

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

46th Legislative Day

April 21, 1993

Speaker McPike: "House will come to order. Yes. Thank God for Chuck Hartke. Could we have a little order in the chamber? The Chaplain for today is Reverend Leonard Bauer of the Charleston Alliance Church in Charleston, Illinois. Reverend Bauer is the guest of Mr. Mike Weaver."

Reverend Bauer: "Shall we pray? God has the highest regard for the institution of government, and for those of you who serve in seeing to it that government works. Paul says in Romans 13 speaking to all of us who are under His...Your care, for because of this you also must pay taxes for public officials are servants of God, devoting themselves to this very thing. Therefore, render to all what is due them. Tax to whom the tax are due, custom to whom custom, respect to whom respect, honor to whom honor. Father, You are the God of Heaven, the Creator of the vast universe, and the majesty of which we are just now beginning to understand. You are also the God of us all, the Lord of us who call upon Your name. You're the Lord of human institutions and the Lord of governments. We recognize that that does not relieve us of our responsibility as officials to serve with honor and dignity, as the governed to submit and pay honor to our officials. Father, it is our prayer, as we open this Session that we will, this day and every day, look not only to human wisdom to accomplish this task, but that we shall also look to You. We do pray that You will guide us in the tough decisions, especially those that involve directly human lives. We pray that as You are a God of compassion, our decisions will show compassion. We pray that as You are a God of justice, we will be agents of that justice. We pray that as You are a God of forgiveness, we shall minister with the spirit of forgiveness and understanding human frailties and human weaknesses. Father,

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as much as we ask Your blessing upon what we do today, of even greater importance...of eternal importance is not so much what we do that is significant, but who we are. Therefore, give us the character and the mind of Christ today. Father, we pray that as You look down upon our work today, You will be well pleased, saying, 'Well done, good and faithful servants'. And may we look down upon our work from that point of view that we are Your servants. We pray these things in the name of Jesus Christ. Amen."

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

Sheehy - 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. Someone...is voting the entire row green back there. Representative Currie."

Currie: "Representative LeFlore is excused today."

Speaker McPike: "Thank you. Mr. Kubik."

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

Speaker McPike: "Thank you. Take the record, Mr. Clerk. 116 Members answering the roll call, a quorum is present. Mr. Black, has your light been on all night, again? Yes. Mr. Black. Let me congratulate you for that 13-hour speech you made yesterday."

Black: "Thank you very much... Thank you very much, Mr. Speaker. It's taken a great deal out of me..."

Speaker McPike: "I ran into a few people last night and they wanted to know if they could get a recording of that speech."

Black: "Yes. I will have them available, but I do have a Calendar

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inquiry of the Chair. We would like to advance post-haste to Children and Family Law, and if Representative Preston isn't here to advance those Bills, I would suggest we take it out of the record."

Speaker McPike: "Well, I saw the Clerk about five minutes ago, and I said, 'Mr. Clerk, make sure that Mr. Preston's on the floor today'. He's not here. He's not even here. Agriculture, Third Reading. Representative Schoenberg. Mr. Clerk, read the Bill, 581."

Clerk Rossi: "House Bill 581, a Bill for an Act amending the State Fair Act. Third Reading of the Bill."

Speaker McPike: "Mr. Schoenberg. You want to call this Bill? We might not get back to it. This could be the last chance. We have pretty good attendance. All right. Read the Bill, Mr. Clerk. He's gonna call it."

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

Speaker McPike: "Mr. Schoenberg. Please turn him on. The Gentleman's been waiting all morning for this."

Schoenberg: "My apologies for the indulgence. House Bill 581...is the measure which enables the Department of Agriculture to...lease...to privatize certain functions of the Illinois State Fair; most notably, the grandstand and the...the grandstand and the security. The Department of Agriculture, as I said, is in support of this. There's an accompanying package across the hall...within the Senate. There is no opposition. I've been asked why we are doing this, and...this is a \$6.3 million budget and we saw a deficit of approximately \$700,000 last year. This...legislation would make statutory changes which would enable us to...have the entertainment portion of the grandstand privatized so that they could promote it. Why don't we make some money? You have a profit center for government, rather than lose money

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in executing our charge. This is for the Illinois State Fair in Springfield only. And I'd be happy to answer any questions."

Speaker McPike: "Mr. Black."

Black: "Well, thank you very much, Mr. Speaker. I just rise to support the urban Gentleman's' state fair Bill. A fine piece of legislation. We certainly welcome him to the state fair. We think this will help the fair become profitable, and hopefully, Representative, you can slide down the big slide first this year."

Schoenberg: "It's suburban, and I'd be happy to do so if you'd join me on the slide."

Speaker McPike: "Mr. Hartke, on this controversial Bill."

Hartke: "Will the Sponsor yield?"

Speaker McPike: "Representative Schoenberg, would you yield to a question? Yield to a question?"

Hartke: "Representative, will the privatizing..."

Schoenberg: "I'm easy."

Speaker McPike: "Yes. I think the answer is yes, Mr. Hartke. He will yield."

Hartke: "If he's privatizing the grandstand, and right now we have...we have bedding at the state fair, does that mean we're opening up the possibility for the grandstand to become an off-track betting parlor year-round?"

Schoenberg: "No, that... No, that's not the case. It's..."

Hartke: "Okay, thank you."

Speaker McPike: "Representative Schoenberg, did you answer the question?"

Schoenberg: "I did."

Speaker McPike: "The question is, 'Shall House Bill 581 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk

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will take the record. On this Motion, there are 112 'ayes';
0 'nays'. House Bill 581, having received the
Constitutional Majority, is hereby declared passed.
Representative Hicks, on House Bill 602. Mr. Black, would
you like to handle this for Mr. Hicks? Hartke, on 1259.
Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1259, a Bill for an Act amending the
Illinois Pesticide Act. Third Reading of the Bill."

Speaker McPike: "Mr. Hartke."

Hartke: "Mr. Speaker, has Amendment #3 been adopted?"

Speaker McPike: "Mr. Clerk?"

