives to private sector financial institutions to absorb higher loan risks, while allowing them to exercise their own judgment. The incentives are...and structure of the program are intended to ensure that the program will truly help those businesses that cannot obtain access to conventional financing and favorable financing items...terms. This is a pro-business

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incentive. It would...the whole purpose is to try to create jobs in the private sector. I move to adopt."

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

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

Speaker Turner: "He indicates he will."

Churchill: "Where does the money come from to put into these investments?"

Santiago: "A reserve fund will be established, and that's where the money's gonna come from."

Churchill: "So these are state tax dollars they're using?"

Santiago: "We propose to get the money from the excess funds."

Churchill: "Okay. So in other words, you're...this is a separate appropriation that we're using, rather than using the moneys that have been deposited in the Treasurer's account."

Santiago: "What... We could put in \$100,000 it doesn't necessarily mean that we could put \$5 million or \$10 million, it depends what money is appropriated."

Churchill: "Okay, that's what I'm trying to get at. Are these funds that are in the Treasurer's accounts? In other words, he's just gonna dip into his own accounts and take money out of these accounts and instead of investing 'em in banks and other things, he's gonna take 'em and put 'em in these programs. He's gonna use the taxpayers dollars for these programs himself?"

Santiago: "No. This has to be through a separate appropriate established by the General Assembly."

Churchill: "So in other words, the General Assembly is gonna create the pool of funds for this program. How much is that gonna cost?"

Santiago: "Well we figure that we could start off with about a

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half a million dollars."

Churchill: "And then where do you go from there?"

Santiago: "Well...as if... If the program is successful and it's...and you have more businesses participating, we can go into maybe a million dollars in 96 or so."

Churchill: "I think the Department of Commerce and Community Affairs estimates that it would call for about a \$2.5 million initial appropriation just to establish the fund, and we have a fiscal note that says \$5 million and then with a million dollars the year after that just to put in this program. Do you agree with those fiscal notes?"

Santiago: "If I could correct you, Bob. The fiscal note says \$.5 million which is a half a million, and..."

Churchill: "I'm sorry, I misread that. You're correct."

Santiago: "It is estimated that in a three or four year period it could cost maybe \$2.5 million. But in return, you might get jobs that we really need in the State of Illinois. You have to invest in order to get a profit."

Churchill: "You are correct, it was a half a million. I misspoke it was not \$5 million. Tell me this, don't we have programs already in the Department of Commerce and Community Affairs that do a similar job to this?"

Santiago: "No, not that I know of. To give you further information, this is a program that was established in Michigan. It has been very successful. It also... You have similar programs in Texas, Minnesota, Oregon, Indiana, Ohio, Oklahoma, West Virginia, New Hampshire and Connecticut. These are what you call progressive states, states that are inclined to provide jobs in the private sector."

Churchill: "And are these loans that are being made?"

Santiago: "There's some loans... The whole concept is to provide

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loans to small businesses."

Churchill: "So in other words, the Treasurer will become then the person that's gonna be making the high-risk loans to businesses that need investment capital to get started, right?"

Santiago: "Well the Treasurer doesn't make loans. Financial institutions make the loans."

Churchill: "And then where...then how does the Treasurer fund the program?"

Santiago: "This money provides insurance for the loan losses."

Churchill: "Thank you. Mr. Speaker, to the Bill. I... I think that we already do this. Certainly the Treasurer's office is not the place to start a program like this. It can be done through the Department of Commerce and Community Affairs. I don't understand exactly what the Treasurer is trying to do from a management standpoint of this office. It's sounds like he's trying to become an investment broker, a banker, a real estate broker and all sorts of other things, which is far beyond the purview of that office. I think this Bill goes far too far. I don't think it's proper for our government to set a program like this into that office, and I understand politically what the Treasurer is trying to do, because he wants to run for a higher office, but I don't think it should be done on something where you're gonna have high-risk loans being made to businesses that are supported by the tax dollars of this state, and I think a 'no' vote is a proper vote on this Bill."

Speaker Turner: "The Lady from Cook, Representative Kaszak."

Kaszak: "Thank you, Mr. Speaker and Members of the House. I just wanted to rise in support of this Bill. I've had the opportunity to talk with the director of the program in

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Michigan, and Michigan... This is modeled after the Michigan Capital Access program, and I just want to tell you how successful it was in getting moneys available to small and mid-size businesses. Many times small businesses have difficulty getting the loans they need because they do not have the hard assets they need and that presents problems particularly in the service and retail area. They were able to direct...guarantee about 50% of their loans to the service and retail industry...or manufacturing...and also manufacturing areas, 95% of the loans went to employers with fewer than 30 employees, and 21% of it went into start-up businesses. So, I think that in order for businesses to start up and to expand, we have to be able to provide access to capital and this kind of program has been shown to be very successful in doing that. Thank you."

Speaker Turner: "The Gentleman from McDonough, Representative Edley."

Edley: "Thank you, Mr. Chairman and Ladies and Gentlemen of the General Assembly. This is a... This is a pro-small business Bill. Small businessmen, more than any other businessmen in this country, depend upon their commercial bankers for credit, for access to capital. For this is America, and America believes in capitalism and instead of having the bureaucrats in DCCA making loan decisions, the Treasurer's proposal would have the financial pros, the bankers making the financial decisions. And that's the way it should be, and that's the way it operates, that's when America operates best, is when we let the free market place and the financial pros make the decisions. I think this Treasurer has demonstrated that he's been a fountain-head of ideas, unlike some other occupants of our statewide offices. This fellow's come out with ideas that have

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challenged us, that are creative and that solve problems. The biggest problem in our state is job growth, and that job growth will come from small businesses. It wasn't too long ago that the executive branch of government provided a substantial incentive to Sears, I think it was over \$15 million, and...for Sears to move out of Chicago. That money did not result in a net increase in jobs in this state, but that move was financed by our states' taxpayers. The Treasurer's proposal makes good sense. It relies on the tradition of private enterprise and I am a strong supporter of it and urge my colleagues to do so as well."

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

Skinner: "Mr. Speaker, the previous speaker has made some very interesting points, but I think I'd like to put them in a slightly different context. I think the same speech that he made could have been made when the U.S. Congress raised the guaranteed deposit level for savings and loans from \$20,000 to \$100,000 per account. Now that's not free enterprise, that's a government guarantee, a floor, if you will, that they...that allowed the savings and loans to go out and make loans without having to worry about the depositors' money. Now the same thing, the same philosophy underlies this Bill. Let's not let the financial institutions take the risk; let's let the public take the risk. Now frankly, I don't think that's free enterprise; I don't think that's capitalism. I'm sure the savings and loan vote was very bipartisan. This vote may be very bipartisan. I'm sure the current State Treasurer will not be State Treasurer when the chickens come home to roost somehow, but some of you may be here when that occurs. The Bill is certainly well-intentioned, but I'm not at all

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confident that government has a legitimate roll to play here."

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

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

Speaker Turner: "He indicates he will."

Black: "Thank you. Representative, can you tell me in a few words what is a portfolio risk insurance reserve fund?"

Santiago: "This is where the two sides match the financial institutions and the money that has been appropriated."

Black: "By its very name, now this is the language in the Bill, not my language. By its very language, would we consider then that this public money that's going to be used may be at risk?"

Santiago: "Life is a risk...so..."

Black: "You got that right."

Santiago: "In order to create jobs and make money, you have to take a risk, and what..."

Black: "You think life is a risk, you ought to come over here on this side of the aisle."

Santiago: "But it...it's just a simple concept: The more you invest, the more jobs you're gonna create and that's what we tryin' to do. We tryin' to help small business create jobs so that we can put people back to work. If you look at the recent statistic, Illinois has about an average of 8% unemployed. We're trying with incentives like this and proposals like this, we're trying to create jobs."

Black: "Well, thank you Representative, and Mr. Speaker and Ladies and Gentlemen of the House. I find no quarrel with that statement. Indeed we should try to invest in Illinois and to create jobs. But, Ladies and Gentlemen of the

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House, let me...let me remind you what the State Treasurer said as he testified before the House Insurance Committee. He said, and I quote, and I hope I'm not out of context. He said, 'This Bill will allow the state to provide high risk loans to businesses engaged in retail operations'. I thought we just went through about ten years of high-risk loans to retail operations. You referred to it as the savings and loan debauchel. Ladies and Gentlemen of the House, you have gutted the Department of Commerce and Community Affairs that have large business loans, minority-based loans, small business loans. You took hundreds of millions of dollar out of that, telling them you didn't want them to make those high-risk loans. In fact, I heard debate on this floor day after day, 'Well, what about this loan up north, what about this loan in central Illinois?' It didn't work that company went bankrupt, and boy did you get all over the Department of Commerce and Community Affairs for doing that. But now, because somebody else wants to administer a high-risk loan operation, it's suddenly okay. Ladies and Gentlemen of the House, I thought the responsibility of the State Treasurer was to secure the safe and sound investment of public moneys, safe and sound investment of public moneys. And in response to the Representative who spoke earlier, my grandfather started a small business. My father ran it for 45 years, and my brother runs it today. Yes indeed it's free market; let the free market work. This is hocus-pocus; you know it and I know it. Do you want the State of Illinois to get into high-risk loans with taxpayers money? Well if you do, if you do, vote 'yes', and as an earlier speaker said, 'When that house of cards collapses and you have lost taxpayers money, then what are



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you gonna say?' The job of the State Treasurer is to protect and make sound secure investments of taxpayers money. The job of the Treasurer is not to take tax money and make high-risk loans. Vote 'no'."

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

Lang: "Thank you, Mr. Speaker. I rise in strong support of this legislation. Let's put the red herrings and all the rhetoric aside. Let's take a look at what the Bill does. Firstly, the State Treasurer not exactly the right person to administer this program. He's the person in the state that's got the closest relationship to the banks around the State of Illinois. So he is the one that can put this Bill into operation. Secondly, this Bill is good for banks. It will allow banks all over the State of Illinois to dramatically expand their customer base. So those of you who are interested in helping banks think carefully about this Bill; it's a good Bill for banks. Those of you who have been hollering on the House floor for years about small business, this is a Bill for small business. Some have said that there are folks in this House that don't care at all about business, we only care about labor. Well, here's a good Bill for business that I support. Small business is the most...is the most quickly growing and should be the most quickly growing area of our economy. This Bill will aid small business. It will meet a gap in credit in the market, particularly because banks are now, under normal circumstances because of default rates, applying very stringent and strict requirements on their loans. So this will meet a gap in the marketplace, and allow small business to get loans. To those that have said this is 'high risk', it is nonsense. This Bill is patterned after a Michigan Bill which has been discussed

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earlier, where default rates are under 5%, and I will guarantee you that the banks around the State of Illinois would be very happy right now under regular loans to get default rates under 5%. Finally, many of the people that have been denied loans in small businesses over the last many years because of bank regulation are women. Women entrepreneur's starting their own new small businesses. It's a very quickly growing area in our economy. These people were not denied loans because they were 'high-risk'; in many cases they were denied loans because they were women. So we're not talking 'high-risk' loans, we're talking about a program that has worked well in the State of Michigan, a program that will help small business, help banks, close up a gap in credit, and will be administered by a person in our state that well knows the banking situation and is very closely aligned with them and will get the program rolling. It's an excellent approach, an excellent Bill. Vote 'aye'."

Speaker Turner: "The Gentleman from Macon, Representative Dunn."

Dunn: "Well, Mr. Speaker, I'm Monroe Flinn's apprentice, and I move the previous question."

Speaker Turner: "The Gentleman's moved the previous question. All those in favor say 'aye'. The 'ayes' have it. Representative Santiago, to close."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. I would like to conclude by answering some of the statements that were made by some of the colleagues on the other side of the aisle. I heard the words 'hocus-pocus', 'wasting money', 'sending money down the sewer'; well let me tell where the State of Illinois is wasting its money and sending the money down and throwing it down the sewer. It's called pin-stripe patronage. Let

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me give you a couple of examples: Meeker Engineering, Inc., \$3,124,944.00 for a State Contract, Parcellan-Brinkloff-Waste and Douglas, \$1,753,395 in a State contracts, Brickley and associates, Computer Consultants \$88,350 in state contracts, and the list goes on. If you want to hear more, I have plenty of more. I'll tell you where the state has wasted its money, is giving and throwing the money down the sewer in contracts, and all we're asking right now is for the state to take a small risk and appropriate a couple hundred thousand dollars so that we could get some jobs here in the State of Illinois and give businesses an opportunity to expand, and that is the whole philosophy of capitalism. Thank you very much."

Speaker Turner: "The question is, 'Shall House Bill 691 pass?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Representative Cook... Representative Parke, to explain your vote."

Parke: "Thank you, Mr. Speaker. I'm a little disturbed at the Sponsor. If by some chance you're alluding that there's something bad about contracts or that these are illegal contracts, then take it to the Attorney General. But for you to stand there and quote all kinds of contracts in some manner is wrong with that, I resent that. I mean if you...if somebody's breaking the law, you take it to the Attorney General and have 'em prosecuted, but don't stand on the House floor saying that that's the motivation for your Bill."

Speaker Turner: "The Gentleman from Logan, Representative Olson."

Olson: "Thank you, Mr. Speaker. There was a lot of rhetoric on the pros of this Bill. I see most of it as smoke and mirrors. In reality, in the lending business, money is

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available at the banks whether you're small or large business. When you go in to ask for that loan it will be made to you unless there's some risk involved. It would appear to me that what we're doing here is establishing a program to pass that risk on to the taxpayers of the State of Illinois. This is not good business. We are not sent here to put up money for this type of an operation. A 'no' vote is essential here."

Speaker Turner: "Have all voted who wish? The Clerk shall take the record. On this question, there's 64 'ayes', 48 'noes', and 0 'present'; this Bill, having received the required Constitutional Majority... Record Representative Olson, 'no'. This Bill, having received the Constitutional...having received the required Constitutional Majority, is hereby declared passed. Representative Schoenberg, on House Bill 822. Out of the record. Representative Phelps, on House Bill 1055. Out of the record. Representative Lang, on House Bill 1197. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1197, a Bill for an Act to amend the Counties Code. Third Reading of this Bill."

Speaker Turner: "Representative Lang."

Lang: "Thank you, Mr. Speaker. House Bill 1197 addresses the fact that last year the Governor vetoed the State Collection of Use Tax for Cook County. Because the Governor vetoed that Bill, Cook County now under the law has to collect their own use tax. To do that, they've needed to create a Cook County Department of Revenue and provide powers for that office to make the collections. That's what House Bill 1197 does. Since we are not gonna be collecting this for Cook County on a statewide basis, then we have to give them the power to collect it locally,

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and I would urge adoption."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, it's a... In the opinion of our staff, Cook County not only has the authority to create a Department of Revenue as they are home rule, but in fact, have already done so. Is that your understanding?"

Lang: "I'm very sorry, I missed the question. Try again. I'm glad somebody else does that just besides me."

Black: "I...in the opinion of our staff, as a home rule unit, Cook County has the authority to create a Department of Revenue. They don't need an Illinois statutory authority; and, in fact, the county has already moved to do so. Is that your understanding?"

Lang: "My understanding is that this question came up previously, and in the opinion of the attorneys of the County of Cook, they need state empowerment to do this."

Black: "Okay. Thank you very much, Representative. Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. I just simply rise to in all due respect to the Sponsor, to disagree. I... We all have to rely very heavily when we have a Calendar like we have today on our staff, and staff on both sides of the aisle are very, very good and they work very, very hard, and in the opinion of our staff people, Cook County does not need statutory authority to do this, as they are a home rule county; and, in fact, Cook County has already moved to create a Department of Revenue. So since we seem to feel that there is no need for this legislation and it will be probably somewhat controversial

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to collect a sales tax or something, for those of ya that don't like that 'T' word, perhaps you don't...will not want to vote for this Bill."

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

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am really mystified as to the reason for this Bill. The Department of Revenue for Cook County has been created. They've hired all these people, and I'm not quite sure why they're coming to us for authorization, because I think they don't need it. They've already created this department and are already doing work. For those of you who are from Cook County, I would look very, very carefully at this Bill and I think essentially what we're trying to do here is try to make some kind of a political statement that you oughta be in favor of collecting this sales tax. Well, if you're gonna... If you're gonna create the means by which the...to create the sales...to collect the sales tax, then it's as good as voting for the tax. I think we ought to be opposed to this Bill. Let the counties, Cook County, which is a home rule unit, they have home rule powers, they have had the ability to create all these departments in the past. It's their tax. It's the County of Cook's tax. Let them take the responsibility for it. Why should the State of Illinois be even involved in this issue? If Mr. Phelan wants a tax, which he undoubtedly does, because he's using every mechanism short of tossing a Bill over the transom to try to get this enacted. This is ridiculous. If the county wants to tax its residents and create the largest sales tax in history, then let that county collect 'em. We should be against this Bill, we oughta either vote 'no' or 'present', and I would advise my colleagues from County of Cook to look at this Bill very

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carefully, because this a vote which will determine whether you are for...the sales tax or opposed to it. This is a tough vote. I would be against it."

Speaker Turner: "The Lady from Cook, Representative Murphy."

Murphy, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. Again, the in Revenue Committee this barely passed. When we talk about passing duplicitous legislation, this is another one. The Cook County Board and President Phelan passed their sales tax. It's already occurred. They already have home rule authority. We did not pass the ability for the State of Illinois to collect the tax. If the Cook County Board and it's president passed the tax, they want to collect the tax, they have the authority to create a whole new revenue department to collect the tax; they already have that. There is no need for this legislation. It is not important for us to even consider, and to have taken the time on the Revenue Committee and before this Assembly. This does not have the state collect the tax, it gives the County of Cook the authority that they already have that they've already acted upon. I...I am not even certain about the genesis of this Bill. It doesn't get into how much tax. It doesn't talk about who...you know, anything to do with the state, or why we should even be considering it. We are again, once again, now we're taking on Cook County that is not even controlled by this side of the aisle. Cook County already has the authority that they have implemented, they are moving forward. Let them do the work that they were elected to do. We should not be mandating what the County of Cook should do, and we should not be putting any of the County of Cook's responsibility on the State of Illinois. This is not about collection of the tax, other than by the

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County of Cook, which was already passed by that board and they already have the authority, they are a home rule municipality. This is unnecessary legislation that took too much time and too much cost for our staffers to even look at, and I go with our staffers that this is unnecessary. Thank you."

Speaker Turner: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I rise in support of this Bill as a person who represents a district in Cook County. Without state collection of this tax, the businesses that sell large ticket items like automobiles in the County of Cook are going to lose out to their competitors in the collar counties. Anyone who comes from the County of Cook ought to be for this Bill, which is revenue neutral for the State Department of Revenue but will, in fact, make it possible for the tax to be collected. Without state enforcement those of you who have car dealerships and other large ticket item sellers on...inside the Cook County border, are going to find that they...they're going to be disadvantaged compared to their Kane County, their Lake County and DuPage County competitors, so if you care about job development at home, this is a sensible Bill to vote for."

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

Skinner: "A'ha, I thought there was a collar county angle to this. So we if we live in the collar counties we ought to vote against this, because it's gonna help our car dealers. That must be the answer. Thanks, Representative."

Speaker Turner: "Representative Lang, to close."

Lang: "Thank you, Mr. Speaker. I've been listening to the debate and I can't believe my ears. Some of the people that have



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stood up to oppose this Bill are people that refused to override the Governor's veto last year, so do you want it both ways? So how do you want it? The state's not gonna collect this tax anymore under the Governor's veto. You seem to be debating whether or not there should be a use tax or who should collect that; that's for another Bill at another time. The current law in the State of Illinois is that Cook County needs to collect this tax itself, needs to collect the tax itself. This Bill will allow them to do that. Now, you've said many people on the other side of the aisle, 'Well it's their tax. They ought to collect it.' Very nice, very good language, very nice rhetoric; The fact is that they need this Bill to collect the tax. Voting for this Bill does not vote for a tax. Voting for this Bill allows Cook County to collect the tax that's already been imposed. Now we're going to have a tax imposed, we ought to make sure that the people that had the tax can collect it, and we should do that for any county in the state, not just Cook County. Cook County needs this Bill, needs the language in this Bill to implement the Department of Revenue that they have already created. Without this language, Department the Department of Revenue does not have the powers necessary to collect the tax. This is not painful to the State of Illinois, it's not painful to your constituents. There's nothing wrong with this vote allow this government to collect the tax that they've imposed. Vote 'aye'."

Speaker Turner: "The question is, 'Shall House Bill 1197 pass?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. The Gentleman from Cook, Representative Parke, to explain his vote."

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

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House. I have a very easy conclusion to draw from this. If we don't pass this, maybe they'll have to repeal a tax. Have you ever thought that that might be a good idea? I mean, the Sponsor of the Bill has alluded that they'll have trouble doin' it. Let's defeat it and then send a message to the Cook County president, that we don't want this tax in Cook County, that we're tired of the taxes that Cook County government is laying on the taxpayers of Cook County, and it's time that we stopped taxin' us."

Speaker Turner: "The Gentleman from Cook, Representative McAuliffe, to explain his vote."

McAuliffe: "Thank you, Mr. Speaker. What I heard before was that the politicians in Cook County need this tax, this Bill passed, so they can fleece the taxpayers out of some more money. I don't hear any taxpayers calling me on the telephone, calling me and asking me, 'Please vote for this Bill so that Cook County can impose a sales tax on us'. The taxpayers can spend the money better themselves than the government can for 'em."

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

Biggins: "Thank you, Mr. Speaker. Explaining my vote 'present'. I have a potential...possible conflict."

Speaker Turner: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 40 'yeses', 68 'noes', 2 voting 'present', and the Bill fails. On the Order of State and Local Government, House Bill 1325, Representative Ostenburg. The Lady from Cook, Representative Mulligan."

Mulligan: "Yes, on the last vote would you record me as a 'no' vote please."

Speaker Turner: "The record will so reflect. House Bill 1325,

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Representative Ostenburg. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1325, a Bill for an Act to amend the Illinois Community Development Finance Corporation Act. Third Reading of this Bill."

Speaker Turner: "Representative Ostenburg."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House 1325 relates to the Community Development Finance corporation and the Act that established this corporation in 1983. Ten years have passed since that Act was enacted, and during the course of those ten years, for the most part, there was no board established. The board was only appointed by the Governor this past December. That board has met twice now in the time since it was appointed, and as a result of meeting and realizing that the Act was passed ten years ago and there are substantial changes that are necessary, they've proposed a number of things that we've put into this Bill. The first one is that the population and geographic restrictions are removed from the Act. The current Act says the counties, townships, and municipalities with fewer than 15,000 residents are the only ones who qualify for this program. Secondly, this Act will give the authority for all types of businesses and individuals to invest in the bonds and securities that are involved in the Act; that means that banks, savings and loans, insurance companies and investment firms will be able to purchase the bonds and other securities. Thirdly, the bonds and securities will be tax exempt from state and local taxes. They are already exempt from federal taxes; and finally, the loan applications that are received will be reviewed under this change on an ongoing basis. Under the current Act, the various applications are obtained and held until January

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1st, and then they're considered only from January 1st to July 1st. I move the adoption of this Bill."

Speaker Turner: "No further discussion? The question is, 'Shall House Bill 1325 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The roll call is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this Bill there are... On this question, there are 83 'ayes', 29 'noes'; this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Edley, on House Bill 1623. Out of the record. Representative Novak, on House... Out of the record. Representative Dart, on House Bill 1626. Out of the record. Representative Dart, on House Bill 1631. Out of the record. Representative Gash, on House Bill 1743. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1743, a Bill for an Act to amend the Treasurer as Custodian of Funds Act. Third Reading of this Bill."

Speaker Turner: "The Lady from Cook, Representative Gash. From Lake, I apologize."

Gash: "That's okay. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1743 establishes a proper cash management relationship between the State Treasurer and state agencies drawing funds from the federal treasury. Constitutionally the Treasurer is the safekeeper and chief investment officer of state funds. Practically speaking, this means that the Treasurer must be privy to the timing of the deposit of large deposits of state funds prior to their deposit, to ensure that the funds are both properly invested and properly secured. A few Bills ago, I want to just say our colleague, Representative Black, made a comment that I thought was very apt here. He said, and I'm

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quoting; 'The job of the State Treasurer is to protect and make safe and sound investment of the state's money'. That's exactly what this Bill is trying to do. Under current circumstances, agencies drawing funds from the federal treasury are not legally required right now to notify the Treasurer of the deposit of funds. Since these deposits are routinely in excess of \$20 million, these funds may go uninvested and unsecured until the Treasurer is notified by the financial institution. In fact, the Treasurer was recently not notified of a large investment and the state lost approximately \$3,000 as a direct result. If this deposit had been made on a Friday, we could have lost \$8,000. This is a very serious problem this Bill is intended to correct, and I ask for your 'aye' vote."

Speaker Turner: "The Gentleman from Will, Representative Wennlund."

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

Speaker Turner: "She indicates she will."

Wennlund: "Representative, is the Treasurer's reasoning for wanting this Bill the fact that he doesn't know how much moneys are being deposited in the state treasury?"

Gash: "Yes Sir."

Wennlund: "Okay. Thank you very much."

Speaker Turner: "The Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker. I have a question for the Sponsor. Representative Gash, isn't it true that the reason for this legislation is that the Treasurer sometimes is not informed by state agencies?"

Gash: "Yes. If an agency doesn't inform the Treasurer, then he cannot properly..."

Curran: "And that if only those state agencies would notify the

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Treasurer when they're applying for federal funds, then as this Bill would require, then we would get a larger interest on those federal funds deposited in the state."

Gash: "Yes, this a revenue-positive Bill."

Curran: "Is it not also the case, Representative, that more than one state agency already, the Department of Public Aid, and the Department of Transportation, have already signed on in favor of this legislation?"

Gash: "Yes, they have signed on in favor."

Curran: "And would they not also have the largest amount of state funds...federal funds available for state government?"

Gash: "And they do."

Curran: "So wouldn't already under the existing situation, where the state agencies who have the most federal funds already being in favor of this Bill, would there be any reason that you can understand why a state agency would not wish to notify the Treasurer and would not wish to gain extra interest on those federal funds?"

Gash: "I cannot conceive of any reason why any agency would be opposed to this."

Curran: "Thank you, Mr. Speaker. I have no further questions."

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

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

Speaker Turner: "She indicates she will."

Black: "Representative, if there is a problem and the Treasurer doesn't know how much money is in various accounts, why wasn't this problem brought to our attention by the Comptroller?"

Gash: "The Treasurer has jurisdiction over bank accounts."

Black: "Why wasn't the problem brought to us by the Auditor

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General?"

Gash: "The Treasurer has the responsibility over banks."

Black: "Well now wait a minute, Representative, don't give me that 45 rpm record stuff, the Auditor General was the Chief of Staff to Senator Philip Rock. The Comptroller is also a Democrat. I believe they have statutory responsibilities for the moneys in this state. Are you saying they don't?"

Gash: "I'm not saying they don't, but I'm saying the Treasurer does, and this is legislation that was brought to me. I am a freshman and I think it's good legislation. It's addressing a problem that needs to be addressed."

Black: "Well, I didn't expect you to get up and say you thought it was bad legislation, but I'd like you to answer the question. If there's a problem and the Treasurer doesn't even know how the heck much money there is in the account, there must be a problem. Why wouldn't the Comptroller and the Auditor General point out that we have a problem?"

Gash: "I can't address that, but we are trying to address it now in this way."

Black: "No, I tell you what, thank you very much. Representative, Mr. Speaker, Ladies and Gentlemen of the House. We have passed enough legislation in the last one hour to mandate that we have six treasurers in the State of Illinois. Now at some point, at some point in the process, if the current Treasurer wants to run for Governor, have him announce. Okay have him announce. Hell, we want Netsch, we want Burris, we don't care. They've already announced; have him announce. But in all due respect to the Sponsor of this Bill, and all of the rest of you people over there that want to beat this drum, half of you won't even support the guy when he runs. For cryin' out loud, for cryin' out loud, if the Treasurer doesn't know how much

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money are in various accounts, might I suggest that he ask the Comptroller and the Auditor General to read the budget book to him. When is enough enough? Hey, I can demagogue with the best of 'em but I'll tell you what. I'll tell you what, in all due respect to the Sponsor of this Bill, when it comes to demagoguery, put me in the back seat when the Treasurer's drivin'."

Speaker Turner: "Representative Gash, to close."

Gash: "Okay. I find it hard to believe that someone would vote against this Bill. This is a revenue-positive Bill. I can't imagine why anyone for political purposes would vote against it. It's a crucial thing. We are trying to address a problem. I can't say that the problem shouldn't be addressed in various other ways. There are probably a lot of ways to address many problems. This is one way to address it. It would address it, and it would save the state a lot of money. It's important to do. Thank you. I ask for your 'aye' vote...and generate a lot of money, I'm sorry."

Speaker Turner: "The question is, 'Shall House Bill 1743 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Roll is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Lady from Cook, Representative Schakowsky, to explain her vote."

Schakowsky: "Thank you, Speaker. If we could put politics aside and join together to vote for a Bill that will actually generate more revenue for the State of Illinois, by allowing the Treasurer to be informed in a timely way about federal funds, we can be sure that the amount of money that we can be maximizing is maximized. This is a revenue-positive Bill. This will generate money. We should all be joining together putting aside political



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concerns and supporting this legislation."

Speaker Turner: "The Gentleman from Will, Representative Wennlund, to explain his vote."

Wennlund: "Thank you, Mr. Speaker. If this Bill get the requisite number of votes, I request a verification."

Speaker Turner: "Have all voted who wish? The Clerk shall take the record. On this question, there are 60 voting 'aye', 48 voting 'no', 6 voting 'present', and the Gentleman requests a verification. Mr. Clerk, poll those not voting."

Clerk McLennand: "There are no Members not voting."

Speaker Turner: "Poll of the Affirmative Roll."

Clerk McLennand: "Those voting in the affirmative; Representatives Balanoff. Blagojevich. Brunsvold. Bugielski. Burke."

Speaker Turner: "Excuse me, Mr. Clerk. Representative Younge, requests leave to be verified. Representative Wyvetter Younge. Representative Meyer and Representative Pugh request leave to be verified. Proceed, Mr. Clerk."

Clerk McLennand: "Capparelli. Curran. Currie. Dart. Deering. DeJaegher. Dunn. Edley. Erwin. Flinn. Flowers. Frias. Gash. Giglio. Giolitto. Giorgi. Hannig. Hartke. Hawkins. Hicks. Hoffman. Homer. Jones, Shirley. Kaszak. Kotlarz. Lang. Laurino. Levin. Lopez. Martinez. Mautino. McAfee. McGuire. McPike. Morrow. Moseley. Novak. Ostenburg. Phelan. Phelps. Prussing. Ronen. Rotello. Saltsman. Santiago. Schakowsky. Schoenberg. Sheehy. Steczo. Stroger. Turner. von Bergen-Wessels. Woolard. Younge and Mr. Speaker."

Speaker Turner: "Are there any questions of the affirmative vote? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Representative Edley?"

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Speaker Turner: "Representative Edley is in the back."

Wennlund: "Representative Hawkins?"

Speaker Turner: "Representative Hawkins is down front."

Wennlund: "Pardon?"

Speaker Turner: "Right down front."

Wennlund: "Oh right here. Thank you. Representative Morrow?"

Speaker Turner: "Representative Morrow. Is the Gentleman in the chamber? Remove him from the roll call."

Wennlund: "Representative Dart?"

Speaker Turner: "Representative Dart is in his chair."

Wennlund: "Representative Capparelli?"

Speaker Turner: "Representative Capparelli. Is the Gentleman in the chamber? Remove him from the roll call."

Wennlund: "Representative Ronen?"

Speaker Turner: "Representative Ronen. Representative Ronen. Is the Lady in the chamber? Remove her from the roll call."

Wennlund: "Representative...Lang?"

Speaker Turner: "Excuse me Representative. Representative Ronen just returned to the chamber. Add her back to the roll call, voting 'yes'."

Wennlund: "Representative Lang?"

Speaker Turner: "Representative Lang is down front."

Wennlund: "Representative Hicks?"

Speaker Turner: "Representative Hicks. Representative Hicks. Is the Gentleman in the chamber? Remove him from the roll call."

Wennlund: "Representative Steczo?"

Speaker Turner: "Representative Steczo. Representative Steczo. Is the Gentleman in the chamber? Remove him from the roll call."

Wennlund: "Representative Edley?"

Speaker Turner: "He's been verified once. He's in his chair."

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Wennlund: "No further questions. Take the roll, please."

Speaker Turner: "No further questions. Representative Jones, Lou Jones."

Jones, L.: "Change my vote to 'aye'."

Speaker Turner: "Please record the Lady as voting 'aye'. Return Representative Capparelli to the roll call. Representative Davis, Monique Davis. Recognize... The Lady changes her vote...wishes to change her vote to 'aye'. The Lady from Cook, Representative Currie, for what reason do you rise?"

Currie: "Thank you, Speaker, I just want to check how I'm recorded as voting on House Bill 1743."

Speaker Turner: "She's recorded...Representative Currie, you're recorded as voting 'aye'."

Currie: "Thank you, Speaker, that was the way I hoped I had been recorded voting. I appreciate your help."

Speaker Turner: "Representative Pugh, how do you want to be recognized? For what reason do you rise? Representative Pugh, for what reason do you rise?"

Pugh: "Mr. Speaker, I'd like to vote 'aye'."

Speaker Turner: "Record Representative Pugh, 'aye'. On this question, there are 60 voting 'aye', 48 voting 'no', 3 voting 'present'; this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Woolard, on House Bill 1748. Read the Bill, Mr. Clerk. Out of the record. Out of the record. Representative Saviano, on House Bill 1983. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1983, a Bill for an Act to amend the Juvenile Court Act of 1987. Third Reading of this Bill."

Speaker Turner: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the General Assembly. This is House Bill 1983. It provides that if a

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minor tried as an adult is charged with specified offenses and pleads to or is convicted of lesser charge offenses, the state may petition the court to sentence the minor under Unified Code of Corrections, provided aggravating circumstances are present. What this Bill does, if an individual, if a minor is charged as an adult for first-degree murder and is automatically transferred to the adult courts, if that individual pleads to or is found guilty of a lesser charge, this would create a mechanism for the State's Attorneys Office to petition the court to hold that individual for sentencing in the adult courts. Now I want to note that this allows judicial discretion, something that we're all for I think, as we have a new breed of judiciary in my area Cook County. I think that we can show that we could restore our confidence in the judiciary by letting him have this sort of discretion. I'd ask for a 'do pass'."

Speaker Turner: "The Gentleman from Fulton, Representative Homer."

Homer: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Homer: "Representative Saviano, first of all congratulations on the birth of your daughter."

Saviano: "Thank you."

Homer: "It's a special occasion."

Saviano: "Thank you."

Homer: "Now, having gotten that out of the way. Does this... Is this the Bill, and you'll have to excuse me, is this the Bill, Representative, that...that provides that where there's been an automatic transfer or a transfer of a prosecution of a case from juvenile to adult court, that where the...where there's a finding of 'not guilty' or an

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acquittal on the underlying offense that gave rise to the transfer that the court then may sentence the person as an adult on the lesser charges?"

Saviano: "Yes, that's true."

Homer: "Who's...if I may ask, who's the proponent of the Bill besides yourself?"

Saviano: "Could you repeat that?"

Homer: "Is this an O'Malley Bill. I see that Mr. ...."

Saviano: "Yes, Mr. Tinkel."

Homer: "Okay. Mr. Speaker, to the Bill. This was a Bill that was debated in Judiciary II Committee and came out on a close vote, and I believe that's it's an ill-advised Bill. What it does, the current law is that for...if someone is charged as a juvenile, someone under 17, is charged with certain serious felonies that those cases may be transferred, some automatically, some within the discretion of the judge to adult court, so that the person can be handled just as though he or she were an adult. That's the status of the law; that's a good law and nothing wrong with that. But what the Gentleman's' Bill would do is say that if the person was acquitted of that offense in the adult court, either the jury that heard the case, or the judge found the individual not guilty of the offense that justified its transfer, that the judge must sentence the person under the...under the adult statute for any lesser offenses that the individual was convicted of. Now the problem of that is that it gives rise to abuse. It gives rise to abuse that a state's attorney or a prosecutor may overcharge a juvenile simply in order to take the case out of the control of the juvenile court and put it into the adult court, knowing full well that in fact the evidence does not support a finding of the charge that led

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to the transfer. If a determination has been made that the individual is not guilty of that offense, then clearly the legislative prerequisites for transfer have not been met, and the juvenile should be sentenced according to the Juvenile Court Act, and the trial judge should be limited in his choice of sentences to those that would have been available had proper charges been brought and had the case been prosecuted in the juvenile court where it belonged. Now, I would strongly urge that Members consider what this Bill asks them to do. It is a fairness question, it circumvents the legislative intent and statutory scheme for those offenses that should be transferable, and we ought not allow the state to abuse that legislative scheme which this Bill would allow to happen. So, I would strongly urge a 'no' vote on the Bill."

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

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

Speaker Turner: "He indicates he will."

Dart: "Representative, what was the impetus behind this. Is there a problem right now with the way this is going?"

Saviano: "Well yes, Representative, the problem is, you know, we have to remember automatic transfers are...are justified by first-degree murder, aggravated criminal sexual assault, armed robbery committed with a firearm, and certain drug offenses in the school zone. Now if...if a minor is charged with first-degree murder, he's tried, he found guilty of second-degree murder. Right now he slides back to the juvenile courts and is sentenced under those guidelines, which could be as little as six months, and he'll be back on the street. I mean, that's where the problem lies."

Dart: "Aren't there numerous offenses, most all... Can't the

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state's attorney petition on non-automatic transfers, can't the state's attorney petition to have a case transferred to adult court?"

Saviano: "Currently...what you're sayin', that even if it's not on the automatic transfer list, they could petition?"

Dart: "My understand is the way the law exists now, is that there's numerous offenses that you...that are not automatic transfers that the state's attorney may believe, none the less they should go to a...the adult court?"

Saviano: "Yeah, that's true, and that's good because that brings in the judicial discretion element, and so..."

Dart: "But in this situation, we're basically saying though that the defendant even though he was found 'not guilty' on the case that got him into the adult court, we want to keep him there and let the adult penalties apply to him?"

Saviano: "Well there's...you know that's one of the reasons for the allowance for the petition of the court but, you know, other things that take into consideration is treatment and rehabilitation of the minor, taken into consideration the age of the minor, the previous history of the minor. If it's a... If he's been a repeat offender and has been found guilty in the juvenile courts of lesser charges like second or third-degree murder, this is something that at least we could stop it and consider it at that level."

Dart: "Doesn't the juvenile court have some ability to deal with some of these instances, that where the child is transferred back over there?"

Saviano: "Well you know as well as I, that the volume in at least the Cook County Juvenile Courts, it's become somewhat of a revolving-door syndrome."

Dart: "Do the... Well speaking of volume, do the court system in Cook County, do they want these extra cases, or have they

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signed off on this?"

Saviano: "The state's attorney wants it, obviously the Public Defender is against it."

Dart: "Well not them ya, I'm never too concerned about them anyway... But the...like the courts, Commfords' office; have they talked about this at all."

Saviano: "When it was heard in committee there was nobody there on, you know, from the Cook County court system."

Dart: "Do you know offhand, do you have any estimate about how many cases this would affect?"

Saviano: "No estimate right now."

Dart: "Fine. Thank you."

Saviano: "Thank you."

Speaker Turner: "The Gentleman from DuPage, Representative Johnson."

Johnson, Tom: "To the Bill. This Bill merely gives discretion to the court that upon the state making a petition to that court, the court can continue to keep the juvenile under the adult court where, in fact, the case has been reduced or the juvenile has been convicted of a lesser included offense. This merely provides for discretion of the court upon petition of the state. Now I would suggest that if anything, this would probably enable the state to negotiate with juveniles, once they've been charged under an adult provision, to perhaps dispose of some of these juvenile cases in a more expeditious way than currently having to stay through the course of trial for fear of losing the adult courts' supervision over the case. So, in my opinion, this is merely discretionary, obviously all those issues that should be considered when dealing with a juvenile will still be considered, and it's up to the judge to make this finding. This only enables the state to make



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that petition to the court, and I would urge support of this Bill. I think it's a good one. Thank you."

Speaker Turner: "Representative Saviano, to close."

Saviano: "Yeah, I would just like to bring up one more point. Currently under the way it's operated now, a judge may be less reluctant to let a minor off and have to find him guilty if this safeguard isn't put in place. If a judge knows that he finds...if he's able to find someone guilty of a lesser charge and there's this mechanism in place where he could later on consider the lesser charge, he may be more apt to find him guilty of the lesser charge, and I...this is a Bill we feel strongly about, and I would appreciate an 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 1983 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Representative Martinez, to explain your vote."

Martinez: "Thank you, Mr. Speaker. I simply wish to...stand in support of this measure. I know what the Gentleman is trying to do..."

Speaker Turner: "Have all voted who wish?"

Martinez: "Although I'm not an attorney, I can't speak as one...and...and I get up with mixed emotions because while I support the measure, I hate to..."

Speaker Turner: "Have all voted who wish?"

Martinez: "...reluctant to...speak against my...my colleague, Representative Homer, but...I think that...that the Gentleman is on track, and I think this...this message has to go out from this House in relation to these...crimes that...we're seeing more and more of every day. I... The Sponsor referred to a...I believe, a murder, and the charge of murder doesn't...does not change whether...you

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charge...an offender...with a...as an adult or a...a juvenile."

Speaker Turner: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 97 'yesses', 13 'noes' and 3 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Walsh, on House Bill 2117. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2117, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Third Reading of this Bill."

Speaker Turner: "Representative Walsh."

Walsh: "Thank you, Mr. Speaker. Under the provisions of House Bill 2117, the court on a motion of the state may order that a witness be granted use immunity if the production of evidence may assist in the apprehension of a person who has committed, is committing, or is about to commit a violation of various listed offenses, or the witness has refused, or is likely to refuse, to produce the evidence on the basis of his or her privilege against self-incrimination. This expands the use of use immunity and I'd...I'd appreciate a favorable vote."

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

Dart: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Dart: "Could...could you tell me what offenses now that will be available for use immunity under this Bill? The precise ones?"

Walsh: "They're...they're...they're listed in the Bill and...I can read 'em to you."

Dart: "No...no, that...that's okay, Tom. It includ...it

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includes...official misconduct. Is one of 'em, correct?"

Walsh: "Yes, it is."

Dart: "And also...gambling and aggravated computer tampering?  
What is aggravated computer tampering?"

Walsh: "That's a very good question. That is...that's a computer  
virus. It's a systematic computer tampering, which is very  
difficult to prove without this type of...without this type  
of Bill."

Dart: "Are...are most of these offenses that we're expanding this  
for... Are they... Is the reason behind it because they are  
so difficult to prove?"

Walsh: "What it... What it's doing there... Right now, the people  
that are committing these...this type of a crime are  
getting a general immunity, and we're trying to be just a  
little bit more specific about use immunity, and expanding  
it to these...these crimes."

Dart: "Is... Is there still something in here about...use  
immunity in street gang trials?"

Walsh: "Not...not in this Bill in particular. No."

Dart: "I...I'm just lookin' at it here real quick, here and it  
looks like you deleted a portion dealing with street gang  
members?"

Walsh: "Yes."

Dart: "But... But is that put back in, though or..."

Walsh: "No, it wasn't."

Dart: "Do we not want it in there...in street gang..."

Walsh: "Well, I would... I would... I would understand that this  
is probably covered somewhere else..."

Dart: "I just wonder why we..."

Speaker Turner: "Is there anything further?"

Dart: "I was just wondering why that we did remove that  
provision? I just want to make sure we weren't...making it

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more difficult to...to prosecute street gang crimes."

Walsh: "We wanted to get rid of that because it made the street gangs immune under civil law. In civil proceedings."

Dart: "Okay, but...it...doesn't tamper with that in any other way, correct?"

Walsh: "No."

Dart: "Okay, thank you."

Walsh: "Thank you."

Speaker Turner: "Representative Walsh, to close."

Walsh: "I would appreciate your favorable consideration on House Bill 2117. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 2117 pass?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 voting 'yes', 0 'noes', 0 'presents'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Flinn, on House Bill 2150. Out of the record. Representative Johnson, on House Bill 2154. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2154, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Bill."

Speaker Turner: "Representative Johnson."

Johnson, Tom: "Yes, Mr. Speaker, this Bill amends the Criminal Code to create the offense of indecent solicitation of an adult. And this deals with a person who arranges for a person 17 years of age or over to commit an act of sexual conduct with a person under the age of 17 years...and would set up the penalties therefore. In committee, I believe this passed on a vote of 16-0. I don't believe that there's any objection to this, and I would move for a 'do pass'."

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Speaker Turner: "The Gentleman from Fulton, Representative Homer."

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

Speaker Turner: "He indicates he will."

Homer: "What is...what is the penalty for indecent solicitation of a child?"

Johnson, Tom: "As it relates to this particular Bill, Representative Homer?"

Homer: "Well, just as it relates to the offense of indecent solicitation of a child."

Johnson, Tom: "Soliciting a juvenile prostitute is a Class I felony, which is a four to fifteen year, if that's what you're..."

Homer: "Well, I...I don't know what a prostitute has to do with it, but the 11-6 of the Illinois...of the Criminal Code provides a Class IV felony for the maximum penalty for the offense of indecent solicitation of a child. That's where you have an adult soliciting someone under the age of 13 to perform an act of aggravated criminal sexual assault or criminal sexual assault or aggravated criminal sexual abuse. And the question I guess I'd have for your Bill...your Bill is sorta the inverse of that. You're wanting to make a crime out of indecent solicitation of an adult, someone that's over 17. In other words, if someone...solicits an adult to engage in sex, you want to make it a Class X felony for violation of your first paragraph, and that seems a little bit out-of-whack to me, and I don't understand exactly what the rationale of that is."

Johnson, Tom: "What we have here, I guess, Representative Homer, which we went through at committee, is...this is dealing where a person over the age of 17 years, okay?"

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Homer: "Right."

Johnson, Tom: "Commits the act with somebody under the age, or solicitation, with somebody under the age of 13. In the past, I guess, what's happened here is these charges have been brought under an accountability section, and the State's Attorney in Cook County has found that it's hard to sell an accountability issue through the courts and actually wants to spell this out. Now, I believe that in terms of the penalties, we...we haven't really changed that, have we? In terms of what was there under the accountability sections. Under the accountability section? I'm informed, it would be the same. So this was just spelling that out."

Homer: "Well, Representative Johnson, the...there is a statute, 11-6 Indecent Solicitation of a Child, that has almost identical elements. The only difference in that statute and this is that that statute it requires an adult to solicit a child, and then the adult is guilty of indecent solicitation of a child. And there can be a Class IV felony for that. Now in your Bill, you've got the solicitation of the adult to perform an act of sex with the child. And... And you're providing a Class X penalty for someone who solicits the adult when the current law, as I read it, would only provide a Class IV felony if that same person solicited a child under the age of 13."

Johnson, Tom: "You're right. Well, what you're after here is where you solicit an adult...where I go find an adult to perform a sexual act with a child under the age of 13. That is a provision...that it's now set forth in here, that would become a Class X felony. This is where I am setting something up for somebody over the age of 17 to commit that act with somebody under the age of 13."

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Homer: "Okay, Representative Johnson, let's say that you and I decide we're going to engage in this horrid activity by soliciting participants. I go out and solicit a child under the age of 13 to perform the act. You solicit someone over the age of 17 to perform the act. I'm guilty... I solicited the child; I'm guilty of a Class IV felony. You solicit the adult; you're guilty of a Class X felony. How... I mean how does that make any rationale sense?"

Johnson, Tom: "Well, I'm going after the pimp. You're going after the person who is actually committing the act."

Homer: "No. We're both going after the pimp. One's a pimp of a child, and the other one's a pimp for the adult. And I'm saying it makes no sense to me... I mean, they both oughta be against the law, but how can you justify making the solicitation of the adult a more, extremely more, serious penalty than soliciting the small child? It... It just doesn't add up to me. Maybe... I'm not against making it a crime, but it just seems like it's throwing the Criminal Code out-of-whack. And perhaps we should of had a more complete discussion of this Bill in Judiciary Committee. I don't think we really did, and maybe this went out on an Agreed List with the...with the number of Bills we had. I don't remember, frankly. And I hate to raise it at this late time, but it just seems...it seems kind of an irrational classification to me. Thank you."

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

Dart: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Dart: "What...what's...what's the current crime that covers this right now?"

Johnson, Tom: "This would be only under accountability of solicitation of a minor."

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Dart: "And what...what's that penalty?"

Johnson, Tom: "That would be under 5.11-6, and that would be the one that Representative Homer was referring to, which I think the max was a Class IV felony."

Dart: "So, right now..."

Johnson, Tom: "But that case would have to be proved under the accountability theory before a jury, which is a very difficult thing to do."

Dart: "But what about like the pimping statute?"

Johnson, Tom: "You know... I'm not sure what the penalty is on the pimping statute, offhand."

Dart: "Okay. Thank you. I... To the Bill. I...also... Representative Homer am wondering whether or not this is a little bit out-of-line, when you talk about the difference between the pimping for an adult as opposed to a child. It seems to have our penalty scheme a little out-of-whack here. Thank you."

Speaker Turner: "The Lady from Cook, Representative Mulligan."

Mulligan: "I...I think...somewhere you're missing the point. I think it's the penalty for an adult that solicits another adult for a child. An adult should know better than to solicit another adult for a child. And I think that the penalty for that should be increased. The child may not have any knowledge of what's even being done to it."

Speaker Turner: "Representative Johnson, to close."

Johnson, Tom: "Yes. Mr. Speaker, I understand what Representative...Homer has said here, but that we will be happy to deal with increasing the penalties of straight indecent solicitation, the direct indecent solicitation of somebody under the age of 13. I think that that should be increased. But what this case deals with is where we really have two adults trying to line up a sex act with somebody



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under the age of 13, which we have put into this Bill as a Class X offense and we believe that it should be. Now if somebody is between the age of 13 years and 17 years, or other provisions in here, set forth a graduated schedule dealing with Class I, Class II, and Class A...felonies, plus a Class A misdemeanor. But we believe that especially where there are two adults that setting up a sex act with a minor under the age of 13, that certainly that case ought to be a direct violation calling for the maximum sentence that we can give somebody under law. And I believe that that's something that we should look at, and I think he's raised a very good point that we should look at in a future Bill in dealing with the one-on-one situation of a child under 13 as well. But I certainly move for 'do pass' on this Bill."

Speaker Turner: "The question is, 'Shall House Bill 2154 pass?' All those in favor should vote 'aye'; those opposed should vote 'no'. The roll is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 'yeses', 0 'noes', 1 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Stephens, in the Chair for purposes of an announcement. For the record, Representative Pugh wants to be recorded as voting 'yes' on House Bill 2154."

Speaker Stephens: "Thank you, Mr. Speaker. We...temporarily in the Chair only, so don't be frightened. We have with us today the eighth grade girls state championship volleyball team, and we'd appreciate your consideration of House Resolution 475. Mr. Clerk, read the Resolution."

Clerk McLennand: "House Resolution 475, WHEREAS, The Members of this Body are happy to recognize the excellence of young

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athletes and wish to congratulate the eighth grade Aviston Elementary School volleyball team on winning the State Volleyball Championship; and WHEREAS, The Aviston team won the championship on March 27, 1993, at Herrin High School when they defeated the team from Red Bud; and WHEREAS, The team members are: Kendra Haselhorst, Cassandra Lewis, Melanie Mueller, Jill Rakers, Nicole Tebbe, Janice Thompson, Krista Haukap, Carey Luitjohan, Tracy Mueller, Wanda Strubhart, Kelli Thole, and Casey Wilken; and WHEREAS, All past and present students and supporters of Aviston Elementary School and all residents of Illinois should be proud of the poise, dedication, resolve, and athletic ability of these young women; and WHEREAS, Coach Rose Rakers and Assistant Coach Jennifer Rakers, as well as the faculty, students, and parents of Aviston Elementary School share in this great victory in that they provided the instruction, inspiration, and support which contributed to this fine finish of a memorable season; therefore be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Aviston Elementary School eighth grade volleyball team on winning the State championship; and be it further RESOLVED, That suitable copies of this preamble and resolution be presented to the coaches and to each member of the team."

Speaker Stephens: "The Chair moves the adoption of the Amendment. All in favor say 'aye'; all opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Ladies and Gentlemen, please join me in congratulating the Aviston grade school championship team. I'd like to introduce Coach Rose Rakers."

Rakers: "I'd like to thank you very much for this honor. The

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girls are really excited about being here. They've never been to anything like this, a Session like this. And they worked really hard to win this championship. And so, I'd like to thank you very much for this honor."

Speaker Stephens: "Thank you, Ladies and Gentlemen."

Speaker Turner: "Representative Turner back in the Chair. Representative Flinn, on House Bill 2150, under the Order of State and Local Government, Third Reading. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2150, a Bill for an Act concerning publication of administrative rules. Third Reading of this Bill."

Speaker Turner: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 2150 does four things. First, let me tell you it's a JCAR Bill. It got out of committee unanimously. But it provides that the Legislative Information System and the Illinois Register be computerized with the text so that it be made available to the Secretary of State and also be made available for sale. It also...would do that in order to protect the public domain of the purposes of federal copyright law. I know of no opponents. This is a leadership Bill I'm handling. And I would move for the adoption of the Bill."

Speaker Turner: "There are no questions on this Bill? The question is, 'Shall House Bill 2150 pass?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 voting 'aye', 0 'noes', 0 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Under the same Order, House Bill 2280,

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Representative Frias. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2280, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Bill."

Speaker Turner: "Representative Frias."

Frias: "Thank you, Mr. Speaker, Members of the House. I bring to you House Bill 2280. It amends the Criminal Code of 1961 concerning unlawful use of weapons. It increases the penalties for certain offenses committed on school property, public housing property, or in parks from a Class A misdemeanor to Class IV felony. I ask for your favorable vote on this...on this Bill. Thank you."

Speaker Turner: "The question is, 'Shall House Bill 2280 pass?' The Gentleman from Will, Representative Wennlund, with a question."

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

Speaker Turner: "He indicates he will."

Wennlund: "Can you... Representative, can you explain to the Members of the House exactly what this Bill provides for with respect to the carrying of weapons?"

Frias: "In regards to what?"

Wennlund: "What does the Bill do?"

Frias: "It...upgrades the certain UW offenses on school property or within a thousand feet of school property from a Class A to a Class IV felony."

Wennlund: "Within a thousand feet of school property?"

Frias: "Yes, Representative."

Wennlund: "So that... Now, Ladies and Gentlemen of the House, this is a serious matter. Let me... Let me tell you what... You need to listen to this question and answer period. So... Persons out hunting puts the shotgun in the back seat of his car in its case, leaves one loaded cartridge in the shotgun, and he's on his way driving home, he comes within

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a thousand feet of a...of a school or a park or a public housing project; he's then therefore then guilty of a Class IV felony?"

Frias: "No, Representative. There are exemptions in the Bill that call for people who are transporting weapons or properly transporting weapons, unloaded and secured, that they will not be affected by this Bill."

Wennlund: "Unloaded? My...my question is, is the person...father and son who are out hunting, they happen to live within a thousand feet of a public park or a school or a public housing project, and the son makes a mistake and leaves one cartridge in the chamber...or not...or even in the chamber, just in the shotgun. That person could be found guilty, if he were stopped, of a felony?"

Frias: "No, Representative. As you all know, all these...when a felony charge is brought upon an individual, it must be first approved by a state's attorney and given those exigent circumstances, I'm quite sure that that would not apply in that case."

Wennlund: "Well, it says that the exception are firearms that are transported unloaded."

Frias: "My point was, Representative, this is subject to state's attorney approval and...it's the...assistant state's attorney that makes that decision to take exigent circumstances into consideration, so I'm quite sure that that would not apply."

Wennlund: "Well, the state's attorney... The point is, is that the state's attorney always have discretion either to prosecute or not prosecute. The question is, is that as I read this Bill, it does make that kid or that father guilty of a Class IV felony, in the event he left a shell or a cartridge in a weapon after a hunting, if he comes within a

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thousand feet of park, school, or public housing project."

Frias: "No..."

Wennlund: "That's what the Bill provides for."

Frias: "The Bill does not provide to find them guilty. The Bill provides that he may or may not be charged, and as a result of that, he may or may not be found guilty."

Wennlund: "Well, the...the problem is is that he could be charged under any given circumstance in that type of an innocent situation."

Frias: "I understand, Representative. I understand your concerns, and I'm quite sure that the assistant state's attorney who would be involved in approving or not approving those charges would take those in con...that circumstance into consideration, and I'm quite sure that would not be the outcome. But I do understand your concern, and I don't believe that that would come to light, and I do believe there are exemption in this Bill that would adequately address your concerns."

Wennlund: "Thank you. To the Bill, Ladies and Gentlemen of the House. I understand the Sponsors' intent, and it's a good intent. The problem is the Bill goes too far, and it leaves a giant loophole in there were innocent law-abiding citizens can be charged with a Class IV felony arising out of a pure recreational activity like hunting. Coming within...driving in a car with a weapon that may have a cartridge left in it within a thousand feet of a park, school, or public housing project subjects innocent law-abiding citizens to the possibility of being charged with a Class IV felony. The Bill is too loose in its terms, and it should be defeated."

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

fart: "Thank you, Mr. Speaker. I rise in strong support of this

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Bill. This Bill is not gonna be loosely applied to people. This Bill deals with what we have in Cook County and elsewhere in the real world. The state's attorney uses a discretion on a day-in, day-out basis. Innocent people traveling to and from a hunting exhibition are not the people that are gonna be prosecuted. We're talkin' about the gang-bangers and the like who are bringing guns and the like into our schools. This Bill is well-crafted and it's a good piece of legislation that's gonna help our schools and try to make them a little more safe. Thank you."

Speaker Turner: "The Gentleman from Cook, Representative Saviano."

Saviano: "I've got just one question. Is this your first Bill, or is the first time you're here for your first Bill?"

Frias: "You know, Representative, coming from a fellow ethnic, I find that offensive."

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

McAuliffe: "I apologize for speaking three times in one day. I won't speak again for the rest of the year. I belong to the NRA, and I think this is a good Bill. The first thing you learn if you take a hunter safety course is to make sure that you unlock...unload your gun before you put it in your car. To any competent hunter, any safety-conscious hunter, would not have a loaded gun in his car. Second of all, if...if a hunter...if a legitimate hunter was stopped by coincidence and the gun was found to be loaded, I'm sure that the state's attorney and the police would take it into consideration. They would not prosecute 'em under this Bill. This Bill is for people who are out selling drugs and terrorizing the neighborhood. It's not for the law-abiding hunter who may be caught one time out of a thousand with a

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loaded gun in his car. And if he is, he should learn his lesson and make sure the gun is unloaded before they put it in the case and carry it in their car. So I'm gonna vote for this Bill."

Speaker Turner: "The... The Lady from... The Lady from Cook, Representative Mulligan."

Mulligan: "Representative McAuliffe just said everything I was gonna say. I come from a hunting family. The first thing you know when you come back is you bring your gun in, you clean it. And you don't take it out and leave it in your car and drive around with it. I think this is a very good Bill. It speaks to safety, particularly around schools, and I think we should vote 'yes' on this."

Speaker Turner: "The Gentleman from Rock Island, Representative Brunsvold."

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

Speaker Turner: "He indicates he will."

Brunsvold: "Representative, just for clarification. You've stated that this does not relate to any activities of sports shooting or hunting. Is... Is that your intent?"

Frias: "That is the intent. Exactly."

Brunsvold: "What about...say a nurse is coming home from work and she has a revolver in her purse. She gets picked up within a thousand feet of a school. Is she gonna come under these provisions?"

Frias: "Well, actually... Under...under existing law now, she would be prosecuted for unlawful possession of a weapon. This merely enhances those penalties. And again, I think it would be up to the discretion of the state's attorney to decide whether or not she should be prosecuted under this proposed Bill, which would make it a felony, or a misdemeanor which is in existence now. So, in...if she were



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to be carrying it, she would be in violation as the statute exists today."

Brunsvold: "So it's not your intent, and you're intent of passing this...Bill will be...part of the record that could be used in...in a court of law if that situation exists and they come back to see what we talked about on the floor. I just want to clarify that, and thank you for your explanation."

Speaker Turner: "Representative Frias, to close."

Frias: "The intent... For the record, the intent of this legislation is not to go after the hunters or nurses in the parking lot. This... The intent of this legislation is to crack down on the increasing violence that exists in the schools today. And having sat in gun court many, many, many times and have been privileged to see that it's no more than a revolving door, this legislation is sorely needed in order to put some teeth in the UW...convictions that are being dealt out in the courts today, and I would express...my...concern as to the sit...the conditions where our students are being subject to going to school. And I would ask for a favorable vote."

Speaker Turner: "The question is, 'Shall House Bill 2280 pass?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 108 'ayes', 1 'no', 1 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Rep... Representative Edley, on House Bill 2416. Out of the record. Representative Parke, on House Bill 2294. Page 11, Civil Justice Order. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2294, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this Bill."

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Speaker Turner: "Representative Parke."

Parke: "Thank you, Mr. Speaker. I appreciate the courtesy of the Chair coming back to this Bill. I...have talked to Representative Dart and alev...aloub...alleviated his concerns on it. And again, this Bill is an agreement with the State Bar Association and has the support of AIM and DASA. And to remind you, it is the preliminary breath test device can be used only when probable cause exists that a driver's operating under the influence. I would ask that the Body vote 'present'...vote for this Bill. I want you to vote 'yes' on the Bill."

Speaker Turner: "The question is, 'Shall House Bill 2294 pass?' All those in favor should vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 'ayes', 0 'noes', 0 'presents'. Add Representative Murphy...Re... Representative Murphy votes 'aye'. There are 100... Representative Cowlshaw votes 'aye'. One hundred and twelve voting 'aye', 0 'noes', 0 'presents'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Granberg, on House Bill 2105, under the Order of Education, Third Reading. Representative Levin, I'm sorry, on House Bill 2105. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2105, a Bill for an Act to amend the School Code. Third Reading of this Bill."

Speaker Turner: "Representative Levin."

Levin: "Ah, yes, could I have leave to bring the Bill back to Second Reading for an Amendment, Representative Granberg?"

Speaker Turner: "Leave is granted. The Bill is on the Order of Second Reading. Are there any Amendments, Mr. Clerk?"

Clerk McLennand: "Floor Amendment #1, offered by Representative

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Granberg."

Speaker Turner: "Tak the Bill out of the record, Mr. Clerk. The Amendment has not been printed. Okay, on the Order of Energy and Environment, Representative Novak, on House Bill 300. Out o... Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 300, a Bill for an Act in relation to environmental protection. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Turner: "Third Reading. He...he wants to... The Sponsor requested that we hold this Bill on Second Reading, Mr. Clerk. Under the Order of Law, House Bill 35, Representative Novak. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 35, a Bill for Act to amend the Criminal Code of 1961. Third Reading of this Bill."

Speaker Turner: "Representative Novak."

Novak: "Yes, Mr. Speaker. Thank you, Ladies and Gentlemen of the House. House Bill 35 creates the offense of vehicular hijacking and aggravated vehicular hijacking. The two offenses there...that are created are as follows: The offense of vehicular hijacking is when a person commits the offense when, by the use of force or by threatening the eminent use of force, he unlawfully takes a vehicle from another person who's occupying, entering, or exiting the motor vehicle. The particular penalty for this class is a Class I felony, for four to 15 years and fines up to \$10,000. The second offense creates aggravated vehicular hijacking. A person commits this offense when he or she commits the offense of vehicular hijacking against a victim who is 60 years of age or older, or 18 years of age or younger, or while armed with a dangerous weapon. Aggravated vehicular hijacking is a Class X felony with a sentence from six to 30 years in jail and a fine of \$10,000. Under

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the Bill, taking a person...taking a vehicle from the person while the person is servicing the car (pumping gas, checking the oil, changing the tire), would not constitute vehicular hijacking. This Bill...is very similar to the one that passed out of the Senate that is now in the House. And it is also is stronger than the one that we have on the federal level because the federal carjacking Bill only applies if the defendant was armed with a firearm. We are all aware of the...this particular category of crime that is occurring around the country. I think we've read a rot...read about the horrendous situations that are occurring with tourists in Florida, and they...these situations are happening in mostly urban centers (the City of Chicago, Joliet, and other urban centers of the State of Illinois) as well as the nation. This...this particular mode of behavior is becoming the rule, rather than the exception, and I think it's about time that we put a carjacking Bill on the books in Illinois to send a very strong message to the gang-bangers and to those who use this device to perpetrate crimes on innocent people that it...will not be tolerated, and their particular behavior...behavior will be punished in a very definitive manner. I'd be happy to answer any questions."

Speaker Turner: "The question is, 'Shall House Bill 35 pass?' All those in favor should vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 'ayes', 0 'noes', 0 'presents'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Murphy? Representative Murphy wishes to have been recorded 'yes' on the last...on House Bill 35, and the record will so

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

Clerk McLennand: "House Bill 45, a Bill for an Act to amend the Illinois Parentage Act of 1984. Third Reading of this Bill."

Speaker Turner: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 45 amends the Parentage Act to include DNA as an acceptable type of parenting testing. I would ask that the Body pass this legislation so that we can in fact have another tool in determining the parentage of the children of Illinois."

Speaker Turner: "Are there any questions? The question is, 'Shall House Bill 45 pass?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. This Bill, having received 112 'ayes', 0 'noes', 0 'presents', is hereby declared passed. Add Representative Johnson...Representative Tom Johnson, the record should reflect that he wanted to vote 'aye' on that Bill. Representative Virginia...Frederick also wanted to vote 'aye' on that Bill. At 2:30... We have an announcement from the Chair. At 2:30 the Democrats will go into a caucus in Room...Room 114. At the hour of 2:30 the Democrats will go into a caucus in Room 114. Representative... The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. The Republicans will caucus at the same time in Room 118."

Speaker Turner: "House Bill 667, Representative Hoffman. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 667, a Bill for an Act in relation to townships. Third Reading of this Bill."

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Speaker Turner: "The Gentleman from Madison... Representative Stephens, for what reason do you rise?"

Stephens: "Did you folks need Senator LaPaille at your meeting?"

Speaker Turner: "Gonna send him to yours."

Stephens: "Well, that's a possibility. I'll get him on the phone."

Speaker Turner: "Give him a call. Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This would amend the Township Law of 1874 and authorize a board of town trustees to purchase liability insurance on its officers, employees or agents. Establishes guidelines for the purchase, et cetera. I ask for your 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 667 pass?' All those in favor should vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk...shall take the record. On this question, there are 111 'ayes', 1 'no', 0 'presents'. This Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 1129, Representative Walsh. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1129, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this Bill."

Speaker Turner: "Representative Walsh."

Walsh: "Thank you, Mr. Speaker. What House Bill 1129 does, is that it provides that the penalty for aggravated fleeing or attempting to elude a police officer is a Class IV felony. In addition, it increases the penalty for fleeing or attempting to elude a police officer from a Class B to a Class A misdemeanor, provides for the seizure of the vehicle used in the commission of aggravated fleeing or attempting to elude a police officer. I'd appreciate your

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favorable consideration on this Bill. I'd be happy to answer any questions."

Speaker Turner: "There no questions? The question is, 'Shall House Bill 1129 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? The Gentleman from... Have all voted who wish? The Gentleman from McLean, Representative Brady."