Clerk Rossi: "Amendment #3 has been adopted."

Hartke: "Thank you very much, Mr. Speaker, Members of the House.
This piece of legislation extends the time period for the
application of pesticides contaminated soil and water to
July 1, 1995. I'd be happy to answer any questions
that...that you may have on the...on the piece of
legislation."

Speaker McPike: "The question is, 'Shall House Bill 1259 pass?'
All in favor vote 'aye'; opposed vote 'no'. Have all voted?
Have all voted who wish? The Clerk will take the record. On
this Motion, there are 109 'ayes' and 0 'nays'. House Bill
1259, having received the Constitutional Majority, is
hereby declared passed. House Bill 690. Read the Bill, Mr.
Clerk."

Clerk Rossi: "House Bill 690, a Bill for an Act amending the
Illinois Farm Development Act. Third Reading of the Bill."

Speaker McPike: "The Lady asks leave for Representative Granberg
to handle the Bill. Leave's granted. Representative
Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. House Bill... House Bill 690 amends the Illinois

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Farm Development Act, provides for the...is authorized to use state guarantees for lenders for loans for eligible farmers. It also allows the authority to approve applications by farmers for the soil and water conservation purposes. Allows lenders to use those guarantees. The Illinois Farm Bureau supports the Bill. The Illinois Association of Illinois...Water...Soil Water Conservation District supports the Bill, and I would ask for its passage."

Speaker McPike: "The question, 'Shall House Bill 690 pass?' Mr. Black on the...for the Motion."

Black: "Inquiry of the Chair, Mr. Speaker. Amendment #1 is on the Bill and Amendment #2 has been withdrawn. Is that correct?"

Speaker McPike: "Mr. Clerk?"

Clerk Rossi: "Amendment #1 has been adopted."

Black: "Has been adopted?"

Speaker McPike: "Yes."

Black: "And who is the Sponsor of Amendment #1?"

Clerk Rossi: "Representative Moseley."

Black: "And the Amendment #2, was that Representative Wennlund?"

Clerk Rossi: "Representative Wennlunds' Amendment was withdrawn."

Black: "Oh, that was a germane Amendment. That's...I remember that. Okay. Thank you very much."

Speaker McPike: "Representative Hughes."

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

Speaker McPike: "Yes."

Hughes: "Does the Illinois Farm Development Authority support this Bill?"

Speaker McPike: "Mr. Granberg."

Granberg: "Representative, it's my understanding the Illinois Development...the Illinois Farm Development Authority has no position on the legislation. The Illinois Farm Bureau

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supports the Bill, and the Illinois Soil and Water Conservation District support the Bill."

Hughes: "But you...but the authority itself has no position?"

Granberg: "Not to my knowledge, Representative."

Hughes: "Is it correct that the fund interest would turn to the general fund rather than stay under the control of the Authority?"

Granberg: "I...Representative Huges, I believe that is correct."

Hughes: "Thank you. To the question, Mr. Speaker. The Illinois Farm Development Authority has had several very successful loan guarantee programs that have been...and it has been used as a model for a host of Bills that we've seen here. One of the serious concerns there is continual attempts for the Treasurer to interject himself into the operations of that authority. Also, there's been concern about losing control of the funds and of the interest money, and this would set a precedent in that regard. I'd urge you to vote 'no' on this Bill."

Speaker McPike: "Mr. Brady."

Brady: "Will the Sponsor yield?"

Speaker McPike: "Yes. Representative Moseley."

Brady: "Could you tell me what kind of general revenue impact this has?"

Moseley: "At this moment, Representative Brady, it would have no fiscal impact for the year '93. It would have a \$500,000 impact for fiscal year '94, and approximately \$500,000 for fiscal year '95. That is for the reserved fund."

Brady: "Originally, our estimations showed a \$5 million impact. Is that correct?"

Moseley: "No, that's not correct. That would be the amount of..."

Brady: "Has that ever been correct?"

Moseley: "That would be the amount of money that the state would

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be liable for through guarantees that would be no more than amount. But when you're talking about a guarantee, that money is only necessary if the entire system breaks down and the banks...as if everyone that's in the program goes into default."

Brady: "Could we handle the \$5 million impact if it were to occur?"

Moseley: "If everyone in this state went...if everyone that went into the program went into default, the most the state would be liable for would be \$5 million."

Brady: "Where we gonna come up with the \$500,000?"

Moseley: "The \$500,000 is the amount necessary for the reserve fund to have on hand for defaults that may occur."

Brady: "Where's it gonna come from?"

Moseley: "Pardon?"

Brady: "Where's it gonna come from?"

Moseley: "It's coming from the estate tax, Representative Brady."

Brady: "And...and those resources are just sitting there not being used?"

Moseley: "No, but I believe it's...the purpose of the General Assembly to decide what purposes those moneys should be used for."

Brady: "To the Bill. Ladies and Gentlemen, I would encourage you to vote against this. I...I know it's a pro-agriculture Bill, but I have concerns about where we're gonna come up with the \$500,000, concerns about the \$5 million contingent liability, as well as concern about why we need the Treasurer to be a middle man in this process. Thank you."

Speaker McPike: "Representative Olson."

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

Speaker McPike: "Yes. Yes, she will on this very complicated Bill. She will certainly yield for another question, Mr.

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Olson."

Olson: "Representative Moseley, you said the Farm Bureau and the soil and water districts were for this Bill?"

Moseley: "Yes...yes, Representative Olson, I just talked to the Farm Bureau yesterday. They are in support of it, and I've talked to the farm...the soil and water conservation people, and they have put out a position paper in support of it."

Olson: "Well, did my ears deceive me? You're the Sponsor but didn't you just recommend we vote against this Bill?"

Moseley: "Pardon? I'm sorry. I didn't hear you."

Olson: "I thought you said a few moments ago that you did...you wanted to vote against this Bill."

Speaker McPike: "No, that was Mr. Brady that said that."

Moseley: "That was Mr. Brady."

Olson: "Oh, no, it...it was before Brady..."

Speaker McPike: "She's the Sponsor of the Bill."