Brady: "Representative Walsh, just to ask a question, if you can nod your head. If someone were to rent a car under this Bill and use that car... If someone were to rent a car and use that car, under this incident, could that be seized?"

Speaker Turner: "The Clerk shall take the record. On this question, there are 108 'yes', 2 'noes', 1 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Schakowsky, on House Bill 1356. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1356, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Bill."

Speaker Turner: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. House Bill 1356 amends the...Hate Crimes Act by act...by adding only three words, and those words are 'actual or perceived'. And this is to make sure that people who are the victims of a hate crime who aren't actually the person that the...that the perpetrator thought they were (That is if someone were beaten up because he or she was perceived to be Jewish and that person wasn't, if he or she were perceived to be Japanese and was really Korean), that the perpetrator of that crime would still be guilty and couldn't use as an escape the fact that the victim wasn't who he thought he

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was. So, I urge your support for this closing of a loophole in the Hate Crimes Act that will make it a better Bill. I urge your support."

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

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

Speaker Turner: "She indicates she will."

Black: "Representative, what... Can you explain to me how this Bill has... If I commit assault and battery on an individual, that's a crime, correct?"

Schakowsky: "Yes."

Black: "If that individual happens to be Hispanic, oriental, whatever, does this then enhance the penalty I will receive?"

Schakowsky: "No. This is in addition to... A hate crime can, in fact, if it's...you're convicted of a hate crime, it can enhance a penalty of an assault conviction. What this does is make sure that you can't escape that enhanced to penalty because you say, 'Well, that per...I thought that person was Jewish, but they weren't'. And in fact, in court, according to the Anti-Defamation League, people have been quizzed about their religion because...this provision was not in the Act."

Black: "Well, if an individual then is involved in an altercation with someone who happens to be a Moslem, but that individual had no knowledge of...that victims' religious affiliation whatsoever, he just committed assault and battery on another human being, what then does this Bill purport to do?"

Schakowsky: "No, Representative, let...let me explain. If the perpetrator has attacked someone because he perceives that



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person to be Jewish, that's the reason for the assault. In court, the judge has asked the person...the victim, 'Are you Jewish?' and the person says, 'No', there is the possibility, according to the Anti-Defamation League, that the perpetrator could be off the hook because the victim wasn't of the religion that the perpetrator thought he was."

Black: "Well, I guess what I'm after is, does this mean I could not only be charged with assault, aggravated assault, but if the judge ruled that I...that there was some knowledge or that I had reason to believe that the victim was also a member of a particular religious or ethnic group, that I could be charged with...a hate crime as well as aggravated assault."

Schakowsky: "No, Representative, this is when a hate crime has occurred. It closes a...loophole that would allow a perpetrator to escape. I want to point out also that this is part of model legislation by the Anti-Defamation League. It was on the Agreed Bill list."

Black: "What... Our file indicates that opponents...filled out witness slips in committee but did not testify, and I have no record of who those opponents might have been. Do you know who they were?"

Schakowsky: "I'm actually unaware of any opponents."

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

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

Kubik: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Turner: "She indicates she will."

Kubik: "Representative, I guess...I'm not sure I'm following your explanation, but let me tell you what I think this does, and then maybe you can respond to me. What you're saying is

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that if a person, a defendant, or an alleged person charged with the crime, is... Could we have... Could we have people out of the front and middle aisle, so I can see Representative Schakowsky. If...if you're charged with a hate crime, and you go into court, and...a hate crime meaning that you attack somebody because, as you point out, they are Jewish. And the...the person who is assaulted says, 'I'm not Jewish', they can be off the hook. Is that what you are saying? And...and this...this would eliminate that...that loophole."

Schakowsky: "Exactly."

Kubik: "Wha... I guess wha... The other question I would have, though, is would they not be...charged with other offenses as well as the hate crime?"

Schakowsky: "They would, but they also should be charged with a hate crime and it should not be up to the victim to prove that he matches whatever prejudice is in the mind of the offender in order for that person to be charged with a hate crime. We don't want to have the victims quizzed in court about their race, their religion, their ethnicity. If, in fact, a hate crime has occurred because the offender has committed it, that should be enough."

Kubik: "Okay. Thank you. No further questions."

Speaker Turner: "The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker. There shouldn't be any debate on this Bill. This should go out on a unanimous roll call. We have a hate crime statute that provides that if someone is attacked because of who they are (because of their religion, their race, their sex, their sexual orientation), then the person who did this...that is guilty of a hate crime. The...the Bill simply provides that if is the

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perception of the victim that triggers the hate crime. It doesn't really matter what the victim is. So that if somebody's assaulted because they're believed to be black and really aren't, or if they're believed to be Jewish and really aren't, or believed to be gay and really aren't, that it still would be a hate crime because that was the motivating factor of the assailant. And there shouldn't be any dispute about that. The reality is not...is not really what's significant. It's the perception, the discriminatory nature of this conduct that should elevate it to a hate crime. So, I urge unanimous support for the Bill."

Speaker Turner: "Representative Schakowsky, to close."

Schakowsky: "Thank you, Mr. Speaker. Whether the actual or perceived race or religion, ethnicity, sexual orientation is what's important in the mind of the offender. And I think that we ought to close this loophole in the Hate Crimes Act. I urge your 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 1356 pass?' All those in favor should vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 104 'ayes', 2 'noes', 6 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. The House will stand at ease until the hour of 4:30 for the purposes of both Democrat and Republican caucuses. Should I change that time? You want less? Democrats... The Democrats will meet immediately in Room 114. The Republicans will meet immediately in Room 118."

Speaker Currie: "House will come to order. Representative Currie in the Chair. We will go to the Special Order of Call, Local Government, Third Readings. The first Bill is House

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Bill 344, Representative Black. Out of the record. Representative Saltsman, ready on House Bill 609? I'd remind the Members we may not get back to this Order in a timely fashion. House Bill 609. Out of the record. Representative Balanoff, House Bill 610. Clerk, read the Bill."

Clerk Rossi: "House Bill 610, a Bill for an Act amending the Illinois Municipal Code. Third Reading of the Bill."

Speaker Currie: "Representative Balanoff."

Balanoff: "Yes, Madam Speaker. House Bill 610...would...upon admission of guilt that upon conviction would disqualify an office-holder...elected official from holding that office, would constitute resignation immediately from that office. It basically closes a loophole in the law which...which allows crimes to continue, and so I just ask for your favorable support."

Speaker Currie: "Representative Balanoff moves passage of House Bill 610; and on that Motion, is there any discussion? All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? All voted who wish? The Clerk will take the record. On this Motion, there are 107 voting 'aye', 0 voting 'no', and this Bill, having received the required... Currie, 'aye'... This Bill, having received Constitutional... Representative Flowers votes 'aye'. One hundred and nine, 'aye'; 0 'no'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Next Bill on the same Order of Call, Representative Wojcik, on House Bill 630. Clerk, read the Bill."

Clerk Rossi: "House Bill 630, a Bill for an Act amending the Township Law of 1874. Third Reading of the Bill."

Speaker Currie: "Representative Wojcik."

Wojcik: "Madam Speaker, may I have leave to take the Bill back to

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Second Reading for purposes of Amendment?"

Speaker Currie: "Does Representative Wojcik have leave? Leave is granted. The Bill is back on Second Reading."

Wojcik: "Yes, Madam Speaker. Amendment #3..."

Speaker Currie: "Has this Amendment been printed and distributed?"

Clerk Rossi: "The Amendment has not been printed and distributed.?"

Speaker Currie: "Okay, we'll take that...Bill out of the record. The next Bill is Representative Ryder, on House Bill 703. Representative Ryder. Out of the record. Representative Kubik, House Bill 907. Clerk, read the Bill."

Clerk Rossi: "House Bill 907, a Bill for an Act amending the Township Law of 1874. Third Reading of the Bill."

Speaker Currie: "Representative, this is on the Agreed List. In fact, we're about to make the announcement that the Agreed List is winding your way. So perhaps we'll skip over this and move on the Calendar. Representative Steczo, on House Bill 911. Representative Steczo. Out of the record. Representative Andrea Moore, House Bill 1071. Clerk, read the Bill. This, too, is on the Agreed List, Representative. You don't need to... Representative Capparelli, House Bill 1097. Are you ready? Clerk, read the Bill."

Clerk Rossi: "House Bill 1097, a Bill for a Act amending the Metropolitan Water Reclamation District Act. Third Reading of the Bill."

Speaker Currie: "Representative Capparelli."

Capparelli: "Thank you, Madam Speaker. House Bill 9...1097 extends the district's...water districts' statutory authority...non-referendum bonding authority to 2001. The purpose is to provide a long-term stable source of funding for major capital projects to provide sewage treatment,

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pollution control services for the entire Cook County area. These projects include the tunnels, the reservoir of Chicago underflow programs, which will provide control control relief...flood control relief. These bonds also reduce local property taxes because they leverage these bonds against a 75% cost of major projects from federal funding. I ask for a favorable roll call."

Speaker Currie: "Representative Capparelli moves 'do pass' on House Bill 1097; and, on that Motion, the Chair recognizes Representative Balthis."

Balthis: "Thank you, Madam Speaker. I rise in support of the Bill. Many of our south suburban communities have had tremendous flooding problems. My local community has spent \$16 million. I believe this Bill is very important to solve those problems, so I rise in support of the Gentleman's Motion."

Speaker Currie: "Further discussion? Hearing none, the question is, 'Shall... Shall we...move passage on House Bill 1097?' All in favor vote 'aye'; opposed voted 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 104 voting 'yes', 2 voting 'no'; and this Bill, having received the required Constitutional Majority, is hereby declared passed. Clerk, for an announcement."

Clerk Rossi: "Supplemental Calendar #1, Agreed List #2 is being distributed."

Speaker Currie: "The Chair would like to advise the Members that the Agreed List...Second Agreed List is now being distributed. You will have the opportunity, after voting on all the Bills, to indicate on those Bills on which you would prefer to vote 'no' or 'present'. You'll get a little

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sheet. You may so indicate on that sheet for any Bill in which you don't want to vote 'yes'. You will be asked to turn those blue sheets in by 7:00 this evening. So th... Turn them into the Clerk right here at the well. Continuing on the same Order, Local Government, Third Reading. The next Bill, 1236, House Bill 1236, Representative Steczo. Representative Steczo. Out of the record. Representative Dart, on House Bill 1266. Out of the record. Representative Hawkins, House Bill 1364. Representative Hawkins. Clerk, read the Bill."

Clerk Rossi: "House Bill 1364, a Bill for an Act amending the Public Officer Prohibited Activities Act. Third Reading of the Bill."

Speaker Currie: "Representative Hawkins."

Hawkins: "...Members of the House. This Bill...simply would allow a county board member to serve on a local rural fire protection district. Now, under the current law, it's not...it is prohibited. The fire...rural fire protection district and the county board are completely separate units of government that...that...or have no connections with one another and in some of the rural parts of the state, it's hard to get people to serve, and...and I have a particular case that's been addressed before...about the county board chairman wanting to be able to serve on both of those, and I urge an 'aye' vote."

Speaker Currie: "Representative Hawkins moves 'do pass' on House Bill 1364; and, on that question, the Chair recognizes Representative Black."

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

Speaker Currie: "He indicates he will."

Black: "Representative, is...has this Bill become better with

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age?"

Hawkins: "Well, I...I can't answer that."

Black: "Well, you... Isn't this the Bill you took out of the record yesterday?"

Hawkins: "You've stopped me... Yes, I did."

Black: "Okay. Well, thank you very much, Representative. Madam Speaker, Ladies and Gentlemen of the House, this Bill has been called on Third Reading now for the second time. There are many of us that can't get Bills even called on Second Reading one time. But beyond that, it still has an underlying premise that I'm not sure many of you in this chamber really agree with. While I don't think it's special-interest legislation, there is a separation of governmental entities. That's why the Constitution created them. Now, because there's a situation somewhere in the area...in the Sponsors' district where a county board member wants to serve on a fire district trustee, we're gonna change the law. Now, there are times that that county board is the very entity that controls the appointment process to that fire protection district. I think it would put this individual in the untenable position. But even if that is fine and dandy, I think it sets a precedent that you don't want to set. And it's for that reason, and with all due respect to the Sponsor, I intend to vote 'no'."

Speaker Currie: "Further discussion? Representative Hughes."

Hughes: "Thank you, Madam Chairman. We did discuss it yesterday. I don't want to repeat what was said yesterday. I do think this is poor legislation in setting up potential conflicts, and would urge you to vote against this Bill. Thank you."

Speaker Currie: "Further discussion? Representative Hawkins, to close."

Hawkins: "Okay, I just... It's a very simple procedure. It's



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something that...will not affect the operations of either the county board or the local fire district. It's a technicality that I'm trying to get straightened out, and I ask for an 'aye' vote."

Speaker Currie: "The question is, 'Shall House Bill 1364 pass?' All in favor vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Clerk...will take... Have all voted who wish? Representative Hawkins, to explain his vote."

Hawkins: "Okay, I...was wondering about Mr. Black's...question on the age issue, and I think that the Bill did improve significantly from yesterday in age, and I hope as time goes on, it will increase in its value to the...to the people of the State of Illinois."

Speaker Currie: "Have all voted who wish? The Clerk will take the record. On this Bill, 60...61 voting 'aye', 49 voting 'no'; and this Bill, having received the Constitutional Majority, is hereby declared passed. Same Order of Call. Representative Homer, on House Bill 1478. Representative Homer? Are you ready? Clerk, read the Bill."

Clerk Rossi: "House Bill 1478, a Bill for an Act amending the Counties Code. Third Reading of the Bill."

Speaker Currie: "Representative Homer."

Homer: "Thank you, Madam Speaker. This Bill removes an archaic provision in the statutes that prohibits those who registered for the draft as conscientious objector status... The law prohibits such an individual from serving as a deputy in a sheriff's department. There is no opposition that I'm aware of to the removal of that..."

Speaker Currie: "Representative Homer, the Chair has been advised that that Bill is on the Agreed Bill list. This Bill...is on the Agreed List that has already circulated, so you

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don't need to present it. Representative Turner, on House Bill 1724. Representative Turner. Out of the record. We'll skip over my own for a moment. Representative Steczo, on House Bill 1922. Representative Steczo. Out of the record. Representative Dart, House Bill 20... Out of the record. Representative Mautino, House Bill 2311. Representative Mautino. Out of the record. Representative Ryder has returned to the chamber, and we will return along with him to House Bill 703. Clerk, read the Bill."

Clerk Rossi: "House Bill 703, a Bill for an Act amending the Illinois Municipal Code. Third Reading of the Bill."

Speaker Currie: "Representative Ryder."

Ryder: "Madam Speaker, is this Bill currently on Third Reading? It was my understanding that it was still on Second and needed to be moved to Third."

Speaker Currie: "I think when you were away, somebody very kindly moved your Bill to Third for you."

Ryder: "Well, that's very nice of them. Then I'm unable to move it at this time. Thank you for the consideration, however."

Speaker Currie: "That would have happened yesterday, Representative Ryder, that your Bill went to Third. You can move it if you want to. You don't... Representative Kubik, for what reason do you rise?"

Kubik: "Thank you, Madam Speaker. Inquiry of the Chair. On Representative Ryder's Bill. I wouldn't want to move it either, if we're going give money to banks. Rural banks."

Speaker Currie: "Good point, Representative. Let us go to the... Representative Giglio or Representative Giorgi available or Representative Flowers? Representative Flowers. Could you come to the podium? Representative Flowers, in the Chair for...for a moment here."

Speaker Flowers: "House Bill 1728. Mr. Clerk, would you please..."

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Would you please read the Bill?"

Clerk Rossi: "House Bill 1728, a Bill for an Act amending the Open Meetings Act. Third Reading of the Bill."

Speaker Flowers: "Representative Currie, on House Bill 1728."

Currie: "Thank you, Speaker and Members of the House. This is an innovative proposal that came to us from a task force on open meetings and from the Illinois Press Association. It is modeled on a statute currently in effect in Iowa. The point of the proposal is to require that when meetings of public bodies are closed for whatever legitimate reasons, that they keep some kind of verbatim record of the closed part of the meeting. That verbatim record must then be kept for a period of six months. During that time, if there are allegations that the meeting was closed improperly, the verbatim record will be available to a court for an in-camera proceeding to determine if the...if there is evidence, indeed, that the meeting was improperly closed. It is, I say, an innovative idea. We know that it operates today in Iowa, and because it is new, and although is working apparently extremely well in Iowa, the Bill would sunset after a short period of time. I'd be happy to answer your questions. That is the sum and substance of the Bill."

Speaker Flowers: "On the question, Representative Skinner."

Skinner: "I can think of an instance within the last four years when I would have been very anxious to have this record available. My local Crystal Lake Park Board built...bought a \$10,000 boat at an illegal secret meeting. But I'm wondering how anyone is gonna know to look at these minutes? I mean, how are you going to get...how are you going to know whether they did something illegal if you can't read them?"

Currie: "But...there are times today when under current statutes,

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a state's attorney may be given the information that suggests that a meeting was closed improperly. So, in fact, there would be those who would argue that it happens with more frequency than it ought. But the point here is that if then there becomes available to the state's attorney evidence that a particular meeting was improperly closed, then the verbatim record will give the court, and the court only, the opportunity to see whether anything in that transcript suggests an improper closure. For example, if the meeting is closed for half an hour and the only amount of discussion on the tape covers five and a half minutes, there's a suggestion that something went wrong."

Skinner: "If you don't have someone who was in the meeting who is willing to tip you off that something might have gone...been done illegally, how do you, as an ordinary citizen, have a clue?"

Currie: "Sometimes, in fact, people who are inside the meeting do tip off a state's attorney that something improper happened. In addition, it may be that a decision made by that public body at a later date would reflect the likelihood that there was some substantial discussion about the decision at some earlier time. In that event, a citizen or a state's attorney might wonder whether a violation had occurred."

Skinner: "And what would the penalty be if a state's attorney were to bring an action successfully against one or more of the participants in such a meeting?"

Currie: "I don't think that this statute changes penalties that are available today under the Open Meetings Act."

Skinner: "They're not very high, are they?"

Currie: "No."

Skinner: "Thank you."

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Speaker Flowers: "Representative Murphy. Maureen Murphy."

Murphy, Maureen: "Thank you, Madam Speaker. I...I...I'd like to have the Sponsor yield for a question."

Speaker Flowers: "Yes, she'll yield."

Murphy, M.: "Understanding that the opposition that I'm hearing from the Illinois Municipal League, the Clerks' Association, counties and governments, IASA. Their concern is with the closed session on negotiations being taped. What will happen if even after a contract is negotiated six months hence, some secret when they were talking about what they could trade in lieu of contract negotiations and they might be saving for the next contract period, what...what protection are we going to offer these local units of government to not allow their biggest chips in bargaining to be known to the entire public. Is that addressed in the statute?"

Currie: "Perhaps there's a misunderstanding. At the end of the six-month period, the local government is free to destroy the verbatim record."

Murphy, Maureen: "Is free to... What was that? Destroy? Destroy the verbatim record?"

Currie: "Yes. At the end of six months, they are free to destroy the record of that particular meeting. Just so that it doesn't become a storage problem and doesn't become a problem of potential discovery by people who are not intended to access discussions that are happening at a legitimately closed meeting."

Murphy, Maureen: "So if I wanted to continue to talk about just the area of contract negotiations..."

Currie: "Right."

Murphy, Maureen: "...and we can certainly understand why we'd want to keep that as closed as we possibly could. It is

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your understanding that this information would not be divulged to the public or the press, and may be destroyed within six months after the closed session upon the direction of the board in charge of that."

Currie: "Yes. In fact, the information may not be divulged to anybody except when there is a question about whether the meeting had been improperly closed, except in an in-camera proceeding in a court of law. And in addition, after six months, the record can be destroyed."

Murphy, Maureen: "All right. That's the part. If someone just walked in and said, 'Well, maybe there was something wrong in that meeting last week'. They wouldn't get to see that tape or hear the tape..."

Currie: "No. No."

Murphy, Maureen: "The State's Attorney..."

Currie: "No. No. No. Right. Right. An individual with a complaint would not have access to that tape."

Murphy, Maureen: "Right. Thank you."

Speaker Flowers: "Representative Clayton, on the question. Representative Clayton, please. Okay, thank you. Representative Balthis. Representative Balthis."

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

Speaker Flowers: "She says she will."

Balthis: "Representative, how does the public gain access to these records?"

Currie: "This is not an open records Bill. This is... This is a Bill about public meetings. The public has no right to access the verbatim record of a meeting or part of a meeting that is closed. But what this Bill does provide is that when a meeting or part of a meeting is closed, the public body will make sure that a verbatim record - it could be a video tape, a regular audio tape, a court

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reporter that...the...that that verbatim record will be kept in a safe place, not available to any member of the public, but during a six-month period, if there is reason for the state's attorney to believe that the meeting or the section of the meeting was improperly closed, then that verbatim record will be available in an in-camera proceeding in a court of law to help determine whether there is indeed evidence that the meeting was not properly closed..."

Balthis: "And if someone..."

Currie: "After six months, the public body may destroy the record."

Balthis: "What's to stop the state's attorney at his or her whim going in and asking for these records when there's no indication that there's anything wrong."

Currie: "Well, because the state's attorney won't be able to just to listen to the tape on...or read the record on his or her own. The fact is that the state's attorney can only get an in-camera proceeding in a court. I would imagine if the state's attorney has no evidence, then I would imagine that record would show no evidence and the state's attorney would then not be privy to that information."

Balthis: "What happens on month seven, when the local government has destroyed all the information. And now someone comes to the state's attorney and says, 'I believe that a meeting was held improperly'. What does the state's attorney do at that point?"

Currie: "Just...just what the state's attorney does today. That is, if there's good evidence that there was an improper closure, the state's attorney could still bring an action, but the state's attorney would not have available to him or her the verbatim record that is the subject of this Bill."

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Balthis: "Does this also include disciplinary action of employees?"

Currie: "This would cover any meeting of a public body that is closed under any of the exemptions of the Open Meetings Act."

Balthis: "This is a... Is this not a stiffer restriction than is on open meetings? There's no requirements to record the open meetings that happen, even though there's no public present at the time?"

Currie: "That's right. It is. It is. But the point of it is to try to make sure that there is the possibility of evidence out of the mouths of the public officials themselves."

Balthis: "Okay. Madam Speaker, to the Bill. Having been a local government official, I strongly support the Open Meetings Act and the intent of it. But it has amazed me in the two-odd years I've been in Springfield of the numerous times that this Body and committees of it go into executive session, discuss any number of issues that affect the lives of 12 million people of the State of Illinois. And we do not feel it necessary to do any of this to ourselves in all the Bills that we pass down here. And I think we ought to think about that as we look at legislation such as this."

Speaker Flowers: "Representative Biggert."

Biggert: "Madam Chairman, will the Sponsor yield?"

Speaker Flowers: "Yes."

Biggert: "Representative, I received a letter from my...one of my village clerks, and she suggested that this Bill was a make-work Bill because she envisions having to go into these closed meetings and make a transcript of...of the entire conversation. Or that they would have to pay a court reporter to...to make that transcript. Is this the case?"

Currie: "Has she thought about turning on the audio cassette that



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has a little tape in it, just as we use in our committee hearings in the Legislature? They are neither expensive nor, at least for most people, maybe not for me, but for most people, not difficult to operate."

Biggert: "Okay. So that's permissible."

Currie: "Yes."

Biggert: "All right. Then her other concern was that in the closed meeting, that usually when you are discussing sensitive issues, that...that the officials feel confident to express an opinion...that might be playing the devils' advocate or...she's afraid that this will...people will be reluctant, really, to express what they really feel at that time. That that will somehow...you know, jeopardize their opinion when it really might cause discussion that will lead to a better result. Do you...do you envision this happening?"

Currie: "I would say that that is a legitimate concern. I...I think the point however, is, is that it's up to us to balance the potential that passage of this Bill might chill the free and open discussion of the public body in a closed session against the importance of making sure that we know that when meetings are closed, they legitimately are closed. And I would say this, we have the experience of Iowa, where after a certain amount of trepidation on exactly that point, it seems as if it is working without the chilling effect you envision. I would further point out that it is the public body itself that holds the keys to the recording. And I would hope that these local units of government, these public bodies, are as able to hold onto the tape recording as they are to the dollars they collect, the other items that are in their possession. So the concern about the material going into the wrong hands is

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one, I think, we can all appreciate, but I think that we would be...overweighting that concern if we didn't look at what happens in Iowa, if we didn't recognize the ability of the local government to hold that recording in...in some secure fashion and if we didn't appreciate the importance of the public trust in terms of making sure that open meetings are open when they're supposed to be open, closed only when they legitimately should be."

Biggert: "Okay. Thank you."

Speaker Flowers: "Representative Black. No. Representative Kubik."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think that there's been a great deal of misinformation about this Bill. Now if you're opposed to the fact that we ought to keep a verbatim record of these meetings, then you're opposed to the Bill. But let me give you a couple of examples...Representative Skinner, for example, said, 'How would anybody know that there was a violation of the Act?' Well, under the current Open Meetings Act, if one trustee in a closed meeting says, 'we had an improper meeting' and all of the other trustees say, 'Well no, we didn't have an improper meeting', there's no way to prove who is telling the truth, because there is not a verbatim record of these meetings. So that is an instance where this Bill would come into play. I might also point out to you that the state's attorney and the public are not going to see these tapes, and or listen to the meetings. The only person who's going to listen to the meeting or the records of these meetings would be a court of law, a judge. And the judge will make the determination as to whether there was a violation of the Act. If there was a violation of the Act, then it's in public domain. But until that

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point, it is not a part of public domain. So the...so Representative Murphys' concerns about negotiations et cetera; these kinds of concerns will not flow out into the public. They will be listened to by a judge and the judge will make the determination as to whether there's a violation of the Act. I think that this particular Bill is working out very well in Iowa, and I think it can work here. But the key is, Ladies and Gentlemen, that under the present Open Meetings Act, there is no way to prove that there is any violations of the Act. This Bill, this proposal, will offer us an opportunity to be able to determine whether there are violations, and those units of government that are following the letter of the law and doing the right thing will not be affected by this Bill. All they'll have to do is turn on a tape recorder when they go into a closed-door meeting. Those units of government that go behind closed doors and discuss more than what they say they're going to discuss, they've got...then beware, this Bill will have an impact on how you operate. But I can tell you, knowing and talking to members of local government, there are many times when local government does go behind closed doors and discusses more than what is indicated when they adjourn into Executive Session or closed-door meeting. So I believe that this is a reasonable and very workable move forward in the Open Meetings Act. This is not an attempt to pound local government. This is an attempt to allow legitimate violations of the Open Meetings Act to be contested and to actually have some resolution. I might point out, I find it very interesting that we have an Open Meetings Act in this state that we cannot possibly...where it's almost impossible to prosecute, so we have an Act which is on the

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books; it looks good, it sounds great, but if you can't get more than a couple of people in the meeting to agree that there's a violation, it's virtually impossible to prosecute. So all this Bill does is to allow in a very reasonable and measured fashion, that process to come to resolution. I think this is an excellent proposal by Representative Currie. I think that we ought to pass this Bill and send it over to the Senate, and I strongly urge an 'aye' vote."

Speaker Flowers: "Representative Hartke."

Hartke: "Thank you very much, Madam Speaker. Like the other Open Meetings Act Bill, I stand in opposition simply because of the cost and inconvenience of local government, and I would... I've heard and gotten a lot of letters on this, and I would encourage my downstate Legislators to take a good look at this and be careful how they vote on this piece of legislation."

Speaker Flowers: "Representative Olson."

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

Speaker Flowers: "Yes."

Olson: "Representative Currie, I spent 12 years on a township board. We would have meeting after meeting, regularly scheduled meetings where there was no one there but the board members. How do we determine whether we should have the tape recorder on or even have one there available?"

Currie: "Under this Bill, you would only have the recording operative at a point in the meeting when you would close it were there members of the public around, so it only applies to those...that list of items that are legitimate reasons for closing a public meeting and that would mean negotiations in respect to contracts, discussions about pending litigation, discussions about purchase of real

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property. It would be during those discussions that the recording would operate."

Olson: "That's what I expected your answer to be, and I understand that, but I think we could tend to get a little lax in our activities if in those instances where there's no one else in the room, we could just roll right on into talking about matters which would normally be talked about in a closed session. I do see some...I understand the intent. I appreciate your efforts, but I think that for downstate, as Representative Hartke mentioned, there may be some problems in this. Thank you."

Speaker Flowers: "The question is, 'Shall House Bill' ...oh, I'm sorry. Representative Currie, to close."

Currie: "Thank you, Madam Speaker. I think the Representative Kubik did a great job for closing for me. I would just say that this is a modest proposal. It's time limited. To that extent, somewhat experimental. We know that it works in Iowa. This is a very high-priority for the Press Association and for many other advocates of openness in government. I'd appreciate your 'aye' votes."

Speaker Flowers: "The question is, 'Shall House Bill 1728 pass?' All those in favor vote 'aye'; opposed vote 'no'. The voting is now open. Representative Black, for what reason do you rise?"

Black: "Thank you very much, Madam Speaker. Just to explain my vote. I don't have any problem with what the Bill is attempting to do and correct, however, you have to remember, this is a very diverse state. It is a mandate on local government, and many of the governments in my district operate on part time people. We can't afford a court reporter in many areas of rural Illinois. The court reporter costs more than the whole budget of that entity

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for a month. We certainly can't afford video equipment in all the small rural governments in the State of Illinois. That's beyond our means, and if we end up tape recording, they usually buy the cheapest tape recorder they can find, and then when you get the message, nobody can understand it. So I...you know, it's really a catch-22 situation. I don't stand in opposition to the Bill. I've just heard from too many of my part-time clerks and part-time village officials that say, 'You send us the money for this mandate, and we'll comply. But if you don't send us the money for this mandate, you tell us how we can apply'. So that's the only reason I'm voting 'present'."

Speaker Flowers: "Representative Mulligan, to explain your vote."

Mulligan: "I'd also like to explain my vote. Not that I wanted to appear that I'm against the Freedom of Information Act, 'cause I've spent a lot of time supporting and working with it. I just feel that it would stifle discussions, particularly personnel matters, some of the closed part of that is to protect the person that's being discussed also. I just feel it's not a good idea to put this on tape."

Speaker Flowers: "This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. This Bill, having received the required Constitutional Majority, 63 voting 'aye', 30 voting no, is hereby declared passed. Representative Currie, in the Chair. Representative Flowers is back in the Chair. On the Order of Law, Third Reading, House Bill 1475. Representative Currie, on House Bill 1475. Mr. Clerk, please read the record...read the Bill."

Clerk Rossi: "House Bill 1475, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Flowers: "Representative Currie."

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Currie: "I would like leave, Speaker, to bring this Bill back to Second Reading for purposes of an Amendment."

Speaker Flowers: "The Lady would like to bring House Bill 1475 back to Second for the purpose of an Amendment. Any objections? All those in favor 'aye'; opposed, 'no'. The 'ayes' have it. Mr. Clerk, would you please bring House Bill 1475 back. Mr. Clerk, are there any Amendments?"

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

Speaker Flowers: "Representative Currie, on Floor Amendment #1 to House Bill 1475."

Currie: "Thank you, Speaker and Members of the House. What this Bill does...what the Amendment would do, would first of all clarify that the measure which deals with working with youngsters on alternative dispute resolution would be added to the dangers of gang activity and hazards of gun possession would also not be a mandate on any school board, that the program would only be a requirement to the extent that federal or other funds are available."

Speaker Flowers: "On the Amendment, Representative Black."

Black: "Thank you very much, Madam Speaker. Would the Sponsor yield?"

Speaker Flowers: "Yes, she will."

Black: "Representative, did I hear you say the Bill, as amended, is not a mandate?"

Currie: "That's right, Representative. The provisions would be effective only to the extent and only at a time when funding is made available."

Black: "All right."

Currie: "Pursuant from private sources or from the federal government pursuant to the Federal Drug Free Schools and Communities Act."

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Black: "Okay. Now, it's my understanding that the language says that schools 'shall' implement this section, correct? But, it also says pursuant..."

Currie: "To...but only at the point at which funding is available. We have this argument on this floor from time to time, Representative Black, in which people say you're telling us to do something but you aren't paying for it. This Amendment would mean that House Bill 1475 would tell school districts to do it, but only when somebody else is prepared to pay for it. So in that sense it is not an unfunded mandate, so that it is a shell Bill, but it is not 'shall' until dollars are available, so our unfunded mandate program..."

Black: "Right. I stand corrected. I see that pursuant to any grants. But let me get to the heart of the issue, if I might. What we are telling schools to include in this unit, if they have money, is that this unit of instruction must include the danger of gang activity and the hazards of gun possession, correct?"

Currie: "As well as a focus on alternatives to violence when it comes to dispute resolution."

Black: "Alternatives to violence."

Currie: "Yes."

Black: "Kind of like Haight-Ashbury in the '60's, you know...freak out."

Currie: "I was thinking more in terms of...for example, if you and Representative Parke are having at it on the House floor, if you had as youngsters been involved in one of these programs at school that say, 'Look guys, there's another way to solve, resolve the problems between us'. That's what this is about."

Black: "Well, that problem started when we were very young, and



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it's carried over all these many, many years, but we don't have to get into tar and feathering anybody or anything like that in your Amendment; and, by the way, does the Amendment become the Bill?"

Currie: "Yes, it does. As the Bill was...essentially, but it doesn't delete everything, but the Bill, as originally introduced, only with the one topic and did not say anything about funding for this program."

Black: "Thank you very much, Representative."

Speaker Flowers: "Representative Persico."

Persico: "Will the Sponsor yield?"

Speaker Flowers: "Yes, she will."

Persico: "Representative, just a quick question. Are you basically, what are you saying then, that the school districts should prepare some sort of curriculum regarding conflict resolution but you don't have to implement it unless you get the money?"