Olson: "I understood. And that's...that's my confusion, Mr. Speaker..."

Speaker McPike: "Well, you certainly are confused this morning, Mr. Olson."

Moseley: "No, Mr. Olson. I am very much in support of this Bill. I...I don't want to have anyone confused on that matter."

Olson: "Okay, that's all I needed to know. I was confused."

Speaker McPike: "The question is, 'Shall House Bill 690 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 76 'ayes' and 37 'noes'. House Bill 690, having received the Constitutional Majority, is hereby declared passed. Constitutional Officers, Third Reading. House Bill 537, Mr. Phelan. Read the Bill."

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Clerk Rossi: "House Bill 537, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Out of the record. Larry Woolard, House Bill 913. Energy and Environment. House Bill 187, Representative Moseley. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 187, a Bill for an Act amending the Illinois Low-Level Radioactive Waste Management Act. Third Reading of the Bill."

Speaker McPike: "Representative Moseley."

Moseley: "Thank you, Mr. Chairman...Mr. Speaker. This Bill addresses whether or not...whether the state should be allowed to put a nuclear waste storage facility on conservation or recreation lands. It was brought to me as a concern of the residents of Cass County when the Department of Conservation purchased 25 square miles of property. But when I looked at the problem of siting a nuclear facility, I realized that if Cass County and Site M were in jeopardy, everywhere in the state where we have conservation and recreational lands were in jeopardy. So this Bill does not simply address Cass County. It addresses every county that has a state park, a state conservation area, a historical preservation area. It includes Starved Rock, Lincoln's New Salem, the Vermilion River. All the scenic rivers and all the places that we want to keep in the...in the public trust for our children and our grandchildren to enjoy in the future, and I ask favorable consideration of this Bill."

Speaker McPike: "The question is, 'Shall House Bill 187 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 114 'ayes', 0 'nays'. House Bill 187, having received the Constitutional Majority, is hereby

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declared passed. Representative Woolard, 296. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 296, a Bill for an Act amending the Coal Mine Medical Emergencies Act. Third Reading of the Bill."

Speaker McPike: "Representative Woolard. Mr. Woolard, your microphone is on. Mr. Woolard, your mike is on. Your microphone is on. The Bill's been read."

Woolard: "You're gonna have to hang on."

Speaker McPike: "We're ready to move this morning, Mr. Woolard."

Woolard: "Out of the record."

Speaker McPike: "We'll never get back to this Bill. We'll never get back to it. No, we'll never get back to this Bill. This is the last time we're gonna call this."

Woolard: "Let's run it."

Speaker McPike: "Run it. Let's go. Explain the Bill, Mr. Woolard. We're going for a roll call."

Woolard: "This Bill accomplishes a lot. What really we're trying to do here is move something to the Senate that will accommodate a need that I know that we're going to have in the coal mining industry in a very short period of time. I encourage everyone to help send this vehicle on two wheels to the Senate."

Speaker McPike: "Mr. Black."

Black: "Yes, will the Sponsor yield on this very controversial legislation?"

Speaker McPike: "Yes, Mr. Olson."

Black: "The... The initials after Senator Philip, U.S.M.C., does that stand for United States Mining Corporation?"

Woolard: "You're exactly right. It's very perceptive."

Black: "I don't think so. Somehow, I don't see Senator Philip...as a member of the coal caucus."

Woolard: "I...I think that with your assistance, we'll be able to

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accomplish that, Mr. Coal Mining Representative from the other side of the aisle."

Black: "Well, I...I. Well, thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House. What we have here is vehicle Bill or a shell Bill, in the parlance of those who have been here for more than six weeks. It doesn't do anything. I'm not sure what it's going to do. And I just...I don't think President Philip wants any coal mine vehicle Bills in the Senate, because the last I heard, all the mines in DuPage County had closed some time ago. So, I think I have to vote 'no'."

Speaker McPike: "The question is, 'Shall House Bill 296 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 66 'ayes', 42 'noes'. House Bill 296, having received the Constitutional Majority, is hereby declared passed. Mr. Novak, 436. Mr. Novak. Gentleman asks leave for Representative Granberg to handle the Bill. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 436, a Bill for an Act amending the Environmental Protection Act. Third Reading of the Bill."

Speaker McPike: "Mr. Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 43...436, a...as amended, allows long-care wash water in contingent areas to receive a permit by the Department of Agriculture, upon endorsement by the Environmental Protection Agency. I would move for its passage."

Speaker McPike: "The question is, 'Shall House Bill 436 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 111 'ayes' and 0 'nays'. House Bill 436, having received the Constitutional Majority, is hereby

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declared passed. House Bill 480. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 480, a Bill for an Act amending the Illinois Nuclear Safety Preparedness Act. Third Reading of the Bill."

Speaker McPike: "Representative Novak asks leave for Representative Granberg to handle the Bill. Mr. Granberg."

Granberg: "Mr. Speaker, Ladies and Gentlemen, Amendment #1 becomes the Bill. It increases the maximum amount that the Department of Nuclear Safety can compensate local governments for nuclear accident plans and programs over a four-year period of time. The current amount is \$250,000 which would be raised to \$400,000 by the year 1997, in the following increments: \$25,000 in 1994, \$25,000 in 1995, \$50,000 in 1996, and \$50,000 in 1997. And I move for its passage."

Speaker McPike: "The question is, 'Shall House Bill 480 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 115 'ayes' and 0 'nays'. House Bill 480, having received the Constitutional Majority, is hereby declared passed. House Bill 815. House Bill 1249. Out of the record. House Bill 13...1341, Representative Deuchler. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1341, a Bill for an Act amending the Illinois Purchasing Act. Third Reading of the Bill."

Speaker McPike: "Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1341 was suggested by the Citizens Council on Energy. It prohibits any newspaper in the state from being selected as the official newspaper unless the newspaper uses an annual average of at least 28% recyp...recycled fiber content."

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Speaker McPike: "The question is, 'Shall this Bill pass?' Mr. Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker McPike: "Briefly."

Hoffman: "...Representative, right now, how do they determine who the state newspaper is. I think the state..."

Speaker McPike: "Mr. Novak and... Congratulations, you've passed two Bills already."

Hoffman: "I think the state newspaper is...is located in Edwardsville, the Edwardsville Intelligencer. Is that correct?"

Deuchler: "The Illinois Press Association participates in several...in determining that within our...and... The fiber content is...is now lower, but the newspapers have agreed that they can meet the 28% requirement."

Hoffman: "What's the time period that that has to be done in?"

Deuchler: "I think 25."

Hoffman: "No. No. How many years?"

Deuchler: "Pardon me?"

Hoffman: "Twenty five years or...? How many years... What you're saying in this Bill is you're saying that currently... I have a newspaper in district, in Edwardsville, Illinois, that is a state newspaper. It does not... It is not made up of 25 or 28% recycled material. So I would assume that they would lose the state contract under your Bill, even though they've went out and gotten bids, even though they've went out and gotten bids and they've been awarded this contract."

Deuchler: "This is not a contract. This is an award, as the official newspaper of the state. It is not a contract requirement for doing business with the state. It's simply an honor and an award that is...is given each year."

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Hoffman: "This has nothing to do with... Sometimes we publish notices...and the newspaper of the state that's the official newspaper of the state publishes those notices, and I think that they bid on what it's gonna cost to publish those notices. Does this have anything to do with that at all?"

Deuchler: "No."

Hoffman: "Nothing further."

Speaker McPike: "The question is, 'Shall House Bill 1341 pass?' All... The question is... The question is, 'Shall House Bill 1341 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 107 'ayes' and 0 'nays'. House Bill 1341, having received the Constitutional Majority, is hereby declared passed. House Bill 1965, Mr. Deering. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1965, a Bill for an Act to amend the Natural Resources Act. Third Reading of the Bill."

Speaker McPike: "Mr. Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What House Bill 1965 does, is...is...requires DCCA to look at policies and incentives that would develop industries into this state that manufacture and produce emissions control equipment and also directs the Department of Energy and Natural Resources in the office of coal marketing, an office already established to go out and try to develop our coal, not only in this country, but world-wide. I would like to answer any questions."

Speaker McPike: "The question is, 'Shall House Bill 1965 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Hawkins."

Hawkins: "Yes. I want to declare a potential conflict of interest

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and vote 'present'."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 114 'ayes', 0 'nays'. House Bill 1965, having received the Constitutional Majority, is hereby declared passed. House Bill 2183, Representative Moffitt. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2183, a Bill for an Act amending the Surface Coal Mining Land Conservation and Reclamation Act. Third Reading of the Bill."

Speaker McPike: "Rep...Moffitt."

Moffitt: "Mr. Speaker, Members of the House. This Bill is...has been reached after we had an agreement with the Department of Mines and Minerals and the Coal Association. It simply requires that a notice, when there's...an appeal has been made...a notice in the paper that would be the equivalent of the truth-in-taxation hearing. This was brought about because...sometimes a legal notice...people that have...are impacted have not seen the notices. So, it's just in direct response to that, to increase the opportunity for public input."

Speaker McPike: "Any discussion? The question is, 'Shall House Bill 2183 pass?' All those in favor vote 'aye'... Representative Hawkins. Mr. Hawkins."

Hawkins: "I have a potential conflict of interest; therefore, I'm gonna vote 'present'."

Speaker McPike: "The question is, 'Shall House Bill 2183 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 2183, having received the Constitutional Majority, is hereby declared passed. Health Care, Third

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Reading. Representative Phelps, 256. David. Read the Bill."

Clerk Rossi: "House Bill 256, a Bill for an Act amending the Department of Mental Health and Developmental Disabilities Act. Third Reading of the Bill."

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker. This is a committee omnibus Bill that has several things. It's a agreed Bill. We have..."

Speaker McPike: "Representative Phelps."

Phelps: "Yes."

Speaker McPike: "Mr. Granberg has an Amendment filed. Mr. Granberg, what's the..."

Phelps: "Thank you. Back to Second Reading."

Speaker McPike: "You want that Amendment adopted? Yes, the Gentleman asks leave to return the Bill to Second Reading. Leave's granted. The Bill's on Second. Mr. Clerk, read the Amendment."

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

Speaker McPike: "Mr. Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 2 deletes the additional responsibilities for the Office of Inspector General, and I move for its adoption."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. And...Mr. Black, on that Motion."

Black: "Did my light burn out again, Mr. Speaker?"

Speaker McPike: "No Mr. Pollak had his hand over your light."

Black: "I see."

Speaker McPike: "It certainly wasn't my fault."

Black: "And... And.. And, so this Amendment has been adopted to the Bill?"

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Speaker McPike: "No. No. No. I said... No."

Black: "Oh. Thank you. Will the Sponsor yield?"

Speaker McPike: "Yes."

Black: "Representative, why are you Sponsoring this Amendment which deletes provisions from Representative Olsons' Bill?"

Granberg: "Representative, currently the Office of Inspector General has responsibilities in the state-operated facilities. We feel... A number of us feel that this would take responsibility away from looking at state facilities, that enough is not being done currently to review these procedures in state facilities. And this would further dilute that attention."

Black: "I wasn't aware there was any opposition to Representative Olsons' Bill other than perhaps from...IARF. Is that your understanding?"

Granberg: "Representative, I know about the Illinois Association that you referred to. I have concerns from providers in my area. I also have a state institution that people come to me with... They don't think there's enough overview in the state institutions currently. And they don't want to see that diluted."