Currie: "Well, in fact I think the way the Bill reads, the entire program would be contingent for school districts on funding."

Persico: "So the State Board of Education is not going to check up on school districts to see if they have a curriculum dealing with non-violent conflict?"

Currie: "That's right. Not unless money is available. The State Board of Education has a fiscal note that says that this would not be...there would be no cost. It is not an unfunded mandate."

Persico: "So, if a private source determines that they would like to give \$10,000 to one school district, let's say then...does your Amendment say, that then that school district has to implement that program?"

Currie: "If that moneys became available to them for that

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purpose, similarly, if monies from the Drug Free America Act became available for this kind of purpose, then, yes, the school district would be expected to create the curriculum."

Persico: "Thank you."

Speaker Flowers: "Representative Cowlshaw. Cowlshaw."

Cowlshaw: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. The underlying Bill that Representative Currie is attempting to amend here requires, it does not depend upon any funding, it simply requires that every school district in the state at every grade level has to conduct a unit of instruction in non-violent conflict resolution. Now we are going and add this Amendment that is...all I can think of is the poet who says, 'I have promises to keep and miles to go before I sleep'. We constantly make these promises about the fact that we think this is needed or that's needed in the curriculum, and then we say but of course if somebody else will provide the money, then of course we would want you to go ahead and do this. If we're not going to put our money where our mandate is, then we ought not to be passing the mandates. I think this Amendment is downright silly, but then, I think the Bill is silly. Most students upon whom Representative Currie wants to be sure that we impose these curriculum mandates, most of them can't spell the word 'non-violent', and they can't read the word 'conflict'."

Speaker Flowers: "Representative Roskam."

Roskam: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment and the concept as well, and not only will I see Representative Cowlshaw's criticism, but I'll raise it one. The notion

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that we in Springfield are in our wisdom telling local school districts what the curriculum is that they need to present to the children for me makes no sense. The idea that we're going to fillup precious classroom time with this type of coursework when we have children who cannot read, we have children who time and again we're told that they're having difficulty in arithmetic and all these other things is ridiculous, and even if a wheelbarrow full of money to pay for this comes down and is in front of the House chamber today, I think that we should oppose it, and I would ask for a Roll Call Vote. Thank you."

Speaker Flowers: "Representative Brunsvold, on the Amendment."

Brunsvold: "Thank you, Madam Speaker. I would just rise to oppose the Amendment. One, it is a mandate. We have had much discussion in committee on mandates, and the content of the mandate, the content of the Amendment also is an area that I don't agree on. We can cover a lot of different subjects dealing with a lot of different issues to mandate gun control or whatever you want to mandate, but I don't agree with that, I don't agree with the mandate. I agree with the original Bill. We passed it out of committee, and if this Amendment is not on it, I can support the Bill. But I would ask the Members on this side to consider not voting for this Amendment."

Speaker Flowers: "Representative Currie, to close."

Currie: "Thanks, Speaker. First of all, we're voting on the Amendment, not the Bill. Much of the discussion was about the Bill. I just remind you all that we do decide what the curriculum shall be. Our state statutes are filled with curriculum, including reading, writing and arithmetic. Secondly, on the question where this measure comes from, you'll be voting on this measure again. This is a proposal

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for the Cook County State's Attorney, Jack O'Malley. This Bill, under Republican Leadership, has already passed the state Senate, and I would think the fact that a Democrat is offering this proposal here is not a good reason for my colleagues on the other side of the aisle to think that it does not have merit. We can debate the Bill on Third Reading. Let me tell you what this Amendment does, is to try to respond to the concerns of school districts that say, 'Don't tell me what to do. If you don't tell me how to fund it'. The Amendment is really about saying you don't have to do it until we help you find the money so that it isn't going to cost you any extra. Anybody who looks at conflict in this society sees youngsters dying day by day, not just in the City of Chicago, but in community and community across this state because we don't know how to deal with anger. We don't know how to respond to rage. If our schools should do anything, they should make sure that our youngsters are civilized people who are aware of the dangers and risks in our life in 1993. I hope you will support me in the Amendment. I hope you'll support me in the Bill."

Speaker Flowers: "The Lady moves for the adoption of Amendment #1 to House Bill 1475, and there has been a Roll Call Vote requested. All those in favor vote 'aye'; opposed vote 'no'. The voting is now open. This is final passage on Amendment #1 to House Bill 1475. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Would the record please reflect Representative Lindner voting 'no' on Amendment #1 to House Bill 1475? Representative Balanoff would like to be recorded as voting 'aye'. On that, we have 30... Representative Lopez would like to be recorded as voting 'no'. Representative Stroger

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would like to be recorded as voting 'yes'. Are there any more changes in this House? Representative Dart would like to be recorded as voting 'no'. Are there any more changes? Representative Cory Pugh would like to be voted 'no'. Representative Dart, how do you want to...you want 'yes'. Representative Dart would like to be recorded as voting 'yes'. Are there any more changes? Changes going once, changes going twice. Changes are not gone yet. Representative Homer would like to be recorded as voting 'no'. Are there any more changes before I call the roll. On House Bill 1475, Amendment #1, there are 37 voting 'yes', 74 voting 'no'. This Amendment fails. Mr. Clerk, are there any more Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Flowers: "Representative Currie, in the Chair."

Speaker Currie: "Continuing on the same Order, House Bill 2013, Representative Bugielski. Representative Bugielski. Is Representative Bugielski in the chamber? Representative Saviano for Representative Bugielski? Clerk, read the Bill. Representative Saviano, for what reason do you arise."

Saviano: "Madam Speaker, this is on the Agreed Bill List."

Speaker Currie: "Okay, then we won't call it. We'll now go to Second Reading...Second Readings on the Law Calendar. The first Bill is House Bill 49, Representative Daniels. This is a Bill that was held on Second Reading. I believe we were waiting for a fiscal note. Representative Johnson. Clerk, read the Bill."

Clerk Rossi: "House Bill 49, the Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Currie: "Is there a fiscal note or any other note

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requests, and have those requests been complied with?"

Clerk Rossi: "All notes have been filed."

Speaker Currie: "Third Reading. House Bill 52, Representative Daniels. Clerk, read the Bill."

Clerk Rossi: "House Bill 52, the Bill has been read a second time previously. No Committee Amendments. No Floor Amendments. All notes have been filed on the Bill."

Speaker Currie: "Third Reading. House Bill 53, Representative Johnson for Representative Daniels. Clerk, read the Bill."

Clerk Rossi: "House Bill 53, the Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. No further Amendments. All appropriate notes have been filed."

Speaker Currie: "Third Reading. House Bill 96, Representative Wennlund. Clerk, read the Bill. (House Bill) 696. (House Bill) 696. Representative Wennlund."

Clerk Rossi: "House Bill 696, the Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. No Floor Amendments. All appropriate notes have been filed."

Speaker Currie: "Third Reading. House Bill 767, Representative Dunn. Are you ready, Representative Dunn? Representative Dunn? Out of the record. House Bill 1686, Representative Churchill. Representative Churchill. Out of the record. House Bill 1723, Representative Dart. Clerk, read the Bill."

Clerk Rossi: "House Bill 1723, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Dart."

Speaker Currie: "Representative Dart."

Dart: "Thank you, Madam Speaker. Amendment #1 would clarify the

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Bill as it was drafted originally, and I move for its adoption."

Speaker Currie: "Representative Dart moves adoption of Amendment #1 to House Bill 1723; and, on that Motion, is there any discussion? Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. With the noise level as high as it is, will the Sponsor yield?"

Speaker Currie: "Indicates he will."

Wennlund: "Representative Dart, could you explain to us what this Amendment does to the Bill? The noise level...could we have some order in the House for a minute?"

Speaker Currie: "A little order. A little order."

Dart: "What the Amendment attempts to do...the Bill as it originally was drafted...there were some concerns voiced in committee that it was not as artfully drafted as it should. This was an Amendment...a Bill that came about as a result of some problems the Attorney General's office was having in regards to cases dealing with state aid fraud in cases like that and the courts had made a couple decisions where it was unclear in the law as far as when the term actually ran in these particular cases. This Bill was drafted by the individuals who deal with these cases to answer that problem."

Wennlund: "Does the original Bill stay intact?"

Dart: "No, this...this replaces everything after the enacting clause. This became the Bill."

Wennlund: "Okay. Thank you very much."

Speaker Currie: "Further discussion? If not, the Motion is to adopt Amendment #1 to House Bill 1723. All in favor indicate by saying 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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Speaker Currie: "Third Reading. Next Bill is House Bill 1775, Representative Leitch. Out of the record. (House Bill) 1832, Representative Lopez. Clerk, read the Bill."

Clerk Rossi: "House Bill 1832, a Bill for an Act amending the Criminal Code of 1961. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Lopez."

Speaker Currie: "Representative Lopez."

Lopez: "Thank you, Mr. Speaker. What this Amendment does...is make an unlawful sale of an electronic paging device, to knowingly sell an electronic paging device to any person under the age of 18 without consent from a parent or legal guardian. This Amendment will actually become the Bill."

Speaker Currie: "Representative Lopez moves 'do adopt' on Amendment #1 to House Bill 1832; and, on that Motion, is there any discussion? Hearing none, all in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Currie: "Representative Lopez. Representative Lopez."

Lopez: "Yeah. I want to table Amendment #1, and put in Amendment #2."

Speaker Currie: "Representative Lopez asks leave to table Amendment #1. Is there leave? Leave is granted, and now Representative Lopez, on Amendment 2."

Lopez: "What this Amendment will do is make it unlawful...sale of electronic paging device to any person under the age of 18 without consent from a parent or legal guardian. It will make it unlawful to sell a beeper."

Speaker Currie: "Representative Lopez moves 'do adopt' on Amendment 2 to House Bill 1832; and, on that question,



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Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. An inquiry of the Chair. Both Amendment #1 and Amendment #2 have the same LRB number. Is there a change in #2? Is that the reason I was... They appear to be the exact same language and have the exact same LRB number."

Speaker Currie: "Representative Lopez, can you enlighten us on that question? Is a staffer available? They are the same. He has tabled Amendment 1, so we're only dealing with Amendment 2, and maybe he likes that. Maybe it fits on the page a little better than Amendment #1 did."

Wennlund: "Okay."

Speaker Currie: "Further discussion? Is there any further discussion? If not, all in favor signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. Amendment 2 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments, but a fiscal note has been requested on the Bill."

Speaker Currie: "Has the fiscal note been filed?"

Clerk Rossi: "The note has not been filed."

Speaker Currie: "Hold the Bill on Second Reading. House Bill 2094, Representative Walsh. Out of the record. Out of the record. House Bill 2278, Representative Roskam. Out of the record. Representative... 2356, Representative Laurino. Representative Laurino. Representative Dart will handle the Bill. Clerk, read the Bill."

Clerk Rossi: "House Bill 2356. The Bill has been read a second time previously. Amendments 1, 2 and 6 have been adopted to the Bill."

Speaker Currie: "And fiscal notes and so forth have been filed?"

Clerk Rossi: "No Motions filed."

Speaker Currie: "And...and... Were the fiscal note requests

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responded to?"

Clerk Rossi: "The notes have been filed."

Speaker Currie: "Third Reading. Let's go back for a moment to House Bill 1832, Representative Lopez. It's my understanding that the fiscal note request is being withdrawn. Is that accurate? Mr. Black? Mr. Black, are you withdrawing the fiscal note request on House Bill 1832? You are withdrawing the fiscal note, so House Bill 1832 is moved to Third Reading. And House Bill 2356 moved to Third Reading. House Bill 2357. Clerk, read the Bill."

Clerk Rossi: "House Bill 2357. The Bill has been read a second time previously. No Amendments have been adopted. All appropriate notes have been filed."

Speaker Currie: "Third Reading. House Bill 2358, Representative Laurino. Clerk, read the Bill."

Clerk Rossi: "House Bill 2358. The Bill's been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. No further Floor Amendments. All appropriate notes have been filed."

Speaker Currie: "Third Reading. House Bill 2359. Can you just report the status of the Bill and then we can...read it a second time."

Clerk Rossi: "House Bill..."

Speaker Currie: "I'm sorry. You don't...you don't need to read it a second time. Just tell us the status of the Bill and we can move it to Third."

Clerk Rossi: "House Bill 2359 has been read a second time previously. Amendments 1, 2 and 3 have been adopted to the Bill. No Motions filed. Floor Amendment #5, offered by Representative Turner."

Speaker Currie: "Representative Dart will handle the Amendment. Representative Homer, I'm sorry. Representative Homer was

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prepared to do this. Representative Homer, on Amendment 5."

Homer: "Thank you. Yes, I'm a Co-Sponsor of the Amendment, Madam Speaker. I... This was an Amendment that was agreed to...during the debate of the Bill on Second Reading that...simply provides that the judge 'shall' sentence the...person convicted of the enumerated offenses to either a prison term or boot camp and, also, exempts those who are physically unable to participate from that provision. So, it's an agreed Amendment. I would move its adoption."

Speaker Currie: "Representative Homer moves 'do adopt' on Amendment 5 to House Bill 2358 (sic - 2359); and, on that question, Representative Wennlund."

Wennlund: "Thank you...thank you, Madam Speaker. Inquiry of the Chair. Do we have the wrong Bill number up there? I only have one Amendment in this file on...on 235... Ah."

Speaker Currie: "Ah. We do have the wrong Bill up there. Thank you. You're very perceptive, Representative. This should be House Bill 2359."

Wennlund: "Thank you."

Speaker Currie: "Now are you happy?"

Wennlund: "Can we... Well, I...I just wanna see...see what the Amendment is first. Will the Sponsor yield?"

Speaker Currie: "Indicates he will."

Wennlund: "...Representative Homer, does...does this return the discretion to the courts to determine whether or not a person is eligible for IIT?"

Homer: "Yes, in the first instance, it does. Yes, it... The original language had a provision that the...court 'shall' sentence the person to boot camp, and this says 'either prison or boot camp' unless the person is disabled, in which case the provision wouldn't apply."

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Wennlund: "It...it doesn't make it totally permissive, it just says..."

Homer: "In other words, if someone's convicted of one of these... It only applies to these enumerated offenses, these second or third...UUV charges and so forth, and it says if the person stands convicted of that the judge has two choices, either boot camp or prison. And...that's...that's what the Bill...that's what this Amendment does. The original Bill, Representative Wennlund, said that...mandatory boot camp. And in debate we said, 'Well, what if the judge wanted to sentence the individual to prison?' And so Representative Turner agreed...that well then we'd have an Amendment to make it elective for the court to decide which would be more appropriate."

Wennlund: "Very good. Thank you very much."

Speaker Currie: "Further discussion? If not, all in favor of adopting Amendment 5 to House Bill 2359 indicate by saying 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Any outstanding fiscal notes or other requests?"

Clerk Rossi: "All notes have been filed."

Speaker Currie: "Third Reading. We'll now go back to the same Order to pick up Representative Churchill's Bill, House Bill 1686. Clerk, read the Bill."

Clerk Rossi: "House Bill 1686, a Bill for an Act to amend the Illinois Controlled Substances Act. Second Reading of the Bill. No Committee Amendments."

Speaker Currie: "Any Floor Amendments?"

Clerk Rossi: "No Floor Amendments."

Speaker Currie: "Third Reading. We're moving now to Second Readings on Business and Job Development. The first Bill

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is House Bill 211, Representative Kaszak. Out of the record. House Bill 212. Clerk, read the Bill."

Clerk Rossi: "House Bill 212, a Bill for an Act in relation to professional regulation. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Kaszak."

Speaker Currie: "Representative Kaszak."

Kaszak: "Yes, Speaker. I'd like to withdraw Amendment #1."

Speaker Currie: "Further...Does she have leave to withdraw Amendment #1? Leave is granted. Further Amendments?"

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

Speaker Currie: "Representative Kaszak."

Kaszak: "Thank you, Speaker. This Amendment to House Bill 212 addresses the problem of the fact that we have occupation...health occupation licensing being distributed in several agencies in state government. Currently, the Department of Public Health licenses asbestos workers and emergency medical technicians and pest control technicians, and it would seem that for the convenience of those who are applying for certification and for licensing and for the convenience of the public in...in lodging any complaints that they have, and also in an attempt to consolidate any unnecessary certifications and licensing, it would make sense to transfer these licenses to the Department of Professional Regulation. And this Amendment would call upon the Department of Public Health to develop a plan for transferring certain health-related professions to the Department of Professional Regulation."

Speaker Currie: "Representative Kaszak moves 'do adopt' on Amendment 2 to House Bill 212;, and, on that Motion, Representative Black. He's not ready. Representative

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Wennlund."

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

Speaker Currie: "Indicates she will."

Wennlund: "Now, as I understand this, how many licensing, certification and accreditation programs would be transferred from the Department of Public Health of the Department of Professional Regulation?"

Kaszak: "It would depend on the recommendation of the Department of Public Health. They handle a total of about 30 licenses and what we're looking at them to do is to come back with recommendations on ones which might be better administered in the Department of Professional Regulation."

Wennlund: "Now, I noticed one thing, that there's one area that you decided to leave with the Department of Public Health, and that's the Illinois Plumbing License Law. Is that the only one?"

Kaszak: "I can explain that. It has come to my attention that there has been a long history of attempting to get a well-functioning regulation of plumbers and currently, not only the industry but also the plumbers are very satisfied with the current arrangement under the Department of Public Health; and, secondly, it is very much related to the departments' activities in terms of maintaining health. So we decided to leave that out at this time. If the department would like to transfer it, maybe they should recommend that."

Wennlund: "Well, the Amendment specifically excludes the Illinois Plumbing Licensing Law. Perhaps that was done in deference to Representative Giglio. But what about the other areas? I think maybe they're very satisfied under the Department of Public Health, or let me ask you this question. Who is not satisfied currently being regulated by the Department

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of Public Health?"

Kaszak: "What I'm attempting to do is to address that...the fact that we have similar titles being distributed between two different departments. For example, emergency medical technicians are being licensed by the Department of Public Health and I see no particular reason why they should not be...their licensing should not be handled by the Department of Professional Regulation, which handles similar types of titles. This Bill would just call upon the Department of Public Health to come back with recommendations as to which titles would be more appropriately handled by the Department of Professional Regulation."

Wennlund: "Well, it appears that this Amendment requires the department...it 'shall implement and perform all steps necessary to prepare for the transition and licensing of all these 30 some professions under the auspices of the Department of Professional Regulation'. Now, have you spoken to the department about this?"

Kaszak: "I had a conversation with them yesterday on it."

Wennlund: "And did they express any position?"

Kaszak: "Not at that time."

Wennlund: "I'm just informed that the Department of Professional Regulation is opposed to this, that they have not had an opportunity to...to review it. They have no money in the budget for it, won't be able to handle it or accommodate it, and this Amendment carries with it no more appropriations of funds to...to enable them to be able to do it. Now, could you tell the..."

Kaszak: "I could respond to that if you'd give me just a second. I mean, what we're looking at doing would be transferring the personnel and the computers or whatever it is that the

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Department of Public Health uses, transferring that over to the Department of Professional Regulation to accommodate them."

Wennlund: "Will it transfer the money to pay for these new employees of the Department of...Professional Regulations going to have to expend?"

Kaszak: "I'm sorry. I can't hear you."

Wennlund: "I said will it also transfer..."

Speaker Currie: "Can we have a little order in the chamber, please? Quiet down."

Wennlund: "Will it also transfer over the money from the Department of Public Health to the DPR to enable them to implement the program?"

Kaszak: "I missed the first part of your question."

Wennlund: "Well, you stated that it would transfer employees over and would transfer computers over. Will it also transfer money to pay for the payroll of these new employees that DPR would have to hire?"

Kaszak: "Sure. Yeah."

Wennlund: "It does?"

Kaszak: "Yeah."

Wennlund: "And can you show me where in the Amendment it does that?"

Kaszak: "That would happen in the appropriation process."

Wennlund: "In the appropriation process?"

Kaszak: "Right. Next year. It wouldn't happen immediately because we're looking for recommendations from Public Health as to which ones should be transferred."

Wennlund: "Now, you stated in your remarks that it was going to save any money. Can you tell us how it's going to save money?"

Kaszak: "No, I didn't say it would save money. I said what it



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would do would simplify how it is that people deal with government. I mean, one of the frustrations that people have in dealing with government is that we take similar types of activities and spread it out over four or five different agencies, and that leads to ultimate frustration, not only for the people who are being regulated, but also for the people who are consumers or who benefit from the regulation. So this along with a number of other Bills is an attempt to try to focus our efforts so that people can find out about regulations, find out about licensing all in one place and find if people are going to be filing complaints against a particular profession, find out about that in one particular location."

Wennlund: "What was the genesis of the Amendment? What brought it about?"

Kaszak: "It was an analysis that I have done in talking with not only with staff members but other people in the profession as to the concerns and confusions they have about dealing with government and government regulation."

Wennlund: "Was there a particular concern or problem with the Department of Public Health that lead to this?"

Kaszak: "The general concerns that have come out in a whole variety of areas is that people do not know how to deal with state government. They are frustrated. They don't know who to call. They are...you know, they'd sooner, you know, give up, than you know attempt to try to figure out where things are housed in state government."

Wennlund: "Thank you. To the Amendment, Ladies and Gentlemen of the House. This Amendment had never been heard in any committee. It has a significant impact on the Department of Professional Regulations who doesn't either have the money or the staff to be able to implement this transfer of

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30 some licensed professions from the Department of Public Health to the Department of Professional Regulation, and it doesn't provide them or guarantee them that there's going to be money there to start implementing this transfer. This is an untimely Amendment and one which was violently opposed by the Department of Professional Regulation and probably by the Department of Public Health. The Amendment ought to be voted down and we oughta consider this matter further up the road."

Speaker Currie: "Further discussion? Representative Black."

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

Speaker Currie: "Indicates she will."

Black: "Representative, what are you doing to Hulk Hogan with this Amendment."

Kaszak: "I'm sorry. What?"

Black: "What are you doing to Hulk Hogan with this Amendment."

Speaker Currie: "I think Hulk Hogan was the question."

Black: "I see boxing and wrestling up there. What are you doing to Hulk Hogan? All you little Hulksters, all you Hulk Hogan fans, listen up here. I want to know what you're doing to Hulk Hogan."

Kaszak: "Is that one of the new freshmen on the Republican side?"

Black: "No, that was Representative Helm, and he's no longer here. Thank you very much, Representative. Madam Speaker and Ladies and Gentlemen of the House, here's a Bill that's titled boxing and wrestling and the Sponsor doesn't even know who Hulk Hogan is. Holy toledo. Now listen up here. How many of you people have had a problem with the Department of Professional Regulation? How many of you had to wait and wait and wait to get a doctor licensed, a nurse licensed or God knows who licensed? Then why in the world

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would you want to vote for this Amendment that says Professional Regulation is going to regulate everybody? Hulk Hogan, Sugar Ray Leonard, I don't know, boxing, wrestling, technical...technical foul. I don't know what this does, you don't know what this does. In that case, for once be reasonable. Play it safe. Vote 'no'. Roll call, Madam Speaker."

Speaker Currie: "Further calm and deliberate discussion, Representative Ryder."

Ryder: "Thank you, Speaker. I appreciate the opportunity to speak on this issue, and let me, if I could, have a little order please."

Speaker Currie: "We keep trying. Order, please. The Gentleman's right. We can't hear."

Ryder: "All right. It's a function of the Speaker to be able to keep order in the Chair. Thank you very much. The fallacy of what it is that this Amendment does is by suggesting that if you move around functions within state government, it either saves money or gives more direct response, but the fallacy is you've got two departments that are able to take care of those professions that they now have. We don't need to study that. They're doing it. If, for example, we wanted to move the plumbers from public health to someplace else, my guess is the plumbers would be coming to us. I haven't heard from the plumbers. If we wanted to move some other organizations, they would probably come to us. They're not speaking either. It doesn't work to move charts on...or names on an organizational chart and say somehow we're improving government. We're simply rearranging government. That doesn't work. However well-intended this Amendment may be, it doesn't help, it hurts state government, and I would strongly urge...I

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would strongly urge that we reject the Amendment, and we get on with more productive business of the House."

Speaker Currie: "Further discussion? Representative Giglio"

Giglio: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Well, the previous speaker said he didn't hear from one of the plumbers, so the plumber's going to speak. This is a good Amendment because it leaves the plumbers under the Department of Public Health, which the plumbers protect the health of the nation, and that's why we want this Amendment and that's where it should stay, in the Department of Public Health. So vote for the Amendment."

Speaker Currie: "Representative Kaszak, to close."

Kaszak: "Thank you, Speaker. I just would like to explain the importance of trying to consolidate particular functions in one place. The citizens and professionals are constantly being frustrated by their attempt to deal with state government, and many of these things are developed out of a long history and bureaucratic defensiveness and territory. And I think it's really important that we look at the alternatives to organizing government and simplifying it so that it's much more user-friendly. Thank you."

Speaker Currie: "Representative Kaszak moves 'do adopt' on Amendment 2 to House Bill 212; and, on that, all in favor vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Amendment, there are 35...this Motion, there are 35 voting 'aye', 75 voting 'no', and the Amendment fails. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "All right. The Bill will stay on Second Reading. House Bill 973, Representative McGuire. Are you ready for that Bill to be called on Second Reading?"

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Representative McGuire. Out of the record. Representative LeFlore, House Bill 1053. Who is handling that Bill for Representative LeFlore? Out of the record. No, Representative Morrow for Representative LeFlore, on House Bill 1053. Clerk, read the Bill."

Clerk Rossi: "House Bill 1053. The Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. Floor Amendment #2, offered by Representative Wennlund."

Speaker Currie: "Representative Wennlund, on Floor Amendment #2. Representative Morrow moves to table Amendment 2, and, on that Motion, all in favor signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is tabled. Further Amendments?"

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

Speaker Currie: "Representative Morrow."

Morrow: "Yes, thank you, Madam Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 to House Bill 1053 basically tightens up some of the language that we had in Amendment #1. It changes the definition of 'principal'. It allows or deletes some of the broad language allowing the finance authority to do anything necessary to carry out powers and purposes under the program, provides that guarantees under this Act only apply to performance bonds up to a half-million dollars. It was previously \$1 million. It requires a business receiving a guaranteed performance bond to be a small business that has assets, income and employees that do not exceed maximum limits set by the advisory council, reduces by one from five to four the number of other persons who shall be on the advisory board. I urge passage of Amendment #3 to House Bill 1053."

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Speaker Currie: "On that Motion, Representative Black."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. To the Amendment. You know, we sometimes have to do a lot of silly things down here, but on occasion, we work very well together, and that's the case here. Representative Morrow has worked very diligently with the Department of Commerce and Community Affairs. He's put together what I think is a model Amendment and it becomes now a model Bill, and I simply rise to support the Gentleman in his efforts."

Speaker Currie: "Further discussion? If not, all in favor of the Amendment signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. House Bill... Out of the record. House Bill 1443, Representative Stroger. I'm sorry. Before we get to that one, House Bill 1316, Representative Kaszak. Clerk, read the Bill."

Clerk Rossi: "House Bill 1316, a Bill for an Act in relation to environmental protection. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Kaszak."

Speaker Currie: "Out of the record. House Bill 1443, Representative Stroger. Are you ready, Representative Stroger? House Bill 1443. Do you want that Bill on Second Reading? Clerk, read the Bill."

Clerk Rossi: "House Bill 1443, a Bill for an Act to amend the Illinois Public Labor Relations Act. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. Representative Giglio, on House Bill 1934. Representative Giglio. Out of the record."

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There he is. Representative Giglio, on 1934. Clerk, read the Bill. Second Reading."

Clerk Rossi: "House Bill 1934, a Bill for an Act to amend the Illinois Architecture Practice Act of 1989. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Giglio."

Speaker Currie: "Representative Giglio, on Floor Amendment 1."

Giglio: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. What the Amendment does, it streamlines the Architectural Professional Engineers and Structural Engineers and Land Surveyors Practice Act into one master firm called the Design Professions Firm. The establishment of the firm will allow for improved recordkeeping and enforcement by maintaining one master firm registration rather than four. The Amendment also adds that if a professional design firm has a branch office, they must also have a resident professional in the office. This Amendment, which is the Bill now, is an agreement between the professional regulations, the architects and everybody involved, so I would ask for your adoption."

Speaker Currie: "Representative Giglio moves 'do adopt' on Amendment 1 to House Bill 1934; and, on that question, all in favor signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. Representative Brunsvold, for what reason do you rise?"

Brunsvold: "Thank you, Madam. A question of the Chair?"

Speaker Currie: "What's your inquiry?"

Brunsvold: "It's right now supper hour, and I was wondering if this possibly would be a vote on pizza or chicken or would

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we start warming up the toad oil soup?"

Speaker Currie: "So, you'd like to know from the Chair whether Representative Daniels and Representative Madigan are prepared to 'pop' for supper, is that the..."

Brunsvold: "Are our esteemed leaders going to feed the hungry birds?"

Speaker Currie: "...that would be the question for the day, and whether it might be chicken or pizza is wish-bone thinking. I'll...the Chair will check to see if we can find out an answer and we'll try to find an answer soon. Representative Ryder. House Bill 1939, Representative Steczo. Clerk, read the Bill."

Clerk Rossi: "House Bill 1939, a Bill for an Act in relation to employment training. Second Reading of the Bill. Amendment #1 has been adopted previously. No Motions filed. Floor Amendment #2, offered by Representative Steczo."

Speaker Currie: "Representative Steczo."

Steczko: "Thank you, Madam Speaker. Amendment #2 is provided for me by the Legislative Reference Bureau who indicated that it was a technical Amendment which needed to be placed on the Bill, so I'd move for its adoption."

Speaker Currie: "Representative Steczo moves 'do adopt' on Amendment 2 to House Bill 1939. All in favor indicate by saying 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments, but a fiscal note has been requested on the Bill."

Speaker Currie: "Third Reading. Oh, sorry. A fiscal note has been requested on the Bill, not yet complied with. The Bill will remain on Second Reading. Representative Saviano, House Bill 2036. Clerk, read the Bill."



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Clerk Rossi: "House Bill 2036, a Bill for an Act to amend the Minimum Wage Law. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Steczo."

Speaker Currie: "Representative Steczo."

Steczko: "Madam Speaker, withdraw Amendment #1, please."

Speaker Currie: "The Amendment is withdrawn. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. Let's go back to House Bill 1316, Representative Kaszak. Clerk, read the Bill."

Clerk Rossi: "House Bill 1316, the Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Kaszak."

Speaker Currie: "Representative Kaszak."

Kaszak: "Thank you, Speaker. House Bill 1316 arises out of a concern that small businesses have been having regarding contacting a regulatory agency in order to get the information that they need on environmental regulations and pollution prevention. Businesses need information, but they are very fearful of calling a regulatory agency. At the jobs summit and at other times, there have been stories about people who wouldn't even use their phone in order to...and who use fictitious names in order to contact the regulatory agency because of these fears. This Bill is part of a larger effort to move non-regulatory business assistance work out of the Illinois Environmental Protection Agency into non-regulatory agencies, and this Bill provides that the Illinois Environmental Protection Agency would be required to the extent possible to apply for federal funds for environmental work which may be performed by other agencies under contract with the

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Illinois Environmental Protection Agency, and I ask for your support."

Speaker Currie: "Representative Kaszak moves 'do adopt' on Amendment 1 to House Bill 1316; and, on that Motion, Representative Black."

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

Speaker Currie: "She will."

Black: "Representative, in all seriousness, is this somewhat similar to the Amendment we just had with a transference of...from public...professional regulation and public health and all that? It's kind of the same concept, isn't it?"

Kaszak: "Mr. Black, what it deals with is the need to move not environmental assistance efforts out of a regulatory agency because of the fear that businesses have about calling a regulatory agency to get basic information. And the proposal that I have been working on and discussing with business leaders throughout the state is to move it...move some of this work into the Department of Energy and Natural Resources and into the Department of Commerce and Community Affairs. We want to make sure though, that in that process, we do not in any way endanger the obtaining of necessary federal matching funds, and what this Amendment would do would be to require and direct and to authorize the Illinois Environmental Protection Agency to obtain the necessary federal moneys and enter...in an anticipation that they would be entering into contracts with the other departments to assist in that effort."

Black: "Well, that...on the surface, Representative, it doesn't seem like a bad idea, but you know, where's the savings? I mean, you're...again, this is just an internal transfer of

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duties and responsibilities, and I really don't see where we're going to save any money, eliminate any overhead or reduce any employees. Do you see that in here somewhere?"

Kaszak: "What I can tell you is that currently, our efforts in this area do not yield nearly the amount of benefits that they can yield throughout the state small businesses are complaining that they fear calling the Illinois Environmental Protection Agency and they really need the information. And so that to the extent to which the Department of Energy and Natural Resources has funds available to it to provide on-site assistance and to the extent to which the Department of Commerce and Community Affairs can do outreach, I think we're going to get much more of a bang for our buck."

Black: "Well, all right, but...but current law allows the IEPA to apply for and oversee all federal grant applications for all purposes under the IEPA Act, all right? Now, you're going to require EPA to do this, correct?"

Kaszak: "That's correct."

Black: "And you're going to require them to do this regardless of whether any state agency other than the IEPA such as IDOT, DENR actually administers the program, correct?"

Kaszak: "Under the proposal, the non-regulatory activities of the Illinois Environmental Protection Agency would be transferred to two other agencies, the Department of Commerce and Community Affairs and the Department of Energy and Natural Resources. This would make it clear that in the transference of those responsibilities, the Department of...the Illinois Environmental Protection Agency would continue to be the applicant for federal funds and then would enter into inter agency contracts for administration of the programs."

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Black: "Representative, can you tell me where in this Amendment anything is transferred to DCCA?"

Kaszak: "The transfer does not occur in this Bill. It's a combination of another Bill and the appropriations process. What this Bill does, is clarify that the obligation of the Illinois Environmental Protection Agency goes beyond its...the programs it administers, but extends also to programs other agencies administer."