Black: "Well, thank you, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Amendment. This Amendment would simply disallow the Inspector General to inspect any...quasi-private rehabilitation facilities, and I don't know why anybody would want to do that. If...if they're being operated in accordance with the practices and laws of the State of Illinois, they shouldn't have any problems with the Inspector General coming into their facility. To deny the Inspector General entrance into a IARF facility, to me, would give prima facie evidence that there may be a problem there, and if there's a problem

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there, then you need the Inspector General to go in and see what that problem may be. Now, if you don't think the Inspector General is working, then I would suggest you talk to some of the state agencies. They don't particularly want the Inspector General in there either. Because she has caught and uncovered a great deal of malfeasance and dereliction of duty, if I may be so bold. That's what she's supposed to do. So in all due respect for the Sponsor of the Amendment, I rise in opposition to Amendment #2, which will leave people in this state without any protection from the Inspector Generals' Office. Mr. Speaker, I'm joined by the appropriate number and citing the appropriate rule on my side of the aisle asking for a Roll Call Vote on Amendment #2, and I would urge you to vote 'no'."

Speaker McPike: "Thank you. Mr. Olson."

Olson: "Thank you, Mr. Speaker. This Amendment... I have in my hand the committee Bill. It came through the committee process in good fashion. There was no objections raised. This committee met on several occasions. This is a rather lengthy Bill. It's quite long. The Amendment that Mr....Representative Granberg is sponsoring says that it will delete pages, and I read pages 16, 17, 18, 19, 20, and 21. I have the Amendment in my hand...or I have the Bill in my hand. Page 16 has no items deleted on it. It is... It is as it has been in the code in the law for several years. Page 17 has no deletions. It's as the law has been for several years. Eighteen has no deletions. It stands as it's been for several years in this respect of investigations. Nineteen, likewise; 20, likewise. All those pages and all those hundred of lines and thousands of words, only on page 21 are four lines deleted. And let me tell ya' a little bit about that. Budget cuts in this chamber last year cost the

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Department of Mental Health and Disabil...Disabilities...Disabilities to reduce beds, and they use the word reducing beds; 625 beds. But in reality, these were 625 individuals who were being served in state facilities because of their disabilities. We have a responsibility to see that these individuals receive proper care, no matter where they are at. We fund the state facilities and we're gonna fund the community provider facilities where these individuals are being and are yet to be transferred to. It's only common sense that in the previous law said that when this happened, there was a responsibility of the department to go into those facilities for one year's time on different occasions to look after the well-being of these individuals, individuals who each of you in your heart ought to feel need to...make sure that their care is, in fact, in the correct fashion. There's... Representative Andy McGann, a year ago, caused legislation to be passed that many of us supported. I worked with Andy. Andy was one of the best spokesmen that the mental health industry ever had in this chamber. He was dedicated. Andy's...legislation said that the Inspector General for Mental Health and Developmental Disabilities shall no longer be appointed and hired by the Director but, in fact, should be appointed by the Governor and accountable to the Governor and to the General Assembly. No longer would that person be an employee of the Director. That is good logical business. It's no need... The Director could put, so to speak, a negative fox in the chicken house. No longer does that effect. We have a very effective Inspector General now. All that this...my part of this Bill did was said that when a person left the state facility and went to a private community setting, that we, the General

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Assembly through the services of the Inspector General, should be able to make sure that individual was well cared for in that private facility. We're not talking about a hard-nosed inspection on the temperature or the water or thing like that. Just go in and see. I know of two instances in my recent history in working with the mental institution in Lincoln, Illinois, where individuals were removed by the family and put in a private facility because they thought that was good business, a good place for their loved one. In no time at all, those individuals were back in the state facility. You must remember that these people have mental and disabi...disability problems. Just a transfer to a different bed in a room can confuse them."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank... Thank you, Mr. Speaker..."

Speaker McPike: "Well, Mr. Olson would like one more minute. Mr. Olson. Mr. Olson. Turn on Mr. Olson."

Olson: "I will sum up very quickly. In your hearts and minds, you know we have a responsibility to these individuals. Please do not for some lobbyists' political motive, vote 'yes' and get this Amendment out. I want a 'no' vote. I will tell you besides the one organization who doesn't like this Amendment, who wants this Amendment for political purposes, the proponents are the Department of Mental Health and Developmental Disabilities, the Illinois Community Mental Health Association, the Alliance for the Mentally Ill, the Association for Retarded Citizens, and more important, the Department of Protection and Advocacy has written me letters on this. They do not want this Amendment adopted. Use some compassion here this morning and defeat this Amendment. Thank you very much."

Speaker McPike: "Mr. Kubik. No, I'm sorry. Representative Walsh."

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

Speaker McPike: "Yes."

Walsh: "Representative Granberg, does...does your Amendment...basically undo what Representative Olsons' Bill was intended to do?"

Speaker McPike: "Mr. Granberg."

Granberg: "Representative. Representative, we used to have the Mental Health Committee, of which I was a member, and I served with Andy McGann. There was no... There was no greater proponent of the office of Inspector General than myself. I support that office. Representative Olsons' Bill expands that office. Currently they're not doing the job we feel they should be doing in the state institutions. We don't want to expand it any more because we don't think they're doing enough in the state institutions the way they are. We think this further dilutes their strength and they'll do less of a job in our state institutions to take care of our disabled adults and children. So this would, in fact, reduce...deletes the responsibilities that Representative Olson wants to assign to the Inspector General."

Walsh: "Who's going to be responsible for...for...for...the...the people that leave the state institution and go to the community-based settings?"

Granberg: "The Inspector General currently has that power."

Walsh: "Just to speak to the Amendment. What... What I'm concerned about is that this was an agreed Bill. We worked this out with Representative Schoenberg in the Health Care and Human Services Committee. We had a number of people come down and testify, a number of people that are interested in this Bill, that they supported Representative Olsons' Bill and they supported Representative Sheehys'

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Bill. I, along with Representative Olson, would urge you to vote against this Amendment. This was worked out. This is something that is important to a number of people throughout the State of Illinois. And again, I urge you to vote 'no' on the Amendment to House Bill 256."

Speaker McPike: "Representative Sheehy."

Sheehy: "I stand in opposition of this Amendment. I agree with Representative Olson and Representative Tom Walsh. We agreed in committee that these...these Bills would go through, and this Amendment was thrown at us. And I ask that all the Members in this House stand together and vote against this Amendment. 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 'noes' have it. The Amendment's defeated. Third Reading. Mr. Olson, if you would listen to the Chair instead of hollering, you would hear if the Amendment's been adopted or defeated. Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 256, a Bill for an Act amending the Department of Mental Health and Developmental Disabilities Act. Third Reading of the Bill."