Black: "Well, thank you very much, Representative. Madam Speaker and Ladies and Gentlemen of the House, in all due respect to the Sponsor, I asked what Amendment #1 does, and in that discussion, things are...things were alluded to that Amendment doesn't...Amendment #1 doesn't do. There isn't anything in Amendment 1 about where this is transferred or who will take care of it. All this Amendment does, look at it carefully, all it does is change current practice. It says, today we say the IEPA 'can apply and oversee all federal grants'. This Amendment says the IEPA 'will', 'shall'. It's required that they do this, no matter who administers the grant. In all due respect to the Sponsor, I'm not sure this Amendment should come to us blown out of Rules Committee yesterday. This is an extremely complicated measure that doesn't do anything that what she was talking about. It just simply codifies a current practice and changes that practice. It isn't going to save any money. If anything, it's going to make IEPA more omnipotent than it is. I would suggest a 'no' or 'present' vote on this. If we're going to consolidate government, let's put it in Bill form, run it through the committees, have testimony, and then we'll know what the heck we're voting on. This explanation was very confused as to what this Amendment does; and, on that basis alone, I intend to

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vote 'no', and I ask for a Roll Call Vote, Madam Speaker."

Speaker Currie: "Further discussion? Representative Ryder."

Ryder: "Thank you, Madam... Thank you, Speaker. Would the Sponsor yield, please?"

Speaker Currie: "She will."

Ryder: "Thank you. Representative, I'm a little lost on the procedural aspects. Did you present House Bill 1316 in committee?"

Kaszak: "The... No, it was not presented in committee. It was a shell Bill."

Ryder: "Well, if it wasn't presented in committee, how is it that we're so honored to have it on the floor at this time?"

Kaszak: "It is part of the continuing efforts to try to bring some ability on the part of the State of Illinois to service small businesses and it..."

Ryder: "Representative, was not this Bill 'slam-dunked' out of rules yesterday at 5:00?"

Kaszak: "It came out of rules yesterday."

Ryder: "That's right. That's what I thought. We have... To the Amendment, Speaker."

Speaker Currie: "To the Amendment."

Ryder: "We have before us an idea that did not go through committee. In fact we have a Bill that was never called in committee. As a result, it completely by-passes the committee process. I had a few Bills that didn't get heard in committee myself, but they're now either in Rules or Interim Study or otherwise unavailable. I don't know what's special about this one. I don't know what is so important about the moving a few names on a chart, but it does seem to me that if we're going to have a committee system that works, in this Legislature, that we should not be adopting Bills in this fashion, and for the procedural

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reasons in addition to the substantive reasons, I also intend to vote against this Bill and ask for your support against the Bill. Thank you, Speaker."

Speaker Currie: "Representative Kaszak, to close."

Kaszak: "Thank you, Speaker. The Amendment merely directs that we obtain the maximum amount of federal funds available to us regardless of who performs the environmental protection assistance effort, and I believe that this is a proposal that should be supported on both sides of the aisle, because I believe not only should we get the federal funds that we need, but also we ought to be providing assistance to small businesses and mid-sized business in the most effective way possible, and I ask for your support of the Amendment."

Speaker Currie: "The question is, 'Shall this Amendment pass? Shall the Amendment be adopted?' All in favor indicate by voting 'aye'; opposed, 'no'. Voting is open. Turner votes 'aye'. On this Motion, 58 voting...59 voting 'aye', 51 voting 'no'. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. House Bill 1396, same Order of Call, Representative Kaszak. Clerk, read the Bill."

Clerk Rossi: "House Bill 1396, a Bill for an Act to create the One Stop Shopping for Business Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Kaszak."

Speaker Currie: "Representative Kaszak."

Kaszak: "Thank you, Speaker. Frequently in this chamber, and I'm sure we in our districts go around talking about the importance of growing and encouraging the growth of businesses, of helping the development of women and

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minority businesses, about assisting the growth of locally-owned small businesses, but frequently we spend our time finger-pointing, we spend our time talking about foreign competitors and talking about nationwide problems that have an impact on our...on business or on our business activity. Last year I've had the opportunity to spend time talking not only to civic leaders but business leaders and union leaders and community people and economic development experts and economists, and what they say is, 'We've met the enemy', and in many cases the enemy is us. One of the things that we do in government is we make it difficult for businesses to start up and to grow. We tell people, businesses that we're glad that you want to start a business, but then you have to figure out where you get the permit, and who to apply and what to say on your application and figure out what regulations apply to you, and then you have to figure out how you can get this done in a reasonable period of time so that you're still interested in continuing in your business. You have to...you hear that there are programs to assist small businesses, but you can't figure out where they are. You hear there's loans, but you don't know where they...how you get the loans. What this Bill does is an attempt to consolidate our business assistance activity for small and mid sized businesses within the Department of Commerce and Community Affairs. It would assist businesses with 500 or fewer employees, and it's modeled after a successful program in New York State, that not only we would have a toll-free number where individuals can call throughout the state to get basic information about starting a business and what other assistance efforts, loans, job training programs and business assistance efforts exist in the

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state, but would also set up a system similar to what they have in New York for a master application. If a person is starting a business or expanding their business, they are given the opportunity to fill out a short four or five page form that describes their activity. That form is then sent to other...the other agencies that may have an interest in this activity in terms of regulating it, and that...those other offices need to get back to the central office within two weeks, so that within two weeks a business knows what permits it needs and how to go about getting them and has a copy of the form. We would also provide assistance for these businesses in completing the form, and also when they get jammed in a particular agency, provide them assistance in seeing what can be done to assist and expedite their efforts. It would provide on-site assistance in enterprise zones or economically distressed areas, in infrastructure projects there would be a quick turnaround time and also on-site assistance, and it would also, related to my prior Bill, provide on-site environmental assistance, so you would have...similar to what is occurring now, the Department of Commerce and Community Affairs going out to businesses and providing and connecting them with the Department of Energy and National Resources who is staffed with numerous scientists and environmental experts who can assist in this effort and provide information in a non threatening fashion. They would also have the ability to maintain statistical information on how long it takes for a department to get back to a business on their permit application. It would also review the whole permit application process to come up with recommendations on how we can eliminate unnecessary or duplicative permit requirements and expedite the time processing of these



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applications, so I would ask for your support. Thank you.

I ask your support on Amendment 1."

Speaker Currie: "Representative Kaszak... The Motion is to adopt Amendment 1 to House Bill 1396; and, on the Motion, Representative Black."

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

Speaker Currie: "She will."

Black: "Yes. Representative, could you repeat that explanation?"

Kaszak: "You know, I've said it so many times I think I could. Probably verbatim."

Black: "In the time that you took to do that explanation, ten businesses have left Illinois and 21 have come in."

Kaszak: "Well, then we'd better pass this real fast, Representative."

Black: "No, I... Representative, in all due respect to you, let me ask you some questions. This is a great concept. I don't quarrel with the concept. Nobody in here quarrels with the concept. But why is this Bill that we're discussing... why has this already been released to the media in a press release?"

Kaszak: "I didn't release anything."

Black: "It has. It's already out in press row. This Bill's already passed, so what are we doing discussing it?"

Speaker Currie: "Could you confine your remarks to the Amendment, Representative?"

Black: "All right. Well, the explanation went on for so long, I forgot my questions. I'll do the best I can."

Speaker Currie: "We can get back to you later."

Black: "Madam Speaker and Ladies and Gentlemen of the House, to the Amendment. Now, this is the Amendment that she talked about on the previous Bill that wasn't in the previous

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Amendment. So now we get to the Amendment that says, we're going to create a One Stop Shopping Center for small business. Well, there isn't anything wrong with that concept. Will all of you look in the mirror? Who dismantled DCCA? Who dismantled DCCA? We stripped hundreds of millions of dollars out of that agency, but now we're going to make it the One Stop Shopping Center for all the information. What do you think the Small Business Development Centers are? What do you think DCCA was trying to do until we, we collectively, took hundreds of millions of dollars out of their budget? Now, here's a great idea, but DCCA hasn't even had a chance to look at the Amendment. They're trying to analyze the Amendment right now. They have one person that works in this agency under this title. One person, and you're going to tell me that we're going to serve a state of 11.5 million people with one person assigned to the agency to do this? It's a great idea. There isn't any funding mechanism. There isn't any money. It's a great idea, and it's already a press release. It's already out that it's a press release. So I would say to my friends in the media, some Latin term, 'caveat emptor', let the buyer of that press release beware, but I didn't write it, and I'm not going to vote for it because this is phoney-baloney. I vote 'no'."

Speaker Currie: "Further discussion? Representative Granberg."

Granberg: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in support of Amendment #1 and to my friends on both sides of the aisle, how many times in your respective districts have we dealt with small business people who don't have the faintest clue of what rules and regulations effect their business, where to go for grants, where to go for help, where to go for permits? They don't

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know what the EPA does and doesn't do. They don't want to contact the EPA, 'cause the EPA'll come down and close 'em down. This gives them one stop where they can go, find out the information, help their businesses, help create jobs, and that's good for our state, and that's good for our people, 'cause we're going to be creating jobs, and I urge an 'aye' vote."

Speaker Currie: "The question is, 'Shall the House adopt Amendment 1 to House Bill 1396?' All in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Clerk will take the record. On this Amendment, there are 62 voting 'aye', 42 voting 'no'. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. Representative Kaszak, on House Bill 2262. Clerk, read the Bill. Representative Schoenberg wishes the record to reflect that he intended to vote 'yes' on Amendment 1 to House Bill 1396. House Bill 2262. Clerk, read the Bill."

Clerk Rossi: "House Bill 2262, a Bill for an Act in relation to manufacturing and industry development. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Kaszak."

Speaker Currie: "Representative Kaszak."

Kaszak: "Thank you, Speaker. House Amendment 1...Floor Amendment 1 is the main body of this proposed legislation, and it deals with the problems of...small businesses have in dealing with...and consumers have in dealing with the many, many regulations that state government issues. What it attempts to do is to provide meaningful input by the public and consumers on proposed and existing regulations and design regulations that are..that...do...accomplish the

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goal of the regulation without imposing undue burden on businesses. What the Bill does, is it provide...it clarifies the standards of JCAR review, an agency review, and encourages meaningful participation. It clarifies and streamlines rules by eliminating and encouraging that agencies eliminate unnecessary duplicative and antiquated requirements not needed to protect health, safety and welfare. It encourages agencies to look for less restrictive, less costly alternatives to achieving a regulatory goal, and to consider whether the increased cost of a rule...whether or not it far outweighs any benefit. It calls for meaningful participation by setting up 11 public advisory panels to JCAR appointed by the leaders of the Legislature consisting of representatives of business and consumers. It provides that a regulatory impact statement would be provided by the Department of Commerce and Community Affairs on proposed regulations, and that the agency has an obligation to involve both the business and the public and consumers in developing and preparing proposed rules. It calls for a regulatory plan, so that regulations are not a surprise, and that this plan would be issued twice a year, and it calls for a complete review of all of our existing rules to determine whether the rule imposes an undue burden on business or the consuming public, and I urge your support."

Speaker Currie: "Representative Kaszak moves 'do adopt' on Amendment 1 to House Bill 2262; and, on that Motion, Representative Ryder."

Ryder: "Thank you. Would the Sponsor yield, please?"

Speaker Currie: "She indicates she will."

Ryder: "Thank you. Representative, this is an interesting idea. It affects the Joint Committee on Administrative Rules

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rather significantly, would you not agree?"

Kaszak: "I think it certainly improves the ability..."

Ryder: "A yes or no would be acceptable."

Kaszak: "I didn't realize this was a deposition. I think it improves substantially."

Ryder: "Well, it certainly requires a considerable amount of work on their part, would you not agree?"

Kaszak: "I think it requires public participation through the advisory..."

Ryder: "So, JCAR's going to do zero on this?"

Kaszak: "No, they're going to coordinate it."

Ryder: "By JCARS' own admission, they believe that it's going to require another two staffers to do this. Two more staffers. Is there an appropriations Bill that you've suggested that would help them pay for this?"

Kaszak: "No, the..."

Ryder: "Where's the dollars?"

Kaszak: "I believe that in the process of evaluating the budget proposals as they are presented to the Legislature \$100,000 for an additional two staffers is something that we would certainly look for, and..."

Ryder: "Where are the dollars?"

Kaszak: "We can certainly make this contingent upon the funds being available."

Ryder: "Your press release doesn't say it's contingent. Your press release doesn't say it's contingent. Your press release suggests that all of this is fine and good, but it doesn't tell us the cost. Now, I'll tell you frankly, there's some good ideas here. There's some good ideas in this, and as a person that's had the privilege of being on JCAR for a year or two, I think that what...some of the things that you're suggesting may have some merit. But I

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tell you, frankly, that it doesn't matter what kinds of answers that you're giving that avoid the question, the fact of the matter is, it's going to cost dollars. Correct?"

Kaszak: "The only issue would be the staffing of JCAR, and I would be more than happy... You know the press release... I have not seen the press release, but the press release also probably didn't give you the section numbers. I don't want to say it right now, would probably not specify the particular section numbers of the Administrative Procedures Act that are being amended also."

Ryder: "It's a very nice press release. It says wonderful things about you, and the magnificent effort that you're doing this afternoon."

Kaszak: "I'm sure they're all true."

Ryder: "The problem is, Representative, that all of these ideas cost dollars, and unless you're willing to assess, then, you know, we've got to work with this. Now we may be in favor of this whole...this package once it all gets together, but I'd at least like to see some reasonableness from you as the Sponsor of this Amendment to the precarious situation that the Joint Committee on Administrative Rules finds itself, in which you're placing significant demands on them with no...not even a sentella of effort in the dollars and cents, and I'm simply asking you to recognize that, and so far you've been absolutely unwilling to recognize the dollars that this is gonna cost."

Speaker Currie: "Further discussion? Further discussion? Representative Hoffman."

Hoffman: "Thank you, Speaker, Ladies and Gentlemen. I just want to point out, I think everybody in this chamber probably has been to a townhall meeting, has been to a local Chamber

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of Commerce, and this the biggest issue it seems like is always brought up. We have too many regulations. Businesses and small businesses in this state, as well as consumers, don't know what to do. They don't know how to go through this myriad of regulations bureaucracy in order to get something done. So I think it's a good Amendment, regardless of the press releases, as if nobody on this side of the aisle has ever sent out a press release. I believe, I believe in the Chicago Tribunes' right to know, and I think we should be informing them, and I'm glad that the Representative introduced this good piece of legislation, and I think we should vote 'aye'.

Speaker Currie: "Further discussion? Representative Biggins."

Biggins: "Thank you, Madam Speaker. I'd like to... Would the Sponsor yield for a question?"

Speaker Currie: "She will."

Biggins: "Representative Kaszak, I'm a little envious of some of my Republican colleagues. Apparently Representatives Black and Ryder have access to your press releases before votes and I don't. Would you please put me on their routing list for press releases prior to votes in the future? And speaking... If I may speak to the Bill. Again, we have...some ideas that are good. A lot of noble ideas are created here, but many of them are not funded or explained how funding is done for these. So I vote...I urge you to vote 'no' on this. Thank you."

Speaker Currie: "Further discussion? Representative Granberg."

Granberg: "Thank you, Madam Speaker. How many times have we've sat here in this chamber complained about excessive regulations on small business. We now have an opportunity to streamline the rule making process. We have that opportunity. Let's take advantage of it. This is the one.

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time when we can help our small businesses. Please vote 'aye'."

Speaker Currie: "Further discussion? Representative Flinn."

Flinn: "Madam Speaker, I move the previous question."

Speaker Currie: "All those in favor say 'aye'; opposed, 'no'. The previous question has been moved. Representative Kaszak, for a quick close."

Kaszak: "Quick close is that, we are constantly complaining about the burdens of regulation and the cost to small businesses of complying with regulation. This is an area where we could save money not only in staffing, but also save small businesses money in order to avoid unnecessary and duplicative regulations."

Speaker Currie: "All in favor of adopting Amendment 1 to House Bill 2262 signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Currie: "Representative Kaszak."

Kaszak: "I'd like to withdraw that."

Speaker Currie: "The Amendment is withdraw. Further Amendments?"

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

Speaker Currie: "Representative Kaszak."

Kaszak: "Speaker, this is a mere technical change. There was phrase in the document that should have been eliminated, and there's a correction in a verb, so it's nothing substantive."

Speaker Currie: "Representative Kaszak, moves to adopt on Amendment 3 to House Bill 2262. All in favor signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. The



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Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments, but a fiscal note as amended has been requested on the Bill."

Speaker Currie: "Representative Kaszak moves that that the fiscal note act is inapplicable. Representative Kaszak."

Kaszak: "We have a fiscal note. We can file it right now."

Speaker Currie: "Ah good, excellent. And while they're filing the fiscal note, Representative Skinner, for what reason do you rise?"

Skinner: "Mr. Speaker... Madam Speaker, excuse me,"

Speaker Currie: "Or just plain Speaker. That'll do."

Skinner: "Hey 'Speak', I rise to a point of personal privilege."

Speaker Currie: "Representative, state your point."

Skinner: "What time is it? It's...22 minutes till the polls close, and I'd like to be in my precinct trying to get voters that haven't voted yet to the polls. I note that in years when Chicago has an election, we are not in Springfield. But in a year when all of the rest the state has an election, we are in Springfield. I think that's unfair."

Speaker Currie: "Thank you, Representative."

Skinner: "And besides, dinner's not here yet."

Speaker Currie: "And the fiscal note has been filed on House Bill 2262, and the Bill will move to Third Reading. Representative Ostenburg, House Bill 2263. Representative Ostenburg, are you ready on House Bill 2263? Clerk, read the Bill."

Clerk Rossi: "House Bill 2263, a Bill for an Act in relation to high technology development. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Ostenburg."

Speaker Currie: "Representative Ostenburg, on Amendment 1."

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Ostenburg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Amendment becomes the Bill, and this Amendment is addressed to the Small Business Incubator Act. The Small Business Incubator Act, allows for various small businesses to engage in business incubators and to obtain various services. As a result of this Amendment and additional services offered through the business incubators, and that's for time-sharing. In other words, a business...excuse me... a business that is not capable of moving into the facility, may in fact rent space on a time sharing basis, making use of the advantages that the facility offers. I move the passage of the Amendment."

Speaker Currie: "Representative Ostenburg, moves 'do adopt' on Amendment 1 to House Bill 2263; and, on that Motion, Representative Wennlund."

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

Speaker Currie: "Indicates he will."

Wennlund: "Can you tell us how many incubators there are in the State of Illinois?"

Ostenburg: "I'm uncertain of that right now."

Wennlund: "Does DCCA still do incubators?"

Ostenburg: "Well there are a number of incubators around the state that have been established. I don't know that any new ones are being established."

Wennlund: "Would a... Would a time-sharing small business who is occupying some space on a time-share basis, would he be able to swap his time-sharing with a time-sharing in Hawaii or something?"

Ostenburg: "I suppose if he could find an Illinois incubator in Hawaii, he could do that."

Wennlund: "He could do that. Now these time-sharing arrangements, there's no standards so there's no... I

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don't see anything in the Amendment that provides for under what circumstances these time-sharing arrangements can be entered into."

Ostenburg: "Well, all the standards that are currently in place for the Small Business Incubator Act would apply. The only difference would be that rather than a business having to move into the facility to make use of the services, that they could in fact make arrangements to obtain those services on an 'as needed' basis, providing that the time was available from the incubator to provide them. For example, they might make use of the computer services for a half hour a week, an hour a week or whatever, and provided the time was available and the arrangements were made, they would be allowed to do that. All other provisions of the Act would apply as currently exist."

Wennlund: "Okay, thank you very much."

Speaker Currie: "Further discussion? Representative Saviano. Representative Saviano? Representative Saviano doesn't wish to speak. Let's try Representative Balthis. Representative Balthis."

Balthis: "Thank you, Madam Speaker. Would the Sponsor yield?"

Speaker Currie: "He indicates he will."

Balthis: "Representative, there's a incubator project in the City of Harvey. It's already in place, they don't have to... Could they qualify for a project such as this?"

Ostenburg: "Yes, they would."

Balthis: "As long as it's in place, someone could utilize this program?"

Ostenburg: "That's right. They would qualify to use it, providing the space were available and it didn't interfere with the contracts that are already in place."

Balthis: "Are they paying for the space, or for technical

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assistance that might come out of this incubator?"

Ostenburg: "They would actually be paying for everything, but it would be pro-rated based upon the amount of time that they would use it under the time-sharing arrangement."

Balthis: "Okay. Thank you."

Speaker Currie: "Further discussion? Representative Ackerman. Representative Ackerman. Representative Ackerman, do you wish to speak to this Bill...the Amendment?"

Ackerman: "Move the previous question."

Speaker Currie: "On the adoption of Amendment 1 to House Bill 2263, all in favor signify by saying 'aye'; all opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Currie: "Representative Novak, on Amendment 2."

Novak: "Thank you, Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 to House Bill 2263 creates the Abraham Lincoln Quality Awards Program in Illinois, modeled after the federal prestigious Malcom Baldrige Quality Awards. The awards will honor businesses, not-for-profit associations, local governments, school districts, labor organizations, health care providers for their outstanding achievements. Twenty members are appointed by the Governor, two representing business, two representing small business and so on. One member is each appointed by the Speaker, the House Minority Leader, Senate President and Senate Minority Leader. Members of the Advisory Board will serve for staggered terms. The board will select a chairman from among its membership. The board will use the staff and facilities with the Department of Commerce and Community Affairs. Abraham Lincoln Quality Awards would be

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given in the following categories: Manufacturing companies, service companies, small businesses, minority and female owned businesses, agri-businesses, public sector entities, included...including units of local government and school districts, labor organizations, not-for-profit entities engaged in human services, and health care providers. Each applicant will be assessed a fee of \$200 to participate in the program. It's modeled after the program that was...has been so successful in honoring our industries and service industries, and we broaden this concept to make it applicable to not-for-profit corporations, such as schools and health care providers. I'd be more than happy to answer any questions."

Speaker Currie: "Representative Novak moves 'do adopt' on Amendment 2 to House Bill 2263; and, on that question, Representative Black."

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

Speaker Currie: "He will."

Black: "Representative, if we adopt Amendment #2, does that replace Amendment #1?"

Novak: "No, it does not."

Black: "Okay. What... Is this modeled after that national program awards you say?"

Novak: "Yes. The former U.S. Secretary of Commerce, Malcom Baldrige."

Black: "What administration did he serve under?"

Novak: "He served under the administration of Ronald Reagan."

Black: "And this is called the Abraham Lincoln Quality Awards?"

Novak: "This is called the Abraham Lincoln Quality Award, and I find it very difficult for any Republican to vote against this."

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Black: "Representative, I think this is an outstanding Amendment, and on behalf of the Malcom Baldrige fan club and the Land of Lincoln, I just rise in support of this Amendment."

Speaker Currie: "Representative Novak."

Novak: "Clarification please. Amendment #2 does become the Bill, but it also incorporates the previous Amendment sponsored by Representative Ostenburg."

Speaker Currie: "Thank you for the clarification. Representative Novak moves 'do adopt' on Amendment 2 to House Bill 2263. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. But a fiscal note, as amended, has been requested on the Bill."

Speaker Currie: "Representative Ostenburg moves that the fiscal note request is inapplicable. All in favor of the Motion indicate by voting 'aye'; opposed voting 'no'. Clerk will take the record. On this Motion, there are 89 voting 'aye', 19 voting 'no', and the House agrees that the fiscal note is not...the Fiscal Note Act is not applicable. Third Reading. Now, announcements from the Chair. We're about to go to the Roll Call Vote on the Agreed Bill list. Those of you who wish to vote 'yes' on the Agreed Bill list, but wish to disassociate yourself from particular Bills on that list, must file your blue sheets indicating the areas where you disagree with the 'yes' vote by 7:30, by 7:30. We are now gonna go to a Roll Call Vote on that whole list of Bills; and, in respect to the question raised by the Representative in the back row, the answer is that the Republicans are supplying their own supper to their own crowd, and I've not been informed what time, but there was a suggestion it might be chinese. As for the Democrats, it's chicken, little chicken things in a little box, and we

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expect its arrival between 8:00 and 8:30. We had to rush the order. That's why you didn't get a chance to vote on chicken or pizza. Its chicken tonight, and you'll all, of course, thank the Speaker. So, on the Agreed Bill list we're ready for the Third Reading Roll Call. Or wait just a minute, Representative Hoeft, for what reason do you rise? Representative Hoeft."

Hoeft: "To see if I can join the Democratic Party for chicken tonight."

Speaker Currie: "Maybe."

Hoeft: "I'll exchange for some oriental."

Speaker Currie: "Okay. Representative Hoeft is a freshman, but he's already ready to make a deal. If there are any deal takers over here, you know where to go. All right, on the Agreed Bill list...on the Agreed Bill list the Clerk will read these Bills on Third Reading. Clerk, read the Bills."

Clerk Rossi: "Supplemental Calendar #1, Agreed List #2, House Bills, Third Reading. House Bill 77, a Bill for an Act amending the School Code. House Bill 242, a Bill for an Act amending the School Code. House Bill 267, a Bill for an Act to amend the Illinois Housing Development Act. House Bill 282, a Bill for an Act amending the Illinois Public Aid Code. House Bill 347, a Bill for an Act amending the Board of Higher Education Act. House Bill 349, a Bill for an Act amending the Illinois Vehicle Code. House Bill 360, a Bill for an Act in relation to the offense of criminal damage to property. House Bill 419, a Bill for an Act to amend the Illinois Housing Development Act. House Bill 636, a Bill for an Act to amend the East St. Louis Area Development Act. House Bill 638, a Bill for an Act in relation to a demonstration enterprise zone in East St. Louis. House Bill 652, a Bill for an Act to amend certain Acts in

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relation to foreign trade zones. House Bill 770, a Bill for an Act to amend the Health Maintenance Organization Act. House Bill 907, a Bill for an Act to amend the Township Law of 1874. House Bill 949, a Bill for an Act in relation to services for minority senior citizens. House Bill 1071, a Bill for an Act to amend the Counties Code. House Bill 1102, a Bill for an Act to amend the Children and Family Services Act. House Bill 1147, a Bill for an Act to amend the Civil Administrative Code of Illinois. House Bill 1204, a Bill for an Act to amend the Small Business Development Act. House Bill 1205, a Bill for an Act to amend the Civil Administrative Code of Illinois. House Bill 1478, a Bill for an Act amending the Counties Code. House Bill 1646, a Bill for an Act in relation to motor vehicles. House Bill 1679, a Bill for an Act in relation to career counseling or outplacement services. House Bill 1687, a Bill for an Act to create the Prize Promotion and Contest Consumer Protection Act. House Bill 1716, a Bill for an Act in relation to work performed under certain state contracts. House Bill 1718, a Bill for an Act to amend the Illinois Banking Act. House Bill 1774, a Bill for an Act to amend the Illinois Insurance Code. House Bill 1778, a Bill for an Act to amend the Illinois Library System Act. House Bill 1781, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1825, a Bill for an Act amending the Illinois Domestic Violence Act of 1986. House Bill 1951, a Bill for an Act to amend the Code of Criminal Procedure of 1963. House Bill 1963, a Bill for an Act to amend the Illinois Development Finance Authority Act. House Bill 1985, a Bill for an Act to amend the Illinois Banking Act. House Bill 2013, a Bill for an Act to amend the Criminal Code of 1961. House Bill 2060, a Bill



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for an Act amending the Metropolitan Water Reclamation District Act. House Bill 2076, a Bill for an Act concerning AIDS. House Bill 2123, a Bill for an Act amending the State Finance Act. House Bill 2134, a Bill for an Act amending the School Code. House Bill 2155, a Bill for an Act amending the Code of Criminal Procedure. House Bill 2186, a Bill for an Act amending the Illinois Domestic Violence Act of 1986. House Bill 2216, a Bill for an Act concerning proprietary schools. House Bill 2260, a Bill for an Act amending the Illinois Insurance Code. Third Reading of these House Bills."

Speaker Currie: "The question is, 'Shall these Bills pass?' All 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. But, we will not... We're not going to take the record. We're not gonna declare them... Jones, 'aye'. Shirley Jones, 'aye'. On these Bills, 115 are voting 'yes'... Okay, we don't know how many are voting 'yes' and how many are voting 'no', because you haven't all turned your blue sheets in, but we trust that you will, and that the Clerk will record the individual outcomes and then we will declare what happened to these Bills. We have until 7:30 to turn your sheets in. We're gonna move... We're still on Business and Job Development. We are gonna move back to pick up Representative McGuire's Bill, House Bill 973. Representative McGuire, 973. Clerk, read the Bill."

Clerk Rossi: "House Bill 973, a Bill for an Act concerning unemployed workers. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative McGuire."

Speaker Currie: "Representative McGuire."

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McGuire: "Thank you, Madam Speaker. I'd like to withdraw Amendment 2."

Speaker Currie: "Gentleman withdraws Amendment 2."

McGuire: "...and present Amendment 3."

Speaker Currie: "Further Amendments?"

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

Speaker Currie: "Representative McGuire. Representative McGuire."

McGuire: "Yes Ma'am. I'm sorry I didn't hear you."

Speaker Currie: "Do you want to explain Amendment 3?"

McGuire: "Oh, the Amendment #3 becomes the Bill, and what it does is it provides that the Illinois Job Training Coordinating Council will conduct a comprehensive job training study in which the department will evaluate the job training needs of unemployed workers, and the most effective ways to address those needs. Now what we we're doing here is the Illinois Job Training Coordinating Council is required by law to do this, and what we'd like to do is require the council to present a comprehensive study and report by March 1, 1994 on this subject, and I ask for a favorable vote."

Speaker Currie: "Representative McGuire moves 'do adopt' on Amendment 3 to House Bill 973; and, on that Motion, Representative Black."

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

Speaker Currie: "He will."

Black: "Representative, in Amendment #2 you had some language about the Unemployment Insurance Act. Has all of that been removed by Amendment #3?"

McGuire: "Yes Sir."

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Black: "So all Amendment #3 really does is to create a study?"

McGuire: "Yes Sir."

Black: "And as far as you know, the department is neutral on this idea, right?"

McGuire: "Yes."

Black: "I think we finally hit upon a good idea here. Congratulations."

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

Speaker Currie: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Third Reading. Oh, sorry. There was a fiscal note request on this Bill. Who asked it? Representative Wennlund, Representative Black thinks this is a really good Bill, a really good idea. Would you like to withdraw your fiscal note request? Yes, the fiscal note request is withdrawn. Are there further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. Representative Morrow, on House Bill 2264. Representative Morrow. Representative Morrow. Clerk, read the Bill. No, out of the record. Representative Morrow? Out of the record? Out of the record. Representative Giolitto, on House Bill 2267. Representative Giolitto. Out of the record. Representative Kotlarz, on House Bill 2268. Representative Kotlarz. Are you ready for this Bill to be called? Out of the record. Representative Novak, House Bill 2272. Representative Novak. Out of the record. Representative Churchill, House Bill 2374. Representative Churchill. Representative Churchill? Out of the record. Let's go back to House Bill 2268. We believe we are ready for that Bill, Representative Ostenburg is a principal Sponsor. Clerk,

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read the Bill."

Clerk Rossi: "House Bill 2268, a Bill for an Act concerning the development of public infrastructures. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Ostenburg."

Speaker Currie: "Representative Ostenburg."

Ostenburg: "Yes, I'd like to withdraw Floor Amendment #1."

Speaker Currie: "Withdrawn. Further Amendments?"

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

Speaker Currie: "Representative Ostenburg."

Ostenburg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Amendment becomes the Bill, and this Amendment establishes a feasibility study to determine the feasibility of creating a for-profit publicly held corporation that will invest in state business development programs. Now this Amendment creates a situation where the corporation that would be established would be...would collect fees, charges, interest payments, et cetera, and that's how it would be financed. But the feasibility study itself would be conducted by a business development corporation working group, and this group would be chaired by the director of DCCA and other members would include the Secretary of State, the Director of Financial Institutions, the State Treasurer, one member each selected by the Speaker of the House, the House Minority Leader, the Senate President, the Senate Minority Leader, and twelve members appointed by the Governor. Those twelve members would represent various constituency groups. The working group would be appointed within 60 days of the Amendments' effective date, and the working group would sunset on June 30, 1995. It would have a very specific charge in terms of

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studying the feasibility of establishing this corporation.

I move the passage of the Amendment."

Speaker Currie: "Representative Ostenburg moves 'do adopt' on Amendment 2 to House Bill 2268; and, on that Motion, Representative Black."

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

Speaker Currie: "He will."

Black: "Representative, is this another study to be conducted by the Department of Commerce and Community Affairs?"

Ostenburg: "This study is to be conducted by the Business Development Corporation Working Group, which will include the Director of DCCA as the chair, but then would involve a whole series of individuals who would be appointed from the various ways that I mentioned earlier."

Black: "The Business Corporation Working Group, is that currently located within or under the auspices of the department."

Ostenburg: "Yes it's within DCCA."

Black: "Okay. So it's another study by DCCA, right?"

Ostenburg: "Oh, I guess that's one way of looking at it. I look at it as a study that's going to be conducted by the working group."

Black: "It's kinda like saying that a study is gonna be conducted by a drivers license examiner, but not by the Secretary of State, but whatever."

Ostenburg: "No, I think it would be more like saying that something would be done by a committee of the House, but not by the whole House."

Black: "Well God forbid, don't say that too loudly. They'll come up with another committee. I...I find no reason to particularly oppose your Amendment, Representative, but I...and you and I worked together many, many years ago on a

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couple of things, but I think at some point we're gonna have to start to rebuild DCCA in the financial and fiscal sense if we continue, and I hope we can count on your support when we get to that point. I appreciate your efforts and your patience. Thank you."

Speaker Currie: "Repre... The question is, 'Shall Amendment 2 to House Bill 2268 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Currie: "Representative Ostenburg."