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker. House Bill 256 now amended incorporates provisions of six individually sponsored Bills: 1889, 1890, 1891, 2069, 2257 and 2258. Real quickly, a run down on those; 1889, we would...require the department to annual program to detail capital development needs for each state facility by priority. We also in 1890, want to empower the Inspector General as we just debated, requires an Inspector General to investigate all reports of suspected abuse of residents in any community facility,

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were a transfer was taken place in a state-operated facility. Also requires the Director to be sworn..."

Speaker McPike: "Mr. Clerk, we're not on the Amendment. We're on the Bill. Clean up the board. Continue."

Phelps: "Okay. Thank you. Also directs the Director of Mental Health before undertaking the closure of bed space at any state-operated facility to submit a report on the intended effect of that action. ...Also, included in the Bill is requires the Mental Health Department to have an annual plan including an analysis of long-term need for delivery in-patient services for adults and children. It also...requires a review of long-term needs of current residents of the state-operated facilities. Also...has...requires an analysis of the future mission of the Psychiatric Institute; a number of other things along those lines in that Bill. We also ask that the...that...the Mental Health Center...in Chester and other...such facilities...actually be monitored to see that all persons of a unit in their rooms when the facility director determines that it is necessary to maintain security for protection and safety. It goes also into...exemptions of...inspection requirements. And of all these provisions that are outlined in the various Bills. It's a pretty comprehensive, six Bills, and I'd be happy to address all questions."

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

Krause: "Thank you, Mr. Speaker. And again, just briefly as the Minority Spokesman on Health Care, I also would join in for support of this Bill. And really all the work that was done on the sub-committee on Mental Health for bringing this Bill."

Speaker McPike: "The question is, 'Shall House Bill 256 pass?'"

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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 256, having received the Constitutional Majority... Representative Edley, 'aye'. Representative Schoenberg, 'aye'. Representative Hartke, 'aye'. Representative Steczo, 'aye'. Representative DeJaegher, 'aye'. Representative Persico, 'aye'. And who else? Representative Cross, 'aye'. Anyone else? On this Motion, there are 111 'ayes' and 0 'nays'. House Bill 256, having received the Constitutional Majority, is hereby...declared passed. House Bill 383, Representative Salvi. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 383, a Bill for an Act amending the Abused and Neglected Child Reporting Act. Third Reading of the Bill."

Speaker McPike: "Representative Salvi."

Salvi: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In December of 1992, I had the opportunity to tour Maryville Academy in Chicago. Maryville Academy takes care of cocaine babies and children...other children that are suffering from effects of drug abuse of their...of their parents, of their mother. In Illinois, nearly 3,000 infants born with alcohol and other drugs in their system will be reported by the Department of...Children and Family Services this year. These babies cost the state millions of dollars in medical care, as well as for foster care when they are taken from their mothers. This Bill would provide for the development of a substance abuse case management system for addicted women with children in two demonstration sites. Women who are referred to the Department of Children and Family Services because of drug

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use or who have given birth to drug-affected infants who will receive a comprehensive substance abuse assessment, treatment and monitoring services from a community-based substance abuse agency, if DCFS files a neglect petition with the juvenile court on the basis of drug being use by a mother or a drug-affected infant under this Bill. A designated case management agency will provide assessments, placement into treatment and monitoring services for the court. I know of no opposition to this Bill. It's supported by various agencies that deal with these issues, and I would urge a 'yes' vote, on House Bill 383."

Speaker McPike: "Mr. Dart."

Dart: "Thank you. Will the Sponsor yield? Representative, have the counties been determined yet where these programs are gonna be at?"

Salvi: "No, they have not. But my understanding is that the...part of Cook County and Lake County would be the...would...would...are the most likely sites for this."

Dart: "Cook and Lake?"

Salvi: "Yes."

Dart: "Who's gonna make that determination?"

Salvi: "I'm not sure. I think that's something that we're gonna have to work out."

Dart: "Okay. Thank you."

Speaker McPike: "Representative Pugh."

Pugh: "Yes, Mr. Speaker and...Ladies and Gentlemen of the House. I rise in support of this legislation. This legislation...came by us in the Judiciary Committee, and we worked with Representative Salvi to amend the legislation to make it palatable to the community-based organizations in our area. So, I urge my side of the aisle to vote 'yes'. Thank you."

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Speaker McPike: "The question is, 'Shall House Bill 383 pass?'

All those in... Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. ...Will the Sponsor yield for a question?"

Speaker McPike: "Certainly."

Mulligan: "Mr. Salvi, ...it's my understanding that this Bill has evolved from its beginning into a good Bill, not a punitive one any longer, and one that you've worked with a lot of different organizations. Is that correct?"

Salvi: "Yes, it is. That's right."

Mulligan: "I thank you for your work, and I certainly applaud this effort."

Salvi: "Thank you."

Speaker McPike: "Mr. Wennlund said it was probably too far to walk to ask that question. The question is, 'Shall House Bill 383 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 114 'ayes' and 0 'nays'. House Bill 383, having received the Constitutional Majority, is hereby declared passed. Representative Murphy."

Murphy, Harold: "Yes, Mr. Speaker, I'd like to be recorded as 'yes' here. My switches are not working."

Speaker McPike: "All right. Mr. Doorkeeper have the switches checked on Representative Harold Murphys' desk, and the Gentleman wanted to vote 'aye' on 383. Representative Biggins."

Biggins: "Mr. Speaker, I'd like to be also recorded as an 'aye' vote, and my switch has the same problem as Representative Murphys."

Speaker McPike: "Mr. Murphy didn't have his key in the switch, so you can check and see if your key is in there. Mr. Biggins

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desired to vote 'aye' on the last Bill, and the record will so reflect. Representative Phelps, 552. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 552, a Bill for an Act amending the Alternative Health Care Delivery Act. Third Reading of the Bill."

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. (House Bill) 552 amends the Alternative Health Care Delivery Act, and this allows the Illinois Department of Public Health to approve statewide up to ten birth centers, to be evaluated as alternative health care models..."

Speaker McPike: "Representative Phelps."

Phelps: "Yes?"

Speaker McPike: "Do you know you have two Amendments filed to this?"

Phelps: "I...I don't desire to return to Second Reading."

Speaker McPike: "All right. Continue."

Phelps: "Thanks for reminding me. Existing state law requires that the distribution of these ten possible birth center demonstrations be distributed as follows: two in Chicago, two in suburban Cook County, two in the collar counties DuPage, Kane, Lake, McHenry and Will, two in the urban downstate (that's in municipalities over 50,000), and two in rural areas. What we seek to do in this legislation now is to follow up and further amend existing law to require that the first three birth center demonstrations approved by Public Health would be in or serve patients from federally-designated health professional shortage areas. We feel that this is where the targeting, the focusing should occur, to try to...offer some kind of preventative measures which we feel this is one of the most needy areas. And I'd

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be willing to answer any questions. Thank you for your support."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I stand in opposition of this Bill for a couple of reasons. The most important reason is maintaining a standard of care. This alternative health care approach...would not be able to maintain the quality of care for a very simple reason. They will take low-risk pregnancies. They admit that. They will take low-risk pregnancy that they believe offer...very little risk to the mother and to the child. The problem is, that we don't always know what is a low-risk. I've had two children, and they were supposedly low-risk. Both of them were emergency caesarean sections. This kind of a birthing center doesn't work. In addition to which, the quality of care that we're talking about here is because they can be very selective of the folks that they deal with. Hospitals, maternity wards, are not as selective. In fact, hospitals have to take those folks that present themselves in the emergency room even if they've not had any prenatal care whatsoever. So, I'm very concerned about maintaining the quality of care in this kind of a facility. I compliment the Sponsor. He's trying very hard to provide an alternative...delivery of health care in places where there are none right now. He and I've talked about it on many occasions. I believe that there's a different way to approach the subject; however, he has indicated that he wants to proceed in this fashion. So, I...I stand in opposition to this because I do not believe that it can offer the quality of care that a hospital can offer, simply because while pregnancy's a natural event and the delivery of a child in most cases, a wonderful experience for family. In those cases, such as the

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one...the ones that I've experienced, you just don't know, and it could very well be that a mistake concerning risk and low-risk could result in the loss of life. For the quality of care issue alone, I stand in opposition to the Bill, Mr. Speaker."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you, Mr. Speaker. Point of personal privilege. We're pleased today to be joined in the House by a fine group of high school juniors and seniors from all over Illinois. This group of young leaders is here today representing their schools in the electric and telephone cooperatives of Illinois. They represent the semi-finalists in the annual 'Youth to Washington' contest sponsored by the electric and telephone cooperatives. More than 200 students are here today in the capitol, spending the morning meeting with Representatives and Senators and observing state government. Join me in welcoming them to Springfield, and the state capitol. Thank you, Mr. Speaker."

Speaker McPike: "In violation of our rules. Representative Schakowsky. Representative Schakowsky."

Schakowsky: "Thank you, Speaker. I rise in support of House Bill 552. And I want to point out that the Hospital Association is not opposed to this...this legislation, that they wouldn't all be free-standing birth clinics; some would, in fact, be associated with hospitals. In relationship to the quality of care issue, standards absolutely would be set. They would be facility standards. There is no reason for...these facility standards are the appropriate standards for guaranteeing the quality of care in these birth...centers...in these...in these birthing centers. This is legislation that the women of Illinois are asking

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for. This is...the legislation that the women of Illinois deserve to get. These are... This is a pilot project, and I urge an 'aye' vote from all of my colleagues. Thank you."

Speaker McPike: "Representative Phelps, to close."

Phelps: "Thank you, Mr. Speaker. Just an...as far as coming back with some explanation of what Representative Ryder mentioned. The Illinois Hospital Association does not oppose this provision. In fact, this has been offered in a way of hoping to have these birthing centers would be in conjunction with a hospital setting; very much be an advantage to have that happen. The standards that we are looking at would be set by the Department of Public Health, and so we feel...I don't understand where there would be the concern. This is an effort that came out of task force appointed by the Governor...which included the recovery, care center and recommended the birthing centers. So, we hope that this is... These are demonstration programs that will be coming back later and see how we can further serve the medically underserved areas. I appreciate your support."

Speaker McPike: "The question is, 'Shall House Bill 552 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Andrea Moore, explain your vote."

Moore, Andrea: "I had a question."

Speaker McPike: "Well, the Gentleman already closed, so you can explain your vote."

Moore, Andrea: "No thank you."

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

Phelps: "Thanks, Mr. Speaker. I would like to see more green votes. I...I know that the Med Society has lobbied this pretty effectively, and I don't understand...why we don't try to give something a chance in areas where doctors have

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chosen not to serve. I want to bring something to your attention. Maybe you're not aware of, folks. There are 14 contiguous counties in southern Illinois...listen to me now, contiguous counties that have not one OB/GYN doctor. Now, this offers an opportunity for prenatal care, prevention. So we don't have to come back next year and spend more Public Aid dollars for low-weight babies that have to have \$100,000 worth of Public Aid money that we're gonna be here probably to July to debate, to pay the bills on that we owe a billion behind on now, that we can prevent with provisions that we put in place with just demonstration models. Give it a chance. What are we scared of? Nothing, except a lobby effort that's pouring heat on each one of you. Please consider those lives, those teenagers that need the help with the prevention of one of the highest infant mortality rates to begin with, and those that generate the expense in our health care...problems that are exacerbated by medically underserved areas and the lack of access. Please consider your vote."

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 51 'ayes' and 58 'noes'. Representative Phelps."

Phelps: "If I could, consideration postponed, please? Thank ya', Sir."