Ostenburg: "Madam Speaker, this Amendment is simply a technical Amendment that corrects some language."

Speaker Currie: "All in favor of the Amendment say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments, but a fiscal note as amended has been requested on the Bill."

Speaker Currie: "Representative Black, do you persist in your fiscal note? Representative Black."

Black: "In all due respect to the Sponsor and the Chair, the Agency would like time to see what the cost impact of all these things are gonna be. I'm sure they'll file it in a timely fashion before Friday."

Speaker Currie: "The Bill will remain on Second Reading. We're now going to 2272, Representative Novak. Clerk, read the Bill. Oh sorry, the Amendment has not been printed yet. We will not go to 2272, Representative Novak. Now go to Veterans, Second Reading, House Bill 1601, Representative Martinez. Are we ready for that? No. Out of the record. Representative Hoffman, you're a hyphenated Sponsor with

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Representative Martinez. Are you prepared...are you here? Representative Hoffman? No. Okay. Out of the record. We are now going to go to Second Readings on the third likely Agreed List. These are all Bills on Second Reading, some with and some without Amendments. So, on House Bill 210, Representative Steczo, on Second Reading. Clerk, read the Bill."

Clerk Rossi: "House Bill 210, a Bill for an Act in relation to professional regulation. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 561, Representative Black. Representative Black or is someone there for him so the Clerk can read the Bill? Clerk read the Bill."

Clerk Rossi: "House Bill 561, a Bill for an Act concerning laboratory testing fees. Second Reading of the Bill. No Committee Amendments."

Speaker Currie: "Any Floor Amendments?"

Clerk Rossi: "No Floor Amendments."

Speaker Currie: "Third Reading. Representative Black, on House Bill 562. Clerk, read the Bill."

Clerk Rossi: "House Bill 562, a Bill for an Act amending the Illinois Health Facilities Planning Act. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. Representative Tom Johnson, on House Bill 909. Clerk, read the Bill."

Clerk Rossi: "House Bill 909, a Bill for an Act concerning ambulance services. Second Reading of the Bill. No Committee Amendments."

Speaker Currie: "Any Floor Amendments?"

Clerk Rossi: "No Floor Amendments."

Speaker Currie: "Third Reading. Representative Steczo, on House Bill 1310. Clerk, read the Bill."

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Clerk Rossi: "House Bill 1310, a Bill for an Act amending the Revenue Act of 1939. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Steczo."

Speaker Currie: "Representative Steczo."

Steczko: "Thank you, Madam Speaker. Amendment #1 is agreed language that has been drafted by the township officials and the home builders that better clarifies this issue. I'd move for its adoption."

Speaker Currie: "All in favor of the Amendment signify by saying 'aye', all opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Schoenberg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 pertains to property tax abatements. It's a technical Amendment. It had...addresses some issues which were outstanding, but have been addressed by the Illinois Manufacturers Association, which is now supporting it."

Speaker Currie: "Representative Wennlund."

Wennlund: "An inquiry of the Chair, Madam Speaker. Has this Amendment been printed and distributed? We don't have it."

Speaker Currie: "Let us check. Has the Amendment been printed and distributed? No, it has not. Do you wish to withdraw the Amendment, Representative?"

Schoenberg: "Yes, could you withdraw Amendment 2."

Speaker Currie: "Withdraw the Amendment. Are there further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. The next Bill is House Bill 1677, Representative Levin. Clerk, read the Bill."



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Clerk Rossi: "House Bill 1677, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Levin."

Speaker Currie: "Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 is the Amendment that was... I committed to offering when I was in committee. The Amendment that was offered in committee was defective. This has been cleared with the spokesperson on the committee, and I think it resolves everybody's problems."

Speaker Currie: "Representative Levin moves 'do adopt' on Amendment 1...pardon me, on Amendment 2 to House Bill 1677. All in favor of the Amendment say 'aye; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. House Bill 21...2016, Representative DeJaegher. Clerk, read the Bill."

Clerk Rossi: "House Bill 2016, a Bill for an Act to amend the Probate Act of 1975. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 2139, Representative Parcels. Clerk, read the Bill."

Clerk Rossi: "House Bill 2139, 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 Currie: "Third Reading. House Bill 2162, Representative Prussing. Representative Prussing. Clerk, read the Bill."

Clerk Rossi: "House Bill 2162, a Bill for an Act to amend the Freedom of Information Act. Second Reading of the Bill."

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No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. Representative Bugielski, on House Bill 1637. Clerk, read the Bill."

Clerk Rossi: "House Bill 1637..."

Speaker Currie: "Does the Gentleman have leave to return this Bill to Second Reading for purposes of an Amendment? Leave is granted. The Bill is on Second Reading. What is its status, Clerk?"

Clerk Rossi: "The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bugielski."

Speaker Currie: "Representative Bugielski."

Bugielski: "Thank you, Madam Speaker, Members of the House. Amendment #1 is a compromise Amendment. It's an Agreed Amendment between the Illinois Manufacturers Association, the Chemical Industry Consult, and the Metropolitan Water Reclamation District."

Speaker Currie: "Representative Bugielski moves 'do adopt' on Amendment 1 to House Bill 1637. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Representative Bugielski, House Bill 2062. Clerk, what is the status of that Bill? I'm sorry, House Bill 1637, Third Reading. And now House Bill 2062."

Clerk Rossi: "House Bill 2062."

Speaker Currie: "Representative Bugielski asks leave to return the Bill to Second Reading for purposes of an Amendment. Does he have leave? Leave is granted. The Bill is now on Second."

Clerk Rossi: "The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bugielski."

Speaker Currie: "Representative Bugielski."

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Bugielski: "Thank you, Madam Speaker and Members of the House.

Amendment #1 eases up what was in the original Bill. All it says is that a person seeking nomination for a local school council should disclose his or her conviction of any sex crime or any narcotics offense, and they may still run then, but they must enclose (sic - disclose) it on their application."

Speaker Currie: "Representative Bugielski moves 'do adopt' on Amendment 1 to House Bill 2062; and, on that Motion, Representative Wennlund."

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

Speaker Currie: "He will."

Wennlund: "Is the application of the Amendment limited to the City of Chicago, the City of Chicago public schools, Representative?"

Bugielski: "This is from the Board of Education."

Wennlund: "Just Chicago?"

Bugielski: "Right."

Wennlund: "Not the rest of the state?"

Bugielski: "No, this is for the local school council, and this Board of Education, City of Chicago."

Wennlund: "Thank you."

Speaker Currie: "All in favor of the Amendment signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. House Bill 2105, Representative Levin. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 2105 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Granberg."

Speaker Currie: "Representative Granberg."

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Granberg: "Thank you, Madam Speaker. Amendment #1 deals with the school districts when they lose, I think, 40% of their assessed evaluation. I spoke with the Minority Spokesman on the Education Committee, Representative Cowlshaw. We've agreed to this Amendment, and I would move for its adoption."

Speaker Currie: "Sorry, if you could hold for one moment, Representative Granberg. We failed to bring it back from Third Reading. Representative Levin asks leave to bring this Bill back to Second Reading for purposes of Amendment. Leave is granted. Representative Granberg moves adoption of Amendment 1. He has explained the Amendment, and on the Amendment, on the Motion to adopt the Amendment, Representative Wennlund. Representative Wennlund, do you have thoughts you would wish to share with us? Representative Wennlund, we've never known you to be so speechless."

Wennlund: "I just want to know if the Sponsor would yield for a question?"

Speaker Currie: "He will."

Wennlund: "I'm sorry, I didn't hear a word."

Granberg: "I spoke with Representative Cowlshaw on this. We've agreed to this, and we're just sending it to the Senate, and it will be taken off if it's not necessary, which we... We're just holding it for a contingency."

Wennlund: "And Representative Cowlshaw has agreed to do that? Okay, thank you very much."

Speaker Currie: "On the Amendment, no further discussion, all in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments, but a fiscal note, state mandates note, and a balanced budget note, as amended, has

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been requested on the Bill."

Speaker Currie: "If that's a request from Representative Wennlund or Representative Black, perhaps Representative Cowlishaw would talk to them. The fiscal note requests have been withdrawn. Third Reading. House Bill 2352, Representative Granberg. And what is the status of that Bill? That Bill is on Second Reading. Read the Bill, Clerk."

Clerk Rossi: "House Bill 2352, a Bill for an Act concerning clean fuels. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Noland."

Speaker Currie: "Representative Noland. Representative Noland? Withdraw the Amendment. Further Amendments?"

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

Speaker Currie: "Representative Wirsing. Representative Wirsing, are you... Representative Wirsing, on Amendment 3."

Wirsing: "This is an agreed Amendment which becomes the Bill, and briefly the changes made to the original Bill include the following: It changes the name of the Act from the Clean Fuels Act to the Alternate Fuels Act. Increases from 15% to 20% the amount of money that would be earmarked for alternate fuel research. All the 20% in research funds will, in fact, be used only for ethanol research. The total dollars expected to go to the ethanol industry under this revised Bill total \$11.4 million, or 40% of the total 28%...\$28 million. For this reason, the Illinois Corn Growers Association is now in full support of this Bill. Strengthens the enforcement provisions under which the program would be funded. This provision is designed to insure that owners of alternate fuel vehicles, in fact, pay the annual \$40 decal fee intended to pay back the \$30

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million in bonds that would fund the program. The Bill no longer requires the state to issue the full \$30 million in bonds immediately. Rather, it simply increases the authorization, meaning the General Assembly would still have the discretion over what level to appropriate funding generated by the bonds. For this reason, the Governors' office has taken a neutral position on this Bill. Proceeds from the \$30 million in bond funds would be deposited into new...two new funds created by this Bill: The alternate fuels fund, out of which all rebates and research moneys would be funded and the alternate fuels implementation fund, out of which ENR would use to develop and implement the program, and from which both ENR and the Secretary of State would be reimbursed for the enforcing of the program. It clarifies that the Bill apply only to 80% plus ethanol-blended fuels. This provision is also supported by the Corn Growers Association, since the Bill would create a much higher demand for corn-based ethanol. It adds one additional member to the advisory board representing the heavy duty engine manufacturing industry, such as John Deere, Caterpillar, Navistar or so on, and it adds an immediate effective date."

Speaker Currie: "Representative Wirsing moves 'do adopt' on Amendment 3 to House Bill 2352; and, on the Amendment, Representative Prussing."

Prussing: "Representative Wirsing did a fine job explaining the Amendment. It is an agreed Amendment, and I think this is an excellent piece of legislation."

Speaker Currie: "Further discussion? Representative Weaver."

Weaver: "Thank you very much, Madam Chairman. Will the Sponsor yield?"

Speaker Currie: "He indicates he will."

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Weaver: "I was gonna ask who agreed to this Amendment, whether it was you and Representative Noland, but I understand now that Representative Prussing is in agreement as well. Is this an ethanol Bill, a CNG Bill, or is it just all alternative fuels?"

Wirsing: "All alternate fuels. Major emphasis is on ethanol."

Weaver: "The major emphasis is on ethanol so the corn growers would be very happy with this, the farm bureaus gonna be very happy with it?"

Wirsing: "Yes, they're all in support of the Bill."

Weaver: "Okay. Only one other question is, I talked with you a moment ago about a provision in here that provides for a petty offense fine for misfueling an automobile."

Wirsing: "That's correct."

Weaver: "Now does this, does this charge apply to anyone that doesn't put the proper fuel into the automobile, or is it simply a charge filed against the individual who has the decal for the automobile?"

Wirsing: "Only to the individual with the decal."

Weaver: "Only to the individual. So if my daughter borrows my car and puts in the wrong fuel by mistake, she's not gonna go to jail?"

Wirsing: "That's correct."

Weaver: "Thank you very much."

Speaker Currie: "...for a moment. The Clerk needs to make an announcement. We seem to have three minutes to turn in the blue sheets in case there are any Bills on the Agreed List that one wishes to vote 'no' or 'present' on, after all. Three minutes. Turn in the sheets at the Clerk's well. Further discussion? Representative Hicks."

Hicks: "A question of the Sponsor."

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

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Hicks: "Sir, did I understand you right, are we starting two additional new funds?"

Granberg: "That's correct."

Hicks: "Well, to the Amendment. Madam Speaker, Ladies and Gentlemen of the House, you know, I've sat here now and I'm gonna vote for the Gentleman's' Amendment, but you know a couple of years ago I sponsored a Bill that did away with all the special funds and yet I bet in the last three weeks, I've seen a hundred new special funds started. A hundred come across my desk. Every time I turn around, somebody's got another special fund gonna pay for somethin'. And let me tell you, you know one of these days you're not gonna be needed in this House, none of you. None of you are gonna need to be here, because all the moneys already gonna be spent. All the moneys gonna be a special fund that you got nothin' to do with. You don't appropriate it. You don't do anything with it. You can't get your hands on it. So all those things that are important to you like education, like public aid that we talked about in caucus earlier today; all those things that are important to each and every one of ya, for some reason you're not gonna be able to fund them anymore, cause there's not gonna be any money, because all the money gonna be in special funds. What is wrong with us that we keep doin' this, really, what is wrong with us that we keep allowing this to be done to us? That's what happening. I support your Amendment."

Speaker Currie: "Further discussion? Representative Granberg."

Granberg: "Will the Sponsor yield?"

Speaker Currie: "He indicates he will."

Granberg: "Representative, could you tell me the position of the Illinois Farm Bureau; are they in favor of this Amendment?"



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Wirsing: "Yes, they are. They're in support of it."

Granberg: "And the Illinois Corn Growers Association; are they in favor of this Amendment?"

Wirsing: "Yes, they are in support of it."

Granberg: "Thank you very much."

Speaker Currie: "Further discussion? Representative Stephens."

Stephens: "Well, thank you, Madam Speaker. This Bill came before the committee in its original form, and many of us had problems with it. Then we... The Bill was passed out of committee with opposition. That opposition was no sooner recorded by our vote in committee, than press releases from your side of the aisle were delivered back to each of our districts beating us up for being anti-agriculture, anti-ethanol, and nothing further from the truth, and you knew it to begin with. And I hope that each of one that took part in that process of sending a press release out with your name on it, falsely beating each one of us up who voted against a bad Bill, in our opinion at the time, will have the courtesy of sending out a press release telling it just like it is tonight, that we bring before you an Amendment to, I think, improve a Bill, good public policy, we work with you and I hope that each one of you will have the courtesy to send that press release out, and I hope that we'll have a copy in our office in the morning."

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

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. House Bill 1853, Representative Ryder. Clerk, read the Bill."

Clerk Rossi: "House Bill 1853, a Bill for an Act amending the

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Illinois Health Facilities Planning Act. Second Reading of the Bill. No Committee Amendment. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 2353, Representative Granberg. Clerk, read the Bill."

Clerk Rossi: "House Bill 2353, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 1601, Representative Martinez. Clerk, read the Bill. (House Bill) 1601. Clerk, read the Bill."

Clerk Rossi: "House Bill 1601, a Bill for an Act to amend the Department of Veterans Affairs Act. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 210, Representative Steczo. Clerk, read the Bill."

Clerk Rossi: "House Bill 210."

Speaker Currie: "I'm sorry, this was added, but it was added at the top of the list as well. House Bill 928, Representative Davis. Clerk, read the Bill."

Clerk Rossi: "House Bill 928, a Bill for an Act to amend the Lead Poisoning Prevention Act. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Davis."

Speaker Currie: "Representative Davis."

Davis: "Thank you, Madam Speaker. Floor Amendment #2 is an Amendment that the Department of Public Health wanted that states that a doctor who feels that a child is in a high-risk area should be tested for or screened for lead poisoning, and it's also on the same physical that's required of the schools of children today. So, I just urge an 'aye' vote."

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Speaker Currie: "Representative Davis moves 'do adopt' on Amendment 2 to House Bill 928. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. House Bill 2231, Representative Phelps. Clerk, read the Bill."

Clerk Rossi: "House Bill 2231, a Bill for an Act to amend the Illinois Code of Public Aid. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Phelps."

Speaker Currie: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This just merely authorizes the disbursement of fees for non-existent cases into child custody trust fund."

Speaker Currie: "Representative Phelps moves 'do adopt' on Amendment 1 to House Bill 2231. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. House Bill 476, Representative Curran. This Bill is on Third Reading. Do you wish to return it? The Representative wishes to return House Bill 476 to Second for purposes of Amendment. Does he have leave? Leave is granted. What is the status of the Bill?"

Clerk Rossi: "House Bill 476 has been read a second time previously. Amendment #2 has been adopted to the Bill. No Motions filed. Floor Amendment #3, offered by Representative Curran."

Speaker Currie: "Representative Curran."

Curran: "Thank you, Madam Speaker. I need to move to withdraw Amendment #2. Table Amendment #2."

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Speaker Currie: "Representative Curran moves to table Amendment 2 to House Bill 476. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is tabled. Further Amendments?"

Curran: "Now I offer Amendment..."

Speaker Currie: "Now you're on three. Representative Curran."

Curran: "Thank you, Madam Speaker. Now I offer Amendment 3. It's an agreed Amendment with the Department of Central Management Services. There is no objection to this Bill with this Amendment."

Speaker Currie: "Any discussion? All in favor of the Amendment say 'aye'; opposed, 'no'. The 'ayes' have it. Amendment 3 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. House Bill 2272, Representative Novak. Clerk, read the Bill."

Clerk Rossi: "House Bill 2272, a Bill for an Act in relation to service industry development. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Novak."

Speaker Currie: "And the Amendment is now printed and distributed? Five minutes ago it wasn't. Yes? Representative Granberg. Representative Novak moves to withdraw Amendment 1. The Amendment is withdrawn. Further Amendments?"

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

Speaker Currie: "Representative Granberg."

Granberg: "Ladies and Gentlemen of the House, Amendment 2 deals with the Department of Financial Institutions. It deals with the amending of the Unclaimed Property Act so businesses do not have to keep accounting records for a

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period of eight years. This is an agreed Amendment with the other side of the aisle. Representative Ryder is the Co-Sponsor, and I'd be happy to answer any questions."

Speaker Currie: "Representative Wennlund."

Wennlund: "Yes, will the Sponsor yield?"

Speaker Currie: "He indicates he will."

Wennlund: "I don't have a copy of the Amendment in my file, Kurt. Somebody has agreed to it from here? Representative Wennlund, we've worked with the Illinois Retail Merchants Association. Representative Ryder is a Co-Sponsor of this Amendment on behalf of the Illinois Retail Merchants. We're on, Representative...Amendment #2, Representative. Thank you very much. Proceed."

Speaker Currie: "All in favor of adopting Amendment 2 to House Bill 2272 say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Speaker Giglio: "All those who want to change their vote on the Agreed Bill List will please come forward, otherwise; the timing has been exhausted and we will close and send the list upstairs as is. House Bill 2063. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2063, a Bill for an Act to amend the Civil Administration (sic-Administrative) Code of Illinois. Third Reading of the Bill."

Speaker Giglio: "Are there any Amendments? Representative Currie."

Currie: "I'd like to bring the Bill back to Second Reading for the purposes of Amendment."

Speaker Giglio: "The Lady asks leave to bring the Bill back to

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the Order of Second Reading for purpose of Amendment. Does the Lady have leave? Hearing none, leave is granted. The Bill is on Second. Read the 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. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Currie."

Speaker Giglio: "Representative Currie."

Currie: "Thank you, Speaker. This Amendment makes no substantive change in the Bill. It's a technical Amendment drafted by the Department of Public Health. I'd appreciate your support."

Speaker Giglio: "Any discussion. Representative Skinner."

Skinner: "I wonder if the gentle Lady could give us a clue as to what the content of the Amendment is?"

Currie: "As I said, this is a technical Amendment. There was request from the Department of Public Health that we clarify by Amendment that the department was not expected to pay for the program that is the underlying point of the Bill. We agreed to do so, but the original Amendment that has already been adopted was technically incorrect. This Amendment... Oh, I'm sorry, in fact I need to table the first Amendment, but this Amendment is technically accurate."

Speaker Giglio: "You want to table it, and then we'll discuss the second one?"

Currie: "All right. So I ask to table Amendment #1."

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

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

Speaker Giglio: "Representative Currie."

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Currie: "I've explained the Amendment. I believe Representative Skinner had a question."

Speaker Giglio: "Representative Skinner."

Skinner: "As I understand it, with this Amendment the State of Illinois will not be paying for the free needles that your program would allow private not-for-profit organizations to pass out. Is that correct?"

Currie: "That's right. You got it."

Skinner: "Thank you."

Speaker Giglio: "Further 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."

Speaker Giglio: "Third Reading. Supplemental Calendar #1. Whatever it is. House Bill 2158, Representative Tom Johnson. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2158, a Bill for an Act in relation to crimes committed against emergency medical technicians. Second Reading of this Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Tom Johnson."

Speaker Giglio: "Representative, Johnson."

Johnson, Tom: "Mr. Speaker, this Amendment #1 just clarifies a technical language change by changing 'paramedic' and inserting the work 'emergency medical technician intermediate', after the word 'emergency medical technician ambulance'. This was just a typo, and this is just correcting that."

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."

Speaker Giglio: "Third Reading. On the Order of Special Order of

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Business under Education, Second Reading, appears House Bill 593, Representative Davis. Representative Monique Davis, 593. Would you like to have this Bill called? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 593, a Bill for an Act to amend the School Code. Second Reading of the Bill. The Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 1087, Representative Churchill. Out of the record. House Bill 1165, Representative Hoffman. Representative Hoffman. Out of the record. Representative Currie, on House Bill 1192. Out of the record. Representative Morrow, 1237. Out of the record. (House Bill) 2107, Representative Levin. Out of the record. (House Bill) 2198, Representative Hawkins. Hawkins? Hawkins? Representative Hawkins, 2198. Do you wish to call this Bill, Sir? Out of the record. On the Order of Second Reading, Elections And State Government, House Bill 103, Representative Novak. Do you wish to call this Bill? Out of the record. Representative Schoenberg, you have two Bills: 140 and 660. Out of the record. House Bill 791, Representative Edley. Out of the record. Representative Currie? Out of the record. Representative Curran, 1228. Out of the record. Representative Edley, 1460. House Bill 1625, Representative Prussing. House Bill 1625? Do you wish to call the Bill, 1625? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1625, a Bill for an Act in relation to the truth in budgeting notes. Second Reading of this Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Rotello.



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Representative Rotello. Out of the record. Representative Moseley, 1912. The Lady from Springfield, Representative Moseley. (House Bill) 1912? Do you wish to call the Bill? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1912, a Bill for an Act concerning state bonds. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Wennlund."

Speaker Giglio: "Representative Wennlund. Representative Ryder."

Ryder: "This is Floor Amendment #2, which amends the Illinois State Auditing Act to provide...in addition to the duties of the Auditor General, an annual special audit of investment performances and an annual special audit of the investment performances held by the state."

Speaker Giglio: "Any further discussion? Representative Dart."

Dart: "Parliamentary inquiry, the germaneness of this Amendment please."

Speaker Giglio: "Mr. Clerk, let me see the Amendment. The Chair would like to move that the Amendment is not germane. It's not germane. Representative Ryder, are you questioning the ruling of this Chair?"

Ryder: "Speaker, in what way is it not germane? I don't understand. Perhaps you can explain that to me."

Speaker Giglio: "The Bill deals with the State Finance Act, and the Amendment deals with the State Auditing Act."

Ryder: "They both deal with money. How much more germane can you be?"

Speaker Giglio: "Two different departments."

Ryder: "Two different departments?"

Speaker Giglio: "Two different scenarios. It's like shoremen trying to do plumbers work, and plumbers work trying to do shore-work; they don't mix."

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Ryder: "Oh I can understand..."

Speaker Giglio: "Not germane."

Ryder: "Oh I can understand the affluent... I can understand the affluent part of the decision, yes."

Speaker Giglio: "Further Amendments?"

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

Speaker Giglio: "Representative Moseley."

Moseley: "This Amendment, Mr. Chairman, simply...or Mr. Speaker, simply addresses an inadvertent striking out of the bureau of the budget. We are putting the bureau of the budget back into the Bill a second time. I ask for your favorable consideration."

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

Ryder: "Mr. Speaker, I rise in support of the Amendment, but I was wondering if in all those criminal packages that we considered, if there was a safe legislative zone? Because it appears that the Representative is armed, and I thought that perhaps she's violating some of the Bills for which she just voted. Other than that, the Amendment's okay."

Speaker Giglio: "Any further discussion? 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 Rotello, did you want to call 1745? On the Order of Second Reading Environment and Energy, Representative Novak. Representative Novak, you have three Bills on Environment. Out of the record. Representative Hoffman, on 497. Do you wish to call that Bill, Sir? Out of the record. Representative Deering, on 1965. Do you wish to call this

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Bill? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1965, a Bill for an Act to amend the Natural Resources Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Deering."

Speaker Giglio: "Representative Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What Floor Amendment #1 does is now becomes the Bill, and what it does is requires the Department of Commerce and Community Affairs to look at how we can expand and bring in businesses into this state that manufacture pollution control equipment, and it also directs them to a further expand our co-sales abroad. We are, I believe, seventh in coal producing states. Representative Stephens could verify this for me if he wants, but we're seventh in coal producing states and how we market our coal across the other continents of the world, and we do have a vast...a vast supply of coal here in the State of Illinois. It can keep a lot of people workin', keep our economic businesses going and thriving and help our state revenues. I would like to answer any questions on the Amendment."

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

Black: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Black: "Representative, is this in compliance with President Clintons' energy tax?"

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

Black: "Is this Amendment in compliance with President Clintons' proposed energy tax?"

Deering: "I can't take a potshot at that, this is a compromise worked out here with Members of this General Assembly."

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Black: "And may I compliment you on this compromise, and it's long overdue. I'm for coal, right?"

Deering: "Absolutely."

Black: "And so is Representative Stephens. Let's roll it."

Speaker Giglio: "Any discussion? Representative Stephens."

Stephens: "Well, thank you, Representative Black for your endorsement of this fine piece of legislation. I just wanted to say to Representative Deering that we appreciate his cooperation and working together with him. We're gonna sell coal everywhere, and we're gonna keep people working here in Illinois."

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. House Bill 1464, Representative McAfee. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1464, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative McAfee."

McAfee: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 amends House Bill 1464 to make the Bill a shell Bill. We're trying to work with the Metropolitan Water Reclamation District to try and accomplish an Amendment that'll come up with dealing with staged environmental reservoirs. I'd ask for your support at this time."

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

Clerk McLennand: "No further Amendments."

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Speaker Giglio: "Third Reading. On the Order Environment and Energy, appears House Bill 1967. Representative Deering, 1967. Do you wish to call that Bill? Out of the record. House Bill 2183, Representative Moffitt. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2183, a Bill for an Act to amend the Surface Coal Mining Land Conservation and Reclamation Act. Second Reading of the Bill. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Moffitt."

Moffitt: "Mr. Speaker, Members of the House. We're...actually gonna withdraw Amendments 1 and 2 and have Amendment 3."

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

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

Speaker Giglio: "Representative Moffitt, on Amendment #3."

Moffitt: "This deletes the underlying Bill entirely. It requires instead that the public notice of at least the size of that required by Truth in Taxation Act be published in area newspapers of general circulation, prior to the department holding an administrative review on a decision to approve or deny a mining permit. Under current law, only the parties with an interest in the proposed permit are required to be notified. This has been... This Amendment came out of... or this Bill came out of committee, and we were asked to work on a compromise. This has been agreed to by the Coal Association and the department."

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 Amendment's adopted. Further Amendments?"

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Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 1341. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1341."

Speaker Giglio: "The Lady asks leave to return the Bill to the Order of Second. Does the Lady have leave? Hearing none, leave is granted. The Bill is on the Order of Second. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1341, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Deuchler."

Speaker Giglio: "The Lady from Kane, Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House. The purpose of this Amendment is to standardize the reporting of recycled items that are being recycled in the various counties in the waste facilities, provides definitions and enables ENR to compare comparable accurate reliable data."

Speaker Giglio: "Any discussion? Hearing none, all those in favor 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. On the Order of Health Care and Human Services, Second Reading, appears House Bill 453. The Gentleman from Joliet, Representative McGuire. (House Bill) 453. Do you wish to call that Bill, Sir? Out of the record. (House Bill) 565, Representative Daniels. (House Bill) 565. Out of the record. House Bill 1390, Representative Ryder. Out of the record. (House Bill)

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1390, you wish to call that, Mr. Ryder? Out of the record. Representative Currie, 1814. Out of the record. (House Bill) 1995, Representative Ronen. (House Bill) 1995, Representative Ronen. Do you wish to call this Bill? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1995, a Bill for an Act to amend the Illinois Health Financial Reform Act. Second Reading of this Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Ronen."

Speaker Giglio: "Representative Ronen."

Ronen: "Thank you, Speaker. This Amendment to House Bill 1995 has the effect of making distinct-part certification of a nursing home illegal. Distinct-part certification means that only part of a nursing, skilled or intermediate care facility is certified to participate in the Medicaid program. This would just re-establish what state departments felt was state law, but there was a situation which made this a little fuzzy, so we're introducing this Amendment to clarify the situation. I move for approval of this Amendment."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment say 'aye'; opposed, 'no'. In the opinion of the Chair. Representative Wennlund."

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

Speaker Giglio: "Indicates she will."

Wennlund: "Now as I understand it, Representative, this amends the Nursing Home Care Act?"

Ronen: "Yes, Sir."

Wennlund: "How does it change the Act as it exists today, can you tell me?"

Ronen: "Pardon me?"

Wennlund: "How does it change the Nursing Home Care Act as it

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exists today? Can you tell me?"

Ronen: "What it does is...it has the effect of making distinct-part certification of a nursing home illegal."

Wennlund: "I'm sorry. Could you repeat that?"

Ronen: "It makes distinct-part certification of a nursing home illegal."

Wennlund: "District card certification? I'm sorry."

Ronen: "Distinct-part certification. That's one part of a nursing home...would not be eligible for Medicaid patients. This makes that illegal. The whole facility would apply."

Wennlund: "I...maybe you could tell us what problem is it that you're addressing with this Amendment?"

Ronen: "The situation...the state Departments of Aging and Department of Public Health thought this was the case, and there was a situation in a nursing home that somebody cashed out of the resources and was not able to move into a Medicaid eligible bed, and so what we want to do with this law, with this Amendment is to make clear that distinct-part certification of a nursing home is illegal. That is, that the whole nursing home...you cannot just have Medicaid patients in one portion of the nursing home."

Wennlund: "So, the private-pay nursing homes would not like this Amendment then, is that correct? Because normally, the private-pay nursing home may have one part that is devoted to Medicaid patients, and that part would be certified, but maybe not the whole facility, so all the private-pay nursing homes in Illinois would oppose this."

Ronen: "There are no nursing homes that we're aware of that are running up against this problem right now. And I should point out that until about a year ago, a federal law made distinct-part certification illegal, and the Illinois Departments of Aging and Public Health believe that it was



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also illegal under state law, which says that certified facilities could not discharge residents when they became Medicaid-eligible, so we are introducing this Amendment to try to clarify that and make sure that that is in fact the law in Illinois."

Wennlund: "Is there any opposition to this that you know of?"

Ronen: "Not that I'm aware of."

Wennlund: "Thank you very much."

Speaker Giglio: "Representative Granberg."

Granberg: "Representative Ronen, is this Amendment supported by the Department of Public Health?"

Ronen: "I'm sorry. I didn't hear you, Representative."

Granberg: "Is this Amendment supported by the Department of Public Health?"

Ronen: "Yes, it is."

Granberg: "And it's my understanding that federal law requires that this policy be expressly included in the state law if we want to continue its...this practice?"

Ronen: "Yes..."

Granberg: "We should do this to conform to federal law. Is that correct?"

Ronen: "Yes."

Granberg: "Thank you."

Speaker Giglio: "Representative Schakowsky."

Schakowsky: "This Amendment will bring Illinois law back to where we thought it was, back to where the Department of Health wants it to be in terms of protecting nursing home residents from being dumped out of those nursing homes when they run out of their private-pay money. This is to avert a problem and to continue as we have to protect nursing home residents, so it really just addresses a future problem that we don't want to have in Illinois."

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Speaker Giglio: "Further discussion? Hearing none, all those in favor of the Amendment say 'aye'...excuse me. Representative Black."

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

Speaker Giglio: "She indicates she will."

Black: "Representative, in an earlier answer from Representative Granberg, you said this was a requirement from the federal government. Is that your understanding?"

Ronen: "Only insofar as if we are to do this, it must be a part of state law."

Black: "So in other words, this is a federal mandate that we're having to do something here?"

Ronen: "No, it's not."

Black: "So it isn't a federal mandate."

Ronen: "This is an option that must be specified in state law. Indeed, this Amendment seeks to make state law more clear."

Black: "Who says we have to do this? Who said we have to put this in state law?"

Ronen: "We're doing this for the protection of patients."

Black: "The patients told us we have to do this?"

Ronen: "Pardon me?"

Black: "It's finally come to that. I thought I heard you say this was a federal mandate."

Ronen: "No, Representative, it's not."

Black: "Well, all right. In that case, I can accept this because I think we have to stand together, Republican and Democrats, Independents alike. We have to stop these federal mandates. We must send a message to Washington. Don't send us any mandates if you don't send us the money. We'll stick together. By golly, we'll beat this yet. Thank you."

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Ronen: "Yes. Thank you."

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

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 2231, Representative Phelps. I think that Bill has been...moved. That Bill has been moved to Third. Representative Ryder, on 2332. Representative Ryder. Representative Ryder, you wish to call 2332? Out of the record. Housing and Economic Development, Representative Moseley, on 2142. Read the Bill. Out of the... Has the Amendment been printed and passed out? (house Bill) 2142. No. Out of the record. It hasn't. Representative Currie, did you want to call 1814? Read the Bill, Mr. Clerk. (House Bill) 1814."

Clerk McLennand: "House Bill 1814, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Lawfer."