Speaker McPike: "Postponed consideration. House Bill 971, Representative Curran. (House Bill) 1005, Representative Leitch. Read the Bill, Mr. Clerk. No? Mr. Ryder, 1488. Mr. Black, will you handle this... Oh, Mr. Ryder's here. (House Bill) 1488. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1488, a Bill for an Act amending the Nursing Home Care Act. Third Reading of the Bill."

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Speaker McPike: "Mr. Ryder."

Ryder: "Thank you. I would ask leave of the Chair to move it to Second Reading for adoption of an agreed Amendment."

Speaker McPike: "The Gentleman asks leave to return the Bill to Second Reading. Leave's granted. The Bill's on Second Reading. Mr. Clerk, read the Amendment."

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

Speaker McPike: "Mr. Ryder."

Ryder: "This language in Amendment 2, which I would move for its adoption, is brought to us and is agreed by the department, but it was brought to us by the Illinois Citizens for Better Care. I'd be glad to answer any questions."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Representative Younge, 1657. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1657, a Bill for an Act amending the Family Resource Development Act. Third Reading of the Bill."

Speaker McPike: "Representative Younge."

Younge: "Mr. Speaker, would we...could we take that back to Second for purposes of Amendment."

Speaker McPike: "Yeah. The Lady asks leave to return the Bill to Second Reading. Leave's granted. The Bill's on Second Reading. Any Amendments?"

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

Speaker McPike: "Representative Jones. Yes. On the Amendment."

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It's your Amendment. Yes. Miss Jones. Representative Shirley Jones, you're on."

Jones, Shirley: "Amendment 2 provides for..."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1957, Representative Burke. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1957, a Bill for an Act to create the Illinois Acupuncture Practice Act. Third Reading of the Bill."

Speaker McPike: "Representative Burke."

Burke: "Mr. Speaker, I'd like to bring this Bill back to Second Reading for purposes of an Amendment."

Speaker McPike: "All right. The Gentleman has leave to return it to Second Reading. Leave is granted. The Bill's on Second Reading. Any Amendments?"

Clerk Rossi: "Floor Amendment #5, offered by Representative Burke."

Speaker McPike: "Mr. Burke."

Burke: "Mr. Speaker, I'd like to withdraw Amendment #5."

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

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

Speaker McPike: "Mr. Burke."

Burke: "Withdraw Amendment #6."

Speaker McPike: "Gentleman withdraws that Amendment. Further Amendments?"

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

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Burke."

Speaker McPike: "Mr. Burke."

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

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

Clerk Rossi: "Floor Amendment #8, offered by Representative Burke."

Speaker McPike: "Mr. Burke."

Burke: "I'd like to move for the adoption of Floor Amendment #8, Mr. Speaker."

Speaker McPike: "The question is, 'Shall Amendment 8 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #9, offered by Representative Burke."

Speaker McPike: "Mr. Burke."

Burke: "...I would move for the adoption of Amendment #9, Mr. Speaker."

Speaker McPike: "The question is, 'Shall Amendment 9 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "No further Amendments. Third Reading. Representative Younge. Wyvetter Younge. Where'd she go? Yes. (House Bill) 1970. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1970, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Younge."

Younge: "Thank you, Mr. Speaker and Members of the House. House Bill 1970 would extend the eligibility of persons who are in the Earn-Fare program to make it permissible for the Department of Public Aid to continue to have that person

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work from three months up to a year. It... From that standpoint, since it's only permissive, it does not have a fiscal impact. The situation is that out of the...\$10 million which was appropriated last time for Earn-Fare, and this is a program, you'll remember, in which people who were formerly on public assistance are given jobs. They work 20 hours a month. And...if that person is succeeding, this would give the Department of Public Aid the power to continue that person working from three months to a year. And I think that the policy of just making it possible for a person to work six months... If that person is succeeding and should continue to work, rather than falling and lapsing back to public aid and dependence on the state, it would be a good policy to give permission to IDPA to continue that person working; and, for that reason, I ask for the approval of this Bill."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. To... To the Bill. The Department of Public Aid, in its fiscal note, estimates that the cost would double for the current program. Double the cost, which is why they're opposed to it. It's a good purpose and we understand the reasoning behind it, but you gotta keep in mind that you are going to double the costs of this program to the Department of Public Aid. And without a budget being finalized yet and five weeks to go in this Session, any type of costs that are gonna double the cost of the program ought to be delayed and con...considered after a budget's determined when the Department of Public Aid whether it can or it can't finance the whole program. So, the Amendment ought to be defeated."

Speaker McPike: "Mr. Morrow."

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

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House. I find it odd that the Department of Public Aid...is talking about a fiscal note. I am looking at a fiscal note on House Bill 1970. It says this legislation is permissive. It allows the...Public Aid to...to extend Earn-Fare; therefore, it is not necessarily a fiscal impact on House Bill 1970. Within a fis...fixed allocation, the same number of annual Earn-Fare slots would be...would be there; however, fewer persons would be served if eligibility was extended. I don't see where anyone should vote against House Bill 1970 on the basis of a fiscal note, when there isn't any fiscal cost on this. I urge green votes from all the Members in this General Assembly on House Bill 1970. Earn-Fare is a program that last year no one wanted to buy into it. Now it is shown that that program is working. And all we are asking is to give people more time to give their lives a chance, to get on a...solid ground. So, I urge all green votes on House Bill 1970."

Speaker McPike: "The question is, 'Shall House Bill 1970 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 84 'ayes', 26 'noes'. House Bill 1970, having received the Constitutional Majority, is hereby declared passed. Representative Ronen, 1995. Re... (House Bill) 2048. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2048, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Ronen."

Ronen: "Leav... Thank you, Speaker. Leave to move this back to Second Reading."

Speaker McPike: "The Lady asks leave to return the Bill to Second Reading. Leave's granted. The Bill's on Second. Mr. Clerk,

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any Amendments?"

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

Speaker McPike: "Representative Ronen."

Ronen: "I'd like to Table Amen...Floor Amendment #2."

Speaker McPike: "The Lady... Amendment #3? This is Amendment #3."

Ronen: "I want to table Amendment #2."

Speaker McPike: "Mr. Clerk