Speaker Giglio: "Representative Lawfer."

Lawfer: "Yes, Mr. Speaker."

Speaker Giglio: "Representative Currie."

Currie: "You have read the Bill a second time. Can we take the Bill out of the record at this point?"

Speaker Giglio: "Hold the Bill on Second Reading, Mr. Clerk. Representative Black."

Black: "Yes. Mr. Speaker, for purposes of an announcement. I...there've been some partisan activity go on here today, but let me just say that when the chips are down, Democrats, Republicans can get together for good government. I just want to commend Representative Balanoff, Representative Biggins for coming up with this

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money-raising idea on this new plate, the Moe Murphy plate. Ladies and Gentlemen, autographed and on your desks, Moe Murphy. This is called the Moe Murphy plate for 'mo money'."

Speaker Giglio: "On the Order of Professional Regulations, Second Reading, appears House Bill 715, Representative Santiago. Representative Lou Jones, on 2316. Is the Lady in the chamber? Out of the record. On Public Utilities, Second Reading, 1844. Representative Schakowsky. Do you wish to call this Bill? (House Bill) 1844. Read the Bill."

Clerk McLennand: "House Bill 1844, a Bill for an Act to amend the Public Utilities Act. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lang."

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

Lang: "One moment, Mr. Speaker. Thank you, Mr. Speaker. Amendment #1 to House Bill 1844 deals with the issue where a...the Appellate Court or Supreme Court has held rate increases illegal. These cases have been remanded, but in the process of remanding, the ICC has given new rate increases which piggyback on the old illegal rate cases; and, accordingly, the amount that ratepayers are paying is an amount that includes an illegal rate. And so this Amendment would prohibit the ICC from doing these piggyback rates where an illegal rate was added to a new rate to come out with a new rate that's improper for the ratepayers, and I would move adoption of the Amendment."

Speaker Giglio: "Any discussion? Representative Black."

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

Speaker Giglio: "He indicates he will."

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Black: "Thank you. Representative is... I've seen this before. Where did this language come from? Help me. Help me. Is this a rerun of House Bill 84?"

Lang: "It, in fact, is a rerun of House Bill 84. House Bill 84 was a rerun of the Bill this House passed two years ago which was buried in the Senate."

Black: "Well, let me refresh your memory. House Bill 84 this year failed in committee, 2 'ayes', 4 'nays' and 6 'presents'. Is that right?"

Lang: "That is absolutely correct, Sir."

Black: "Ah. Thank you. Mr. Speaker and Ladies and Gentlemen of the House, at this late hour, the Gentleman wants to revive a Bill that had a fair hearing in committee and failed, and I might add failed by a somewhat substantial margin. But be that as it may, should this Amendment go on by the Roll Call Vote that I'm requesting, I will seek a verification. Thank you."

Speaker Giglio: "Further discussion? Representative Lang, to close."

Lang: "Well, we can debate the committee system, and we can debate the Public Utilities Committee all day. Yes, it had a hearing, but I'm here with this Bill. It passed the House before. It was a good Bill then. It's good now. The ratepayers deserve not to be paying piggyback rates that include illegal rates. This is a situation where the courts have already held the rate to be illegal, and yet the Commerce Commission is piggybacking these new rates on top of the illegal rates. That makes no sense. Your constituents don't want to be paying illegal rate increases. It's a good vote. Vote green."

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

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

Clerk McLennand: "Floor Amendment #2, offered by Representative von Bergen-Wessels."

Speaker Giglio: "The Lady from Whiteside, Representative von Bergen-Wessels."

von Bergen-Wessels: "Thank you, Mr. Speaker. This Amendment would allow historical ratepayers to share in any refunds that might be ordered by the courts. Right now, if you have participated in a rate and then moved out of that utility service area and a refund is ordered, you have no way of getting it back. When this was in committee, I made an Amendment. I didn't have any opposition from the utilities. They were neutral on it, but it was the very last Bill of the last day of committee hearings. We had some Members absent. We had some bipartisan support but it lost by one vote. So I'm bringing it back as a fundamental fairness Bill, and I would urge your support."

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

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Amendment #1 has been adopted, correct?"

Clerk McLennand: "Amendment #1 was just adopted."

Speaker Giglio: "Amendment #1 has been adopted, Representative Black."

Black: "All right. The inquiry of the Chair is Amendment #2 might be, what word am I looking for, not out of order but incorrectly drafted because Amendment #1 went on the Bill. Would the Chair check on that, please?"

Speaker Giglio: "Representative Black, the Parliamentarian informs the Chair that the Amendment is in order."

Black: "Thank you very much, Mr. Speaker."

Speaker Giglio: "Is there any discussion on the Amendment?"

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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, but a fiscal note, state mandates note, state debt impact note for the Bill, as amended, has been filed."

Speaker Giglio: "The Bill will remain on the Order of Second Representative... Mr. Clerk, read the requests."

Clerk McLennand: "A request for a fiscal note, a state mandates note, a state debt impact note for the Bill, as amended."

Speaker Giglio: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. I'd like to move that those note acts are not applicable to this legislation, as amended, or as unamended or anything. They're not applicable."

Speaker Giglio: "Representative... The Lady moves that the fiscal note that's been applied to House Bill 1844, that the Amendment does not apply; and, on that, and all the other notes...and on that, Representative Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is fine, I mean we can go through this. There are even times I agree to withdraw them, but when you're requiring staff work, albeit, by the Commerce Commission or whoever else, stand up and say that there's no fiscal impact or no note has any impact. Come on, that's never-never land. Now, you can vote it if you want to, and if you have all your votes here you can pass it, but I urge the Members to vote 'no'. At least...at the very least a fiscal note is applicable, and I would ask that you vote 'no' on the Ladys' recommendation, and should it get the requisite number, I will persist in a

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verification."

Speaker Giglio: "The question is, 'Is the fiscal note applicable?' All those in favor vote 'aye'; opposed, 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Black."

Black: "Inquiry of the Chair. The Chair said, all those of the question to vote on the fiscal note is applicable, so that means the 'yes' votes would prevail in that case, and the fiscal note is applicable."

Speaker Giglio: "Are all the notes inapplicable, Representative."

Black: "A slight misstatement from the Chair?"

Speaker Giglio: "I don't think you heard me correctly."

Black: "Well, that could be. That could be; but be that as it may, since this only needs a simple majority, I do not intend to persist with the verification to try and run off 14 votes, so I withdraw my request."

Speaker Giglio: "Thank you. Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 64 voting 'yes' and 50 voting 'no', and the Ladys' Motion carries. Third Reading. Representative McGuire, on House Bill 453. Health and Human Services, Second Reading, page 3 of the Calendar. On Special Order. (House Bill) 453. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 453, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative McGuire."

Speaker Giglio: "Representative McGuire."

McGuire: "(Floor Amendment) #1 is adopted, I believe."

Speaker Giglio: "What's the status of the Bill, Mr. Clerk? Any Amendments?"

Clerk McLennand: "Floor Amendment #1 is offered by Representative



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McGuire. No Amendments have been adopted to the Bill."

Speaker Giglio: "Hold the Bill on Second Reading. Representative McGuire."

McGuire: "Withdraw Amendment #1, please. (Amendment) #1 is filed, isn't it?"

Clerk McLennand: "Amendment #1 has been filed."

McGuire: "Yeah, I'd like to withdraw 1."

Speaker Giglio: "The Bill was taken out of the record and it's on Second Reading."

McGuire: "Okay. I wanted to withdraw #1, though, and I have #2 filed."

Speaker Giglio: "We'll do it the next time we come around."

McGuire: "Okay. Thanks very much."

Speaker Giglio: "Okay. House Bill 950, on the Order of Revenue, Second Reading, Representative DeJaegher. Representative DeJaegher? Bob DeJaegher. House Bill 950. Do you wish to call that Bill, Sir? Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 950, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. Second Reading of the Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative DeJaegher."

Speaker Giglio: "Representative DeJaegher."

DeJaegher: "Withdraw Amendment #2."

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

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

Speaker Giglio: "Representative DeJaegher."

DeJaegher: "What Amendment #2...#3 does is be basically...not as restrictive as Amendment #2. (House Bill) 950 is similar legislation to what they presently have in New Jersey and

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Pennsylvania. What it is asking for a rebate from the pharmaceutical manufacturers. I think everybody read just recently what they saw in the Sun-Times in Chicago. This is not unusual legislation. It is not restrictive legislation. It is voluntary and that they...the Department of Revenue has to...they may solicit agreements from the manufacturers and hope that the manufacturers will participate in a rebate. The Bill sunsets in one year and we're asking for the Revenue Department on April 10th or before to report back to the General Assembly."

Speaker Giglio: "Any discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. I have an inquiry of the Chair."

Speaker Giglio: "Proceed."

Black: "The Gentleman withdrew Amendment #1, correct?"

Speaker Giglio: "That's correct."

Black: "What's the status of Amendment #2? The board says #3."

Speaker Giglio: "He withdrew Amendment #2. We're on Amendment #3."

Black: "Okay. So the only Amendment he is on is Amendment #3. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Black: "Representative, your mike kept breaking up there. I could hear a few words and I'd miss a few words. Basically, Amendment #3 makes the process somewhat permissive, right?"

DeJaegher: "Right."

Black: "Okay. Good Amendment. Thank you."

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

Clerk McLennand: "Amendment #4, offered by Representative

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Schakowsky."

Speaker Giglio: "Representative Schakowsky, on Amendment #4."

Schakowsky: "Thank you, Mr. Speaker. What this does is address the pharmaceutical assistance program. This year the Circuit Breaker program is lapsing about \$5 million, and it seems to me that this provides us with a modest opportunity to restore some of the benefits that senior citizens were able to enjoy under the pharmaceutical assistance program. What Amendment #4 would do would be to lower the monthly co-payment that senior citizens have for those over the poverty level from \$25 to \$18.50, for those under the poverty level from \$15 to \$11, and this would still not bring the program back to the funding levels of even FY '92, approximately the funding level of FY '92. So it's a modest restoration of some benefits for senior citizens that we can afford to do 'cause we lapsed money, and I would urge that Amendment #4 be adopted."

Speaker Giglio: "Any discussion? Representative Black."

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

Speaker Giglio: "She indicates she will."

Black: "Representative, it's very hard to quarrel with the underlying concept that you're attempting to do here, but I think you did mention...what is the estimated cost...General Revenue Fund cost to bring about this program?"

Schakowsky: "The cost of this change should be about 4.5 million."

Black: "Well, I don't think we need to quibble over millions of dollars. The Department of Revenue says \$6 million; you say \$4.5 million, I'll compromise and say \$5 million. Is this \$5 million currently in any appropriation Bill to put

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in the departments' budget?"

Schakowsky: "No, not that I'm aware of."

Black: "All right. Thank you very much. Mr. Speaker and Ladies and Gentlemen of the chamber, on Amendment #4, I again, there's no quarrel with the concept. Her answer to the last question...I think, by any stretch of the imagination, should seal the fate of this Amendment. There is no appropriation. No appropriation has been asked for, no appropriation has been offered. It's going to cost somewhere between \$4.5 and \$6 million to bring the Circuit Breaker program back up to what it was two fiscal years ago. Now, I might like that idea, but you know, what we're doing to our seniors, it is really... The Circuit Breaker program has been like an elevator for the last four or five years. Up, down, somewhere in between the floors. We finally have a funding stability level and it seems to be working; now we want to change it back again, and that's okay if the money was there, but I don't think...the Sponsor of the Amendment said there's no appropriation mechanism, so there isn't any money. So why do we persist in building false hopes for our seniors who we go out on a press release and say, 'We're going to get you more money', when we know that's not true. There is no appropriation mechanism. In all due respect to the Sponsor, no matter how good the idea is, I would ask you to vote 'no' on a Roll Call Vote, Mr. Speaker, on Amendment #4; and, quite frankly, Amendment #4 should it go on the Bill, takes a very good Bill that Representative DeJaegher is sponsoring and makes it a very questionable Bill on Third Reading. I urge you to defeat Amendment #4, which the Sponsor admits there is no money appropriated nor even thought to be appropriated to carry out the mandates of this Amendment.

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Vote 'no'."

Speaker Giglio: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I join my colleague Representative Black in opposing this Amendment. You know, it just seems as though we in this Body just can't seem to live by agreements. We got together a group last year and we had a bipartisan compromise on this issue. And here we go less than a year later throwing that whole compromise into the winds, and you know, what is the point of even getting people together to make tough decisions on these kinds of Bills when in a year's time we throw all of that work out the window. I might remind the makers of this Motion...of this Amendment, they were part of this bipartisan group, and it seems to me that this is not the way we ought to be going. I admit, I'd love to give this program more money. Everybody would love to give this program more money. But you know, we sat down last year, we made some tough choices. Representative, you sat on that committee, you know how tough those choices were. There were certain things in that legislation I didn't like, but I was agreeable to it because it was a compromise and it did the best that we could do given the conditions. The conditions haven't changed this year. We don't have a whole ton of a lot more money and so it seems to me that while I know the Sponsor is well-intended and she certainly has worked hard on this issue, this is just...the time is not right for this kind of legislation. We just don't have the money. We ought to let the agreement of last year take hold. Let's see how people will react. We haven't even had an opportunity to see what impact that agreement has on seniors. So, with all due respect again to the Sponsor, and I know she's

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well-intentioned on this, this is just the wrong way to go. I would urge that we oppose this Amendment. Let's leave the agreement intact and let's give it a little time to work. Thank you, Mr. Speaker."

Speaker Giglio: "Further discussion? Representative Skinner."

Skinner: "I would be happy just to explain my vote if you want to take a vote."

Speaker Giglio: "You can talk now."

Skinner: "Well, but...I'm new to this process of pharmaceutical assistance. Back when I was in the General Assembly the first time and we talked about Circuit Breaker we were talking about property tax relief. Now, I don't have senior citizens coming to me saying, 'I can't pay my drug bills'. What I have is people coming to me saying, 'I can't pay my property tax bills'. I have people in Crystal Lake that are having to sell their homes. I can name you two public officials from Crystal Lake that can't afford to retire in Crystal Lake; they're moving to Maringo near the Boone County line because the property taxes are much lower there. If we've got an extra \$5 million, we ought to be putting it in property tax relief for senior citizens, not in pharmaceutical assistance."

Speaker Steczo: "Representative Schakowsky, to close."

Schakowsky: "I just want to make two points. One, I would not be recommending this legislation today if we were not lapsing money in the Circuit Breaker program. When it comes to senior citizen programs, it seems like the State of Illinois cannot meet its commitment to spend the amount of money that was appropriated for very important programs. Now, Representative Skinner, I get so...I can't imagine that you don't hear from seniors who are having so much trouble paying for their pharmaceuticals. I mean, it

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really is a major, major problem. Medicare doesn't cover out of pocket pharmaceutical costs. This is suggested only because it is clear that the department did not spend the money that we said it should to assist senior citizens. That's why I'm back, even though I was part of that compromise process. I think we can do better next year. I urge an 'aye' vote."

Speaker Steczo: "The Lady has moved for the adoption of Amendment #4 to House Bill 950. All those in favor will signify by saying 'aye'; all those opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. Representative Steczo, in the Chair. For what purpose does the Gentleman from Vermilion, Representative Black, seek recognition?"

Black: "Thank you very much. Clarification if I might, Mr. Speaker. There were Members on my side of the aisle that heard me ask for a Roll Call, but, according to the rules, I was not joined by the appropriate number of people and that's why the Chair denied my request for a roll call, and I understand that. I...try not to make that mistake again."

Speaker Steczo: "Please, Mr. Black, do not make the same mistake another time. On the Order of Roads and Transportation, Second Reading, appears House Bill 127, Representative Giorgi. Out of the record. House Bill 1114, Representative Hartke. Out of the record. House Bill 2308, Representative Deuchler. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2308, a Bill for an Act to amend the Illinois Vehicle Code. The Bill has been read a second

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time previously. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Steczo: "Third Reading. On the Order of Consumer Protection, Third Reading, appears House Bill 793, Representative Schakowsky. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 793, a Bill for an Act concerning blood safety. Second Reading of the Bill. No Committee Amendments."

Speaker Steczo: "The Lady asks that the Bill be taken from the record. On the Order of Consumer Protection, Second Reading, appears House Bill 1645, Representative Turner. Mr. Turner? Out of the record. On the Order of Agriculture and Conservation, Second Reading, appears House Bill 602, Representative Hicks. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 602, a Bill for an Act to amend the Illinois Horse Racing Act of 1975. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. House Bill 690, Representative Moseley. Out of the record. House Bill 1074, Representative Churchill. Out of the record. House Bill 1990, Representative Brunsvold. Out of the record. On the Order of Insurance, Second Reading, appears House Bill 362, Representative LeFlore. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 362, a Bill for an Act to amend the Minority and Female Business Enterprise Act, Second Reading of the Bill. No Floor Amendments. No Committee Amendments. Floor Amendment #1, offered by Representative Lang."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Lang."



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Lang: "Thank you, Mr. Speaker. At Representative LeFlore's request, Floor Amendment #1 is an Amendment that would change the Bills...the goals in the Bill slightly. It would change the minority goals to 15% and the female goals to 15%. That's all the Amendment does, and I move adoption."

Speaker Steczko: "Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Steczko: "He indicates that he will."

Black: "Is this a merely Bill, that merely lowers the percentages of a quota from one percentage to another?"

Lang: "It merely lowers one and merely raises the other from the original Bill. The total is the same. Thirty percent of the contracts as a goal would be awarded to these two groups, minorities and females, but the percentages have changed."

Black: "What kind of insurance contracts are we talking about. Well, that's not germane to the Amendment. I'm sorry. I'll bring that up at another time."

Lang: "And I'll try to have the answer for you by then, as well."

Black: "Thank you very much."

Speaker Steczko: "Is there any further discussion? The Gentleman has moved for the adoption of Amendment #1. All those in favor will say 'aye'; those opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Steczko: "Third Reading. On the Order of Insurance, Second Reading, appears House Bill 655, Representative Mautino. Mr. Clerk, please read the Bill."

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Clerk McLennand: "House Bill 655, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Mr. Clerk, no Floor Amendments?"

Clerk McLennand: "No Floor Amendments."

Speaker Steczo: "Third Reading. Going back to the Order of Agriculture and Conservation, Second Reading, appears House Bill 690, Representative Moseley. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 690, a Bill for an Act amending the Illinois Farm Development Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Moseley."

Speaker Steczo: "The Chair recognizes the Lady from Sangamon, Representative Moseley."

Moseley: "Thank you, Mr. Speaker. This Amendment simply adds some meat to the Bill. It defines more clearly who is eligible for this loan program, how the bank goes about making applications for the guarantees. It basically puts the Bill together; and, at this point, this Bill, as amended, is supported by the Farm Bureau, the soil and water conservation people. I know of no opposition, and I ask for your favorable consideration."

Speaker Steczo: "The Lady has moved for the adoption of Amendment #1. On that question, the Gentleman from Will, Representative Wennlund."

Wennlund: "Inquiry of the Chair, Mr. Speaker. Thank you very much."

Speaker Steczo: "State your inquiry, Mr. Wennlund."

Wennlund: "Strike the inquiry. We did find it. Will the Sponsor yield?"

Speaker Steczo: "She indicates she will."

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Wennlund: "Thank you. Representative Moseley, can you tell us what the Amendment does. The noise level is a little high here on the House floor, and I just found the Amendment in my file. Can you tell us what it does?"

Moseley: "Sure. What the Amendment does is define who is eligible for this program, what...the definition of a farm, you know, an owner or operator of a farm, it spells out the application process, it spells out the guarantee process, and it spells out how the banks deal with default."

Wennlund: "And, is there a fiscal impact on the state as a result of this?"

Moseley: "I believe that a fiscal impact statement by the Treasurers' Office says there is no impact in this year and that there is...it is a half million dollars...\$500,000 for funding for the reserve fund for next fiscal year and for the fiscal year following that. That's for the reserved funds."

Wennlund: "Does this Amendment change the fiscal note?"

Moseley: "No. The Amendment should have no impact on the fiscal note at all."

Wennlund: "Is there any opposition to the Amendment?"

Moseley: "Not to my knowledge."

Wennlund: "Okay. Thank you very much."

Speaker Steczo: "Is there any further discussion? The Gentleman from Jo Daviess, Representative Lawfer."

Lawfer: "A question. Will the Sponsor yield?"

Speaker Steczo: "She indicates that she will."

Lawfer: "Does this change any of the requirements of the Farm Development Authority as far as collateral?"

Moseley: "No. No. This does not...this is consistent with the way the Farm Development Authority does business now."

Lawfer: "In other words, collateral has to be real estate and

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cannot include personal property?"

Moseley: "Yes. My advisors are telling me yes."

Lawfer: "Thank you very much."

Speaker Steczo: "Is there any further discussion? There being none, the Lady moves for the adoption of the Amendment. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment's adopted. Mr. Clerk, any further Amendments?"

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

Speaker Steczo: "The Gentleman withdraws the Amendment. Any further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. Back to the Order of Insurance, Second Reading, appears House Bill 1067, Representative Hicks. Mr. Hicks? Please read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1067, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. House Bill 1229, Representative Laurino. Out of the record. House Bill 1829, Representative Hicks. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1829, a Bill for an Act to amend the Illinois Insurance Code. The Bill has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. On the Order of Insurance, Second Reading, appears House Bill 2353, Representative Granberg. Out of the record. My understanding is it's been passed already or moved already, I should say. On the Order of Veterans, Second Reading, appears House Bill 1601, Representative Martinez. Representative Martinez. We've

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done it already. I'm sorry. Out of the record. On the Order of Civil Justice, Second Reading, appears House Bill 141, Representative Schoenberg. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 141, a Bill for an Act in relation to offenses involving motor vehicles. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #2, offered by Representative Biggins."

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

Biggins: "Sorry...Mr. Speaker, I'm sorry."

Speaker Steczo: "Mr. Biggins, we erred. The Clerk pulled the wrong Bill. So evidently your Amendment was filed to House Bill 140 I believe."

Biggins: "So, there is Amendment #3?"

Clerk McLennand: "(Amendment) #3. Floor Amendment #3, offered by Representative Schoenberg."

Speaker Steczo: "The Chair recognizes Representative Schoenberg, on Amendment #3."

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Can I make an inquiry of the Chair? How many Amendments have been filed for this?"

Clerk McLennand: "No further Amendments have been filed."

Schoenberg: "Thank you. Floor Amendment #3 addresses issues which were raised in the Judiciary Committee. What it does is eliminate seizure provision from the Bill and limits, according to a request by the Minority Spokesman on the committee, it limits the context in which this enhanced penalty is applied to suspensions, revocations and the like, where the license or permit is suspended or revoked as a result of a DUI offense. I ask for your support, and I'd be happy to answer any questions."

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Speaker Steczo: "The Gentleman has moved for the adoption of the Amendment. On that question, the Gentleman from DuPage, Representative Johnson."

Johnson, Tom: "Yes, Mr. Speaker, to the Bill. I just want to concur with what the Representative has stated that this is an agreement that was made in committee and this fulfills that pledge. Thank you."

Speaker Steczo: "Is there any further discussion? There being none, the Gentleman has moved for the adoption of the Amendment. All those in favor will say 'aye'; all those opposed 'nay'. The 'ayes' have it. The Amendment's adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of Civil Justice, Second Reading, appears House Bill 224, Representative Pugh. Mr. Pugh, would you like to... Out of the record. House Bill 365, Representative Homer. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 365, a Bill for an Act to amend the Code of Criminal Procedure of 1963. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Homer."

Speaker Steczo: "The Gentleman from Fulton, Representative Homer."

Homer: "Out of the record, please."

Speaker Steczo: "House Bill 365 will be taken from the record. On the Order of Civil Justice, Second Reading, appears House Bill 764, Representative Lang. Out of the record. House Bill 819, Representative Sheehy. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 819, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of the Bill. No

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Committee Amendments. Floor Amendment #1, offered by Representative Sheehy."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Sheehy on the Amendment."

Sheehy: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. I would like to withdraw Amendments #1 and 2."

Speaker Steczo: "Amendments #1 and 2 will be withdrawn. Mr. Clerk, any further Amendments?"

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

Speaker Steczo: "The Gentleman from Cook, Representative Sheehy."

Sheehy: "What Amendment #3 is, it adds...this Act takes effect upon becoming law, and also it states additional penalties, and I might add, that this is requested in committee by Members on the other side of the aisle here. I'd be more than happy to answer any questions."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #3. On that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Steczo: "He indicates that he will."

Black: "Representative, I...bear with me. I don't rise to oppose your Amendment or anything like that. My question is, 'Are you sure...have staff check that Amendment #3 actually gives a sentence for the'... Wait a minute. Let me talk to my staff. Mr. Speaker, can we just hold this for just a few seconds?"

Speaker Steczo: "Mr. Black, we'll hold it just a few seconds just for you, Sir. The Chair recognizes the Gentleman from DuPage, Representative Johnson."

Johnson, Tom: "To the Bill. This Amendment is worked out in

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accordance with the agreement that we had struck with the Sponsor in committee, and we have no objection to this."

Speaker Steczo: "Representative Sheehy has moved for the adoption of Amendment #3. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment's adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of Civil Justice, Second Reading, appears House Bill 1026, Representative Homer. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1026, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Homer."

Speaker Steczo: "The Gentleman from Fulton, Representative Homer."

Homer: "Thank you. Mr. Speaker, may I inquire of the Clerk how many Floor Amendments are there?"

Speaker Steczo: "Mr. Clerk?"

Clerk McLennand: "Two Floor Amendments. There are two Floor Amendments."

Homer: "All right. I want to...I want to withdraw Floor Amendment #1."

Speaker Steczo: "Floor Amendment #1 will be withdrawn."

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

Speaker Steczo: "Representative Homer, on Amendment #2."

Homer: "Thank you, Mr. Speaker, Ladies and Gentlemen. Floor Amendment #2 is a codification of the federal immunity statute in the Criminal Code...or Code of Criminal Procedure. We earlier today passed a Bill, Representative



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Walsh had on behalf of State's Attorney O'Malley which added some additional crimes to a list of those offenses for which Use Immunity may be given..."

Speaker Steczo: "Mr. Homer? Mr. Homer, it's our understanding that this Amendment has not yet been printed and distributed, so we'll take the Bill from the record. On the Order of Civil Justice, Second Reading, appears House Bill 1161, Representative Dart. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1161, a Bill for an Act concerning adoption. Second Reading of the Bill. Amendments #1 and 2 have been adopted in committee. No Motions filed. Floor Amendment #3, offered by Representative Dart."

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

Dart: "Thank you, Mr. Speaker. Floor Amendment #3 is the Amendment that was drawn up by the insurance industry to try to make this Bill a little more workable in their eyes. We are right now in a position where we agree with this Amendment, and I would urge its adoption now."

Speaker Steczo: "Is there any discussion? The Gentleman from Cook...from Will rather, Representative Wennlund."

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

Speaker Steczo: "He indicates that he will."

Wennlund: "Maybe we can bring the noise level down a little bit. It's pretty hard hearing over here."

Speaker Steczo: "Proceed, Mr. Wennlund."

Wennlund: "Yes, thank you. Representative Dart, could you explain to us how this Amendment changes the original Bill?"

Dart: "This was the Amendment that the insurance companies themselves drafted. It was drafted at their behest because they believe that the initial Bill went too far in certain

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respects in how far it covered people who are adopting children. They put in quite a few different safeguards in their opinion to ensure that they are given adequate notice that they are going to be required to cover adopted children in an insurance policy."

Wennlund: "Does this require insurers and HMOs to cover all adopted children under an existing health or family health policy?"

Dart: "No, no. They...under the way they have it drafted here, it's only after there's been some notice given to the insurance company this will be done. This was their Amendment; they drafted it so that administratively they would be put on notice and that they would not have to just randomly be insuring every child who's adopted."

Wennlund: "So, the insurance industry has signed off this?"

Dart: "They wrote this."

Wennlund: "They wrote it. Okay. Thank you very much."

Speaker Steczo: "Is there any further discussion? Gentleman has moved for the adoption of the Amendment. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment's adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of Civil Justice, Second Reading, appears House Bill 1319, Representative Currie. Out of the record. House Bill 1386, Representative Pankau. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1386, a Bill for an Act to amend the Criminal Code of 1961. The Bill has been read a second time previously. Amendments #1 and 2 were adopted in committee. No Motions filed. No Floor Amendments. No Floor Amendments."

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Speaker Steczko: "Third Reading. On the Order of Civil Justice, Second Reading, appears House Bill 1575, Representative Lang. Out of the record. House Bill 1660, Representative Homer. Out of the record. House Bill 1661, Representative Homer. Out of the record. (House Bill) 1662, Representative Homer. (House Bill) 1663, Representative Homer. (House Bill) 1664, Representative Homer. Out of the record; all those Bills. On the Order of Civil Justice, Second Reading, appears House Bill 1677, Representative Levin. Out of the record. On the Order of Civil Justice, Second Reading, appears House Bill 1905, Representative Lang. Out of the record. House Bill 1917, Representative Mulligan. Out of the record. House Bill 1940, Representative von Bergen-Wessels. House Bill 1940. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1940, a Bill for an Act to amend the Elder Abuse and Neglect Act. This Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative von Bergen-Wessels."

Speaker Steczko: "The Lady from Whiteside, Representative von Bergen-Wessels, on the Amendment."

von Bergen-Wessels: "Thank you, Speaker. This Amendment becomes the Bill. When we took this Bill before committee, we agreed that we wouldn't bring anything forward until we had an agreement from all parties involved, and we now have that agreement. What this Bill will do is expand the number of abusive situations for which a senior citizen can get an order of protection, and I would ask for a favorable vote on this Amendment."

Speaker Steczko: "The Lady has moved for the adoption of the Amendment. Is there any discussion? The Gentleman from

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Will, Representative Wennlund."

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

Speaker Steczo: "She indicates that she will. Mr. Wennlund, proceed."

Wennlund: "It worked. Did you notice how the noise level came down, Speaker?"

Speaker Steczo: "Just because it's you, Mr. Wennlund."

Wennlund: "No, I doubt it. Yes, Representative. Can you tell us what change this is from the original Bill?"

von Bergen-Wessels: "Originally, the Bill was put under the auspices of the Department of Aging and now it changes Nursing Home Care Acts, as well as makes some minor changes in the Domestic Violence Act, so it's a move away from the Department of Aging."

Speaker Steczo: "And, Representative, how does it change the definition of 'high-risk adults with disabilities'?"

von Bergen-Wessels: "We recognize that there was a need for elder adults to be included in the definition of... 'High-risk adults with disabilities' are included in a particularized definition under family or household members of the Domestic Violence Act, so that those people who care for high risk adults with disabilities, voluntarily or by contract, fall under the Ages of Domestic Violence Act. We recognize that there are elder adults who might not be included in the definition of a 'high-risk adult with a disability' and now have included the elder adult into that those parameters."

Wennlund: "Representative, isn't it already, to beat up old people?"

von Bergen-Wessels: "I beg your pardon?"

Wennlund: "Isn't it already illegal to beat up old people?"

von Bergen-Wessels: "This would allow people to get orders of

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protection against caretakers that might be abusive."

Wennlund: "Can't they already do that under existing law? Get an order of protection..."

von Bergen-Wessels: "We recognize that there was a hole there for elders, particularly who might be in sheltered care or might have neighbors who are coming in and taking care of them, because those neighbors wouldn't fall under the definition of a 'household member' unless we include elder adults within the rubric of elder adults with disabilities for purposes of defining 'household members'."

Wennlund: "Okay. Thank you very much."

Speaker Steczo: "Is there any further discussion? The Lady has moved for the adoption of the Amendment. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. And the Amendment's adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of Criminal Justice, Second Reading...Civil Justice, Second Reading, appears House Bill 2010, Representative Cross. Out of the record. House Bill 2112, Lou Jones. Representative Lou Jones. Out of the record. House Bill 2191, Representative Lopez. Out of the record. House Bill 2386, Representative Hoffman. Out of the record. House Bill 2408, Representative Dart. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2408, 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 Dart."

Speaker Steczo: "Gentleman from Cook, Representative Dart."

Dart: "Thank you, Mr. Speaker. Amendment #1 adds an immediate effective date. I move for its adoption."

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Speaker Steczo: "Gentleman has moved for the adoption of the Amendment. Is there any discussion? There being none, all those in favor of the adoption of the Amendment will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments, Mr. Clerk?"

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

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

Dart: "Thank you, Mr. Speaker. Amendment #2 corrects a typographical error that was made in the original draft. I move for its adoption."

Speaker Steczo: "The Gentleman has moved for the adoption of the Amendment. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment's adopted. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. Going back on the Order of Civil Justice to House Bill 2112, Representative Lou Jones. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2112, a Bill for an Act in relation to gangs. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. On the Order of Civil Justice Second Reading, appears House Bill 2425, Representative Gash. House Bill 2427, Representative Schakowsky. Out of the record. For what purpose does the Lady from DuPage, Representative Biggert, seek recognition? False alarm? On the Order of Civil Justice, Second Reading, appears House Bill 2428, Representative Lang. Out of the record. House Bill 2433, Mr. Lang. Out of the record. I would like to

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announce at this time that all of the Bills that have appeared on the Agreed List received sufficient amount of votes to pass. So the Bills on the Agreed List, having received the required Constitutional Majority, are now hereby declared passed. For what purpose does the Gentleman from Vermilion, Representative Black, seek recognition?"

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. As the hour grows late and since all the Bills on the Agreed Bill Calendar passed, (and there were a couple of really good Bills on there), I would suggest that we put everything on the Calendar on the Agreed Bill list, vote, we'll come back tomorrow, you give us the sheet, and then we can go home."

Speaker Steczo: "Mr. Black, we will take that suggestion under serious consideration."

Black: "Thank you very much."

Speaker Steczo: "On the Order of Local Government, Third Reading, appears House Bill 344, Representative Black. Mr. Black, House Bill 344. Out of the record. House Bill 609, Representative Saltsman. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 609..."

Speaker Steczo: "Mr. Clerk, excuse me just one second. Representative Saltsman, for what purpose do you seek recognition?"

Saltsman: "I had an Amendment drafted for the Department of Revenue. Has it been passed out yet, or do we need it? It's a good Bill. It's a good Amendment."

Speaker Steczo: "Mr. Saltsman, that Amendment has not yet been printed and distributed."

Saltsman: "If it does happen to come up, can we come back to this record?"

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Speaker Steczo: "Absolutely."

Saltsman: "It's a technical Amendment."

Speaker Steczo: "We'll take the Bill out of the record for now."

Saltsman: "Thank you very much."

Speaker Steczo: "On the Order of Local Government, Third Reading, appears House Bill 610, Representative Balanoff. Out of the record. House Bill 630, Representative Wojcik. Out of the record. House Bill 703, Representative Ryder. Mr. Ryder? House Bill 703? Out of the record. We'll go back to Representative Wojcik, House Bill 630. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 630, a Bill for an Act amending the Township Law of 1874. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes the Lady from Cook, Representative Wojcik."

Wojcik: "Mr. Speaker, I'd like to have leave to take the Bill back to Second Reading for purpose of an Amendment."

Speaker Steczo: "The Lady asks leave to bring the Bill back to the Order of Second Reading for the purpose of an Amendment. Is there leave? There being no objection, leave is granted. The Bill will now be on the Order of Second Reading. Mr. Clerk, any Amendments?"

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

Speaker Steczo: "The Chair recognizes the Lady from Cook, Representative Wojcik."

Wojcik: "Mr. Speaker, Amendment #3 just removes the word or an independent public accountant."

Speaker Steczo: "The Chair recognizes Representative Granberg."

Granberg: "Mr. Speaker, with due respect to the Sponsor, we don't have Amendment #3 showing as being printed yet, Kay."

Speaker Steczo: "Mr. Clerk, has Amendment #3 been printed?"



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Clerk Rossi: "Amendment #3 has not been printed and distributed."

Speaker Steczo: "Representative Wojcik, it has not been printed."

Granberg: "Representative, we'd love to adopt it for you if we had it."

Speaker Steczo: "Shall we leave the Bill on Second Reading, Representative Wojcik?"

Wojcik: "If you would, I would appreciate it. Thank you."

Speaker Steczo: "Okay. The Bill will remain on the Order of Second Reading. On the Order of Local Government, Third Reading, appears House Bill 907, Representative Kubik. House Bill 1097, Representative Capparelli. I believe House Bill 1071 was on the agreed list, as well. House Bill 1097, Representative Capparelli. Third Reading. Would you like to call the Bill, Sir? Okay. That evidently already has been passed as well. On the Order of Local Government, Third Reading, appears House Bill 1266, Representative Dart. Mr. Dart? Out of the record. House Bill 1364, Representative Hawkins. Representative Hawkins? Would you like to call your Bill? That Bill has already passed on the Agreed Bill List, too. On the Order of Local Government, Third Reading, appears House Bill 1724. Has that one passed yet? Mr. Turner. Out of the record. House Bill 2003, Representative Dart. Mr. Dart? Out of the record. House Bill 2311, Representative Mautino. Out of the record. For what purpose does the Lady from Cook, Representative Shirley Jones seek recognition?"

Jones, S.: "You want a Bill to call, call 544. (House Bill) 544."

Speaker Steczo: "Representative Jones, we're looking for that Bill. On the Order of Education, Third Reading, appears House Bill 77, Representative Santiago. Okay. Our records are not reflecting these Bills have already passed on the

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Agreed List. House Bill 658, Representative Currie. Out of the record. House Bill 754, Representative Cowlshaw. Representative Cowlshaw, House Bill 754? Third Reading. Out of the record. House Bill 957, Representative Stroger. Would you like to call your Bill? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 957, a Bill for an Act concerning school tuition for public service. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes the Gentleman from Cook, Representative Stroger."

Stroger: "Thank you, Mr. Speaker. This Bill states that ISAC could start a program that would...have public service for a tuition payments instead of having to pay off in monetary terms, and I'd ask for a favorable vote on this."

Speaker Steczo: "Gentleman has moved for the passage of House Bill 957. On that, is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. First an inquiry of the Chair. What Amendments have been adopted to this Bill?"

Speaker Steczo: "Mr. Clerk, what Amendments have been adopted to House Bill 957?"

Clerk Rossi: "Amendments 1 and 2."

Speaker Steczo: "Mr. Black, Amendments #1 and #2."

Black: "All right, and that was a Committee Amendment #1 and Floor Amendment #2?"

Speaker Steczo: "We're checking, Mr. Black."

Clerk Rossi: "(Amendment) #1 was a Committee Amendment, #2 is a Floor Amendment."

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

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Speaker Steczo: "He indicates that he will."

Black: "Thank you. Representative, isn't this modeled...first of all, this is a pilot program, correct? Okay, and it's kind of modeled after the Presidents' proposal for national service or National Service Corps or something like that, right?"

Stroger: "That's correct."

Black: "Okay. So, in other words, now I've finally found it. Okay. If someone is doing public service work, is there a formula in the Bill that says how much work equates to how many dollars they can work off of their student loan?"

Stroger: "No. Actually, ISAC would...is authorized to write the program the way that they think that they could actually do it."

Black: "So, ISAC would set the standards or the requirements?"

Stroger: "Yes."

Black: "Okay. A couple of other questions, if I might. ...If you're working on public-service type jobs, who are you responsible to? I mean, again, is ISAC going to set up the entire rule and regulatory structure?"

Stroger: "Yes, they will."

Black: "Okay. If this worker is injured on the job, will that worker be covered by Worker's Compensation?"

Stroger: "The commission would work with any employers to ensure that all the workers would have some type of insurance."

Black: "Okay. Representative, I...I don't stand in opposition to your Bill. However, let me give you three points you might want to work on in the Senate I think to strengthen this a little bit. One of the concerns that we have is...you know, if you leave the entire structure to ISAC, we may be relinquishing certain legislative oversight. Three things I'd like you to take a look at when it goes to the Senate:

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Is this person going to do this public service work before or after college because I think that makes a difference. The second question obviously is...Worker's Compensation; I think you'll agree that's very important that we know whether or not that public service work is covered; and then the third thing is, who ultimately is the responsible party for that public-service position? In other words, if the person doesn't do the job and is just getting credit or money rolled off his or her account and doesn't really do anything or doesn't even show up, somebody should be able to come back and say, 'You can't do that. We're going to fire you'. So, if you'd take a look at those three questions when it goes to the Senate, I think that would make a good Bill a better Bill, and I simply rise to urge that you do that and urge Members on my side of the aisle to vote for your Bill. I think it's a good Bill. You need to tighten it up just a little bit."

Speaker Steczo: "Is there any further discussion? There being none, the question is 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 113 voting 'yes', 0 voting 'no', 0 voting 'present'; and House Bill 957, having received the required Constitutional Majority, is hereby declared passed. Representative Cross wishes to be recorded as 'aye'. On the Order of Education, Third Reading, appears House Bill 1089, Representative Churchill. Out of the record. House Bill 1195, Representative John Dunn. Out of the record. House Bill 1932, Representative Phelan. Mr. Phelan? House Bill 1932. Out of the record. House Bill 2027, Representative Turner. Out of the record. House Bill 2062,

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Representative Bugielski. House Bill 2105, Representative Levin. Mr. Levin, do you want to call your Bill? House Bill 2230, Representative Kubik. Mr. Kubik, you wish to hear your Bill? Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2230, a Bill for an Act to amend the School Code. Third Reading of the Bill.

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

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I ask leave of the Body to have Representative Hoeft present the Bill because his Amendment becomes the Bill and would appreciate Representative Hoeft presenting the Bill."

Speaker Steczko: "The Chair recognizes Representative Hoeft."

Hoeft: "Mr. Speaker, thank you, Members of the House. This Bill, 2230, is one of the few times we will have this Session to take action to protect the teachers and the students in our schools from some of the violence that we have seen recently. This Bill is saying that those individuals who cannot, because of credit, graduate before 21-years-old, and who are trying to re-enroll, shall be blocked from the public schools if the public schools can provide an alternative educational setting through the adult education program or the community college program. It is an excellent Bill in order to protect the students and the teachers, and I would ask that it be passed. Thank you."

Speaker Steczko: "The Gentleman has moved for the passage of House Bill 2230. On that, is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I have an inquiry of the Chair."

Speaker Steczko: "Please state your inquiry."

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Black: "The lead Sponsor is listed as Representative Kubik. Why is Representative Hoeft presenting the Bill?"

Speaker Steczo: "Mr. Kubik has just asked leave for Mr. Hoeft to present the Bill."

Black: "Why wouldn't he give leave to Representative Deuchler? This is out of order, Mr. Speaker."

Speaker Steczo: "It's Mr. Kubik's request, Mr..."

Black: "Well, I'll defer to Representative Kubik being able to designate who's going to carry his Bill. This is highly unusual. Somebody said...this is a very unusual request. I'm not sure that it's out of order. In other words, Representative Hoeft is now carrying this Bill?"

Speaker Steczo: "Mr. Hoeft is not carrying this Bill, and I believe if the inquiry has any relevance, that he's already passed his first Bill."

Black: "He has?"

Speaker Steczo: "I believe he has."

Black: "Oh. I withdraw my inquiry."

Speaker Steczo: "Mr. Hoeft, have you already passed your first Bill? Representative Hoeft? Please turn on Representative Hoeft."

Hoeft: "Any time I can give that Gentleman grief, I will."

Speaker Steczo: "Representative Hoeft, have you already passed your first Bill?"

Hoeft: "Yes, I have."

Speaker Steczo: "You have. Okay. The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "We were with Representative Black as we always are, but now we withdraw our comments."

Speaker Steczo: "Is there any further discussion? The Gentleman has moved for the passage of House Bill 2230; and, on that...the question is, 'Shall this Bill pass?' All those

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in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question... For what purpose does the Gentleman from Jefferson, Representative Hicks, seek recognition?"

Hicks: "Yes, after you declare the vote, Mr. Speaker, I'd just like to be like Representative Jones, I'd like to have House Bill 599 called."

Speaker Steczo: "We'll take it under advisement, Representative Hicks. Thank you. On this question, there are 112 voting 'yes', 0 voting 'no', 0 voting 'present'; and this Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Education, Third Reading, appears House Bill 2249, Representative Flowers. Out of the record. House Bill 2274, Representative Brunsvold. Out of the record. On the Order of Education, Third Reading, appears House Bill 754, Representative Cowlshaw. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 754, a Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 754 is not in its...not in its finished form as yet. We are working with the Bureau of the Budget and with the Governor's office, to try to create a matching bond program for school districts throughout Illinois. If we can work out this program to everyones satisfaction, it would really consist of three elements. One would be a 50-50 match between the states jail bonds and local bonds for those school districts that

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are experiencing extraordinary growth. We would probably set that at something like 5% growth rate to qualify. Secondly, there would be a portion of this program for renovating and repairing those schools in Illinois that are in the very most need of that kind of attention and I am told that they are not just in Chicago, they are located in many places..."

Speaker Steczko: "Excuse me, Representative Cowlshaw. For what purpose is the Gentleman from Clinton, Representative Granberg, seek recognition?"

Granberg: "Representative Cowlshaw, could you just take this Bill out of the record for a minute? We have some staff...we have some questions."

Cowlshaw: "Sure."

Granberg: "And, we'll come right back to it if..."

Cowlshaw: "Sure, fine, thank you."

Speaker Steczko: "The Lady requests that the Bill be taken from the record. Page 50 of the Calendar, appears House Resolution 415, Representative Giolitto. The Lady moves, pursuant to Rule 77(a), to discharge the Committee on Health Care and Human Services from further consideration advance to the Speaker's table. Is there leave for the Attendance Roll Call? There being no objection, leave is granted. On House Resolution 415, the Chair recognizes Representative Giolitto."

Giolitto: "Hello, I'd like your attention please. I know everybody is anxious to go home, but I have something very important here that I would like to share with you...that is very, very close to my heart and my kidney. ...This has to do with National Organ Donor Week, and House Resolution 415 will include the State of Illinois and because of this I would like to ask every person here who has ever thought



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about signing the back of your drivers license to get it out right now and sign it and have two people witness it, so that we can get more people to donate organs. There...there is right now a shortage of 20,000 organs needed in this country, so it's a great time to think about it, and we would all appreciate any and all contributions. Thank you all very much."

Speaker Steczo: "Is there any discussion? The Lady moves for the adoption of House Resolution 415. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Resolution is adopted. The Chair recognizes Representative McPike."

McPike: "Thank you, Mr. Speaker. Allowing the Clerk perfunctory time for Second Reading Bills, I move the House stands adjourned until tomorrow at 9 a.m."

Speaker Steczo: "The Gentleman moves that the House stand adjourned until 9 a.m. tomorrow morning. All those in favor say 'aye'; those opposed, 'no'. Allowing the Clerk adequate perfunctory time, the 'ayes' have it. The House now stands adjourned."

Clerk McLennand: "Introduction - First Reading of Senate Bills. Senate Bill 47, offered by Representative Blagojevich, a Bill for an Act concerning injuries at organized events. First Reading of the Bill. Senate Bill 80, offered by Representative Hughes, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. Senate Bill 97, offered by Representative Dunn, a Bill for an Act in relation to information concerning employment records. First Reading of the Bill. Senate Bill 99, offered by Representative Stroger, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 105, offered by Representative Hartke, a Bill

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for an Act to amend the Illinois Dead Animal Disposal Act. First Reading of the Bill. Senate Bill 124, offered by Representative Wojcik, a Bill for an Act to amend the Higher Education Student Assistance Act. First Reading of the Bill. Senate Bill 160, offered by Representative Gash, a Bill for an Act to amend the Voluntary Payroll Deductions Act. First Reading of the Bill. Senate Bill 180, offered by Representative Currie, a Bill for an Act to amend the Child Passenger Protection Act. First Reading of the Bill. Senate Bill 221, offered by Representative Steczo, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 232, offered by Representative Flinn, a Bill for an Act to amend the Illinois Savings and Loan Act. First Reading of the Bill. Senate Bill 282, offered by Representative Black, a Bill for an Act to amend the Higher Education Student Assistance Act. First Reading of the Bill. Senate Bill 324, offered by Representative Wojcik, a Bill for an Act to amend the Podiatric Medical Practice Act. First Reading of the Bill. Senate Bill 358, offered by Representative Lopez, a Bill for an Act to amend the Illinois Fire Protection Training Act. First Reading of the Bill. Senate Bill 542, offered by Representative McAuliffe, a Bill for an Act to amend the Space Needs Act. First Reading of the Bill. Senate Bill 707, offered by Representative Lang, a Bill for an Act concerning the validation of appropriation and tax levy ordinances. First Reading of the Bill. Senate Bill 1032, offered by Representative Wennlund, a Bill for an Act in relation to expungement of arrest records for certain cannabis and controlled substances violations. First Reading of the Bill. Senate Bill 1033, offered by Representative Wennlund, a Bill for an Act to amend the Criminal Code of 1961.

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Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 224, a Bill for an Act to amend the Juvenile Court Act of 1987. Second Reading of the Bill. House Bill 236, a Bill for an Act concerning hospitals. Second Reading of the Bill. House Bill 271, a Bill for an Act to amend the Park District Code. Second Reading of the Bill. House Bill 276, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 289, a Bill for an Act to create a pilot program for reimbursement of parents of private primary school children in the Pilsen - Little Village, Back of the Yards, and McKinley Park Neighborhoods of the City of Chicago. Second Reading of the Bill. House Bill 294, a Bill for an Act to amend the Illinois Migrant Labor Camp Law. Second Reading of the Bill. House Bill 295, a Bill for an Act to amend the Wildlife Code. Second Reading of the Bill. House Bill 297, a Bill for an Act to amend the Field Sanitation Act. Second Reading of the Bill. House Bill 298, a Bill for an Act in relation to air pollution. Second Reading of the Bill. House Bill 299, a Bill for an Act to amend the Illinois Pollution Prevention Act. Second Reading of the Bill. House Bill 313, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 314, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 327, a Bill for an Act relating to governing boards of Illinois institutions of higher learning. Second Reading of the Bill. House Bill 338, a Bill for an Act in relation to the Department of Conservation. Second Reading of the Bill. House Bill 345, a Bill for an Act to amend the Downstate Forest Preserve District Act. Second Reading of the Bill. House Bill 363, a Bill for an Act concerning small business

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surety bonds. Second Reading of the Bill. House Bill 364, a Bill for an Act to amend the Law Enforcement Emergency Care Act. (sic-Narcotics Profit Forfeiture Act). Second Reading of the Bill. House Bill 397, a Bill for an Act to amend the Sanitary District Revenue Bond Act. Second Reading of the Bill. House Bill 401, a Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. House Bill 410, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 412, a Bill for an Act to create the Private Detective, Private Alarm, and Private Security Act. Second Reading of the Bill. House Bill 441, a Bill for an Act concerning nutritional services for children. Second Reading of the Bill. House Bill 461, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 475, a Bill for an Act to amend the Condominium Property Act. Second Reading of the Bill. House Bill 478, a Bill for an Act to amend the Sustainable Agriculture Act. Second Reading of the Bill. House Bill 481, a Bill for an Act to amend the Clerks of Court Act. Second Reading of the Bill. House Bill 489, a Bill for an Act to amend the Real Estate License Act. Second Reading of the Bill. House Bill 497, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. House Bill 500, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. House Bill 503, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 517, a Bill for an Act concerning the imposition of certain privilege and occupation taxes by municipalities. Second Reading of the Bill. House Bill 524, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. House Bill 525, a Bill for an Act to

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amend the Housing Authority Act. (sic-School Code).  
Second Reading of the Bill. House Bill 548, a Bill for an  
Act to amend the Counties Code. Second Reading of the  
Bill. House Bill 550, a Bill for an Act to amend the  
Counties Code. Second Reading of the Bill. House Bill 555,  
a Bill for an Act concerning AIDS. Second Reading of the  
Bill. House Bill 565, a Bill for an Act in relation to  
persons with mental illness. Second Reading of the Bill.  
House Bill 566, a Bill for an Act concerning residents of  
certain state operated facilities. Second Reading of the  
Bill. House Bill 589, a Bill for an Act to amend the School  
Code. Second Reading of the Bill. House Bill 601, a Bill  
for an Act to amend the Illinois Horse Racing Act. Second  
Reading of the Bill. House Bill 611, a Bill for an Act to  
amend the Illinois Municipal Code. Second Reading of the  
Bill. House Bill 618, a Bill for an Act in relation to the  
registration and regulation of sports agents representing  
athletes and to provide for penalties for violations.  
Second Reading of the Bill. House Bill 660, a Bill for an  
Act to create performance-based budgeting. Second Reading  
of the Bill. House Bill 663, a Bill for an Act in relation  
to animal welfare. Second Reading of the Bill. House Bill  
674, a Bill for an Act to amend the Public Utilities Act.  
Second Reading of the Bill. House Bill 704, a Bill for an  
Act to amend the Election Code. Second Reading of the  
Bill. House Bill 715, a Bill for an Act to amend the  
Pawners Societies Act. Second Reading of the Bill. House  
Bill 718, a Bill for an Act to amend the Revenue Act.  
Second Reading of the Bill. House Bill 731, a Bill for an  
Act to amend the Revenue Act. Second Reading of the Bill.  
House Bill 746, a Bill for an Act to amend the Revenue Act.  
Second Reading of the Bill. House Bill 748, a Bill for an

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Act to amend the Oaths and Affirmations Act. Second Reading of the Bill. House Bill 749, a Bill for an Act to amend the Illinois Horse Racing Act. Second Reading of the Bill. House Bill 762, a Bill for an Act to amend the Sustainable Agriculture Act. Second Reading of the Bill. House Bill 764, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. House Bill 774, a Bill for an Act concerning hunger relief. Second Reading of the Bill. House Bill 781, a Bill for an Act to amend the Northeastern Illinois Planning Act. Second Reading of the Bill. House Bill 785, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. House Bill 786, a Bill for an Act to amend the Illinois Governmental Ethics Act. Second Reading of the Bill. House Bill 791, a Bill for an Act requiring preparation of dedicated fund notes for certain legislation. Second Reading of the Bill. House Bill 794, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 801, a Bill for an Act to amend the Military Veterans Assistance Act. Second Reading of the Bill. House Bill 890, a Bill for an Act concerning vouchers for educational expenses. Second Reading of the Bill. House Bill 903, a Bill for an Act concerning first aid training. Second Reading of the Bill. House Bill 909, a Bill for an Act concerning ambulance services. Second Reading of the Bill. House Bill 923, a Bill for an Act to amend the Workers' Compensation Act. Second Reading of the Bill. House Bill 925, a Bill for an Act to amend the Metropolitan Pier and Exposition Authority Act. Second Reading of the Bill. House Bill 942, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 964, a Bill for an Act to amend the

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Illinois Public Aid Code. Second Reading of the Bill. House Bill 1026, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. House Bill 1036, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 1051, a Bill for an Act to amend the Deposit of State Moneys Act. Second Reading of the Bill. House Bill 1066, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 1074, a Bill for an Act in relation to persons under age 21 operating a motor vehicle with a blood alcohol concentration of 0.02 or more. Second Reading of the Bill. House Bill 1081, a Bill for an Act to amend the Child Care Act. Second Reading of the Bill. House Bill 1083, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 1084, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. House Bill 1087, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 1114, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 1118, a Bill for an Act concerning infrastructure expansion. Second Reading of the Bill. House Bill 1131, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill. House Bill 1132, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 1141, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. House Bill 1148, a Bill for an Act concerning maintenance and personal care facilities. Second Reading of the Bill. House Bill 1155, a Bill for an Act to amend the Illinois Act on the Aging. Second Reading of the Bill. House Bill 1165, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill



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1188, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. House Bill 1192, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 1201, a Bill for an Act to amend certain Acts in relation to human rights. Second Reading of the Bill. House Bill 1270, a Bill for an Act in relation to a tax on tobacco products other than cigarettes. Second Reading of the Bill. House Bill 1274, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. House Bill 1275, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. House Bill 1276, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. House Bill 1278, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. House Bill 1279, a Bill for an Act to amend the Downstate Forest Preserve District Act. Second Reading of the Bill. House Bill 1282, a Bill for an Act to amend the County Jail Act. Second Reading of the Bill. House Bill 1300, a Bill for an Act concerning parental notice of abortion. Second Reading of the Bill. House Bill 1302, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. House Bill 1319, a Bill for an Act to amend the Bill of Rights for Victims and Witnesses of Violent Crime Act. Second Reading of the Bill. House Bill 1346, a Bill for an Act in relation to peace officers at state universities. Second Reading of the Bill. House Bill 1363, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. House Bill 1366, a Bill for an Act to amend the Prevailing Wage Act. Second Reading of the Bill. House Bill 1367, a Bill for an Act to amend the Prevailing Wage Act. Second Reading of the Bill. House Bill 1375, a Bill for an Act to amend the Motor Fuel

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Tax Law. Second Reading of the Bill. House Bill 1378, a Bill for an Act concerning salaries of state's attorneys. Second Reading of the Bill. House Bill 1390, a Bill for an Act to amend the State Finance Act. Second Reading of the Bill. House Bill 1420, a Bill for an Act to amend the Revenue Act. (sic-Illinois Income Tax Act). Second Reading of the Bill. House Bill 1427, a Bill for an Act to amend the Illinois Drainage Code. Second Reading of the Bill. House Bill 1440, a Bill for an Act to amend the Beer Industry Fair Dealing Act. Second Reading of the Bill. House Bill 1458, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. House Bill 1459, a Bill for an Act concerning public health. Second Reading of the Bill. House Bill 1461, a Bill for an Act to amend the State Finance Act. Second Reading of the Bill. House Bill 1468, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 1499, a Bill for an Act concerning abortions. Second Reading of the Bill. House Bill 1500, a Bill for an Act in relation to the direct deposit of state payments to certain alcoholism and substance abuse service providers. Second Reading of the Bill. House Bill 1515, a Bill for an Act in relation to Environmental Protection. Second Reading of the Bill. House Bill 1518, a Bill for an Act to amend the Real Estate License Act. Second Reading of the Bill. House Bill 1532, a Bill for an Act regulating the practice of industrial hygiene. Second Reading of the Bill. House Bill 1535, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 1557, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. House Bill 1562, a Bill for an Act to amend the State Vehicle Identification Act. Second Reading of the Bill.

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House Bill 1565, a Bill for an Act concerning reimbursement to medical care providers. Second Reading of the Bill. House Bill 1575, a Bill for an Act concerning condominiums. Second Reading of the Bill. House Bill 1576, a Bill for an Act to prevent access by children to tobacco products. Second Reading of the Bill. House Bill 1583, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 1592, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. House Bill 1613, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. House Bill 1635, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. House Bill 1645, a Bill for an Act in relation to hot water heaters. Second Reading of the Bill. House Bill 1660, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. House Bill 1661, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. House Bill 1662, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. House Bill 1663, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. House Bill 1664, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. House Bill 1669, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 1696, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 1732, a Bill for an Act relating to educational scholarships for school children. Second Reading of the Bill. House Bill 1734, a Bill for an Act concerning court security. Second Reading of the Bill. House Bill 1735, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. House Bill

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1738, a Bill for an Act in relation to taxation by home rule units. Second Reading of the Bill. House Bill 1747, a Bill for an Act in relation to worker retraining. Second Reading of the Bill. House Bill 1775, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. House Bill 1779, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Second Reading of the Bill. House Bill 1816, a Bill for an Act to amend the Illinois Development Finance Authority Act. Second Reading of the Bill. House Bill 1818, a Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. House Bill 1821, a Bill for an Act in relation to environmental protection. Second Reading of the Bill. House Bill 1833, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of the Bill. House Bill 1836, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. House Bill 1842, a Bill for an Act in relation to the Individual Development Account Program. Second Reading of the Bill. House Bill 1882, a Bill for an Act to amend the General Obligation Bond Act. Second Reading of the Bill. House Bill 1883, a Bill for an Act to amend the Build Illinois Bond Act. Second Reading of the Bill. House Bill 1884, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. House Bill 1892, a Bill for an Act concerning landlords and tenants. Second Reading of the Bill. House Bill 1902, a Bill for an Act to amend the Clerks of Courts Act. Second Reading of the Bill. House Bill 1905, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 1917, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. House Bill 1923, a Bill for an Act to

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amend the Park District Code. Second Reading of the Bill. House Bill 1924, a Bill for an Act to amend the Park District Code. Second Reading of the Bill. House Bill 1958, a Bill for an Act in relation to emergency services. Second Reading of the Bill. House Bill 1964, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 1967, a Bill for an Act to amend the Natural Resources Act. Second Reading of the Bill. House Bill 1977, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 1982, a Bill for an Act in relation to university peace officers. Second Reading of the Bill. House Bill 1989, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 1991, a Bill for an Act in relation to the Department of Conservation fees. Second Reading of the Bill. House Bill 1999, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 2001, a Bill for an Act to amend the State Mandates Act. Second Reading of the Bill. House Bill 2005, a Bill for an Act to amend the Lay Away Plan Act. Second Reading of the Bill. House Bill 2010, a Bill for an Act to reduce crime in the schools by requiring the reporting of offenses to police. Second Reading of the Bill. House Bill 2014, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. House Bill 2016, a Bill for an Act to amend the Probate Act. Second Reading of the Bill. House Bill 2033, a Bill for an Act to amend the Park District Code. Second Reading of the Bill. House Bill 2040, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 2081, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. House Bill 2083, a Bill for an Act to amend the

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Controlled Substance and Cannabis Nuisance Act. Second Reading of the Bill. House Bill 2088, a Bill for an Act to amend the Vietnam Veterans' Act. Second Reading of the Bill. House Bill 2107, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 2108, a Bill for an Act in relation to condominiums. Second Reading of the Bill. House Bill 2132, a Bill for an Act to amend the Public Building Commission Act. Second Reading of the Bill. House Bill 2139, a Bill for an Act to amend Criminal Code. Second Reading of the Bill. House Bill 2142, a Bill for an Act to amend the Housing Authorities Act. Second Reading of the Bill. House Bill 2146, a Bill for an Act relating to bond authorizations. Second Reading of the Bill. House Bill 2147, a Bill for an Act relating to General Obligation Bonds. Second Reading of the Bill. House Bill 2161, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. House Bill 2162, a Bill for an Act to amend the Freedom of Information Act. Second Reading of the Bill. House Bill 2174, a Bill for an Act creating the General Professions Dedicated Fund. Second Reading of the Bill. House Bill 2185, a Bill for an Act concerning domestic violence. Second Reading of the Bill. House Bill 2191, a Bill for an Act to amend the Illinois Pension Code. (sic-Illinois Marriage and Dissolution of Marriage Act). Second Reading of the Bill. House Bill 2196, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 2224, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. House Bill 2239, a Bill for an Act to amend the Public Building Commission Act. Second Reading of the Bill. House Bill 2240, a Bill for an Act to amend the Illinois Library System Act. Second Reading of the

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Bill. House Bill 2264, a Bill for an Act in relation to business financing. Second Reading of the Bill. House Bill 2266, a Bill for an Act in relation to worker training. Second Reading of the Bill. House Bill 2267, a Bill for an Act in relation to development of individual potential. Second Reading of the Bill. House Bill 2269, a Bill for an Act in relation to job creation. Second Reading of the Bill. House Bill 2270, a Bill for an Act in relation to finance development. Second Reading of the Bill. House Bill 2271, a Bill for an Act in relation to infrastructure development. Second Reading of the Bill. House Bill 2283, a Bill for an Act to amend the Home Equity Assurance Act. Second Reading of the Bill. House Bill 2307, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. House Bill 2316, a Bill for an Act to amend the Illinois Certified Shorthand Reporters Act. Second Reading of the Bill. House Bill 2332, a Bill for an Act in relation to nursing facilities. Second Reading of the Bill. House Bill 2334, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. House Bill 2349, a Bill for an Act in relation to mining and explosives. Second Reading of the Bill. House Bill 2351, a Bill for an Act concerning motor fuel taxes. Second Reading of the Bill. House Bill 2370, a Bill for an Act to amend certain Acts in relation to the Department of Financial Institutions. Second Reading of the Bill. House Bill 2371, a Bill for an Act to amend the Disabled Persons Rehabilitation Act. Second Reading of the Bill. House Bill 2372, a Bill for an Act to amend the Criminal Proceeding Interpreter Act. Second Reading of the Bill. House Bill 2374, a Bill for an Act to amend the Illinois Wage Payment and Collection Act. Second Reading of the Bill. House Bill

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2386, a Bill for an Act to amend the Illinois State Auditing Act. Second Reading of the Bill. House Bill 2388, a Bill for an Act in relation to termination of employment.

Second Reading of the Bill. House Bill 2392, a Bill for an Act concerning caregivers for the elderly and disabled.

Second Reading of the Bill. House Bill 2397, a Bill for an Act in relation to abused or neglected children. Second

Reading of the Bill. House Bill 2425, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill.

House Bill 2427, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. House Bill

2428, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. House Bill 2431, a

Bill for an Act to amend the Historic Preservation Agency Act. Second Reading of the Bill. House Bill 2444, a Bill

for an Act to amend the Personnel Code. Second Reading of these Bills. These Bills will be held on Order of Second

Reading. Introduction of First Reading of Senate Bills Senate Bill 345, offered by Representative Steczko, a Bill

for an Act to amend the Metropolitan Pier and Exposition Authority Act. First Reading of the Bill. Senate Bill 380,

offered by Representative Saviano, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate

Bill 448, offered by Representative Dart, a Bill for an Act to amend the Business Corporation Act. First Reading of

the Bill. Senate Bill 450, offered by Representative Hannig, a Bill for an Act concerning public water and

infrastructure projects. First Reading of the Bill. Senate Bill 496, offered by Representative Hicks, a Bill for an

Act to amend the Illinois Motor Vehicle Theft Prevention Act. First Reading of the Bill. Senate Bill 500, offered

by Representative Hicks, a Bill for an Act to amend the



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Health Maintenance Organization Act. First Reading of the Bill. Senate Bill 531, offered by Representative Brunsvold, a Bill for an Act concerning the Department of State Police. First Reading of the Bill. Senate Bill 534, offered by Representative Andrea Moore, a Bill for an Act in relation to environmental protection. First Reading of the Bill. Senate Bill 551, offered by Representative Kubik, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. Senate Bill 598, offered by Representative Capparelli, a Bill for an Act concerning banking facilities. First Reading of these Senate Bills. Senate Bill 606, offered by Representative Kubik, a Bill for an Act in relation to taxation. First Reading of the Bill. Senate Bill 616, offered by Representative Novak, a Bill for an Act to amend the Illinois Low-Level Radioactive Waste Management Act. First Reading of the Bill. Senate Bill 632, offered by Representative Deering, a Bill for an Act in relation to mining. First Reading of the Bill. Senate Bill 638, offered by Representative Capparelli, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. First Reading of the Bill. Senate Bill 678, offered by Representative Saviano, a Bill for an Act concerning AIDS. First Reading of the Bill. Senate Bill 743, offered by Representative Mulligan, a Bill for an Act to create the Union Employee Health and Benefits Protection Act. First Reading of the Bill. Senate Bill 908, offered by Representative Ryder, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1036, offered by Representative Kubik, a Bill for an Act in relation to family medical leave. First Reading of the Bill. Senate Bill 1037, offered by Representative Kubik, A Bill for an Act to amend the Revenue Act. First

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Reading of the Bill. Senate Bill 1039, offered by Representative Kubik, a Bill for an Act to amend the Revenue Act. First Reading of these Senate Bills. Being no further business, the House Perfunctory Session stands adjourned and the House will reconvene tomorrow morning at the hour of 9 a.m."

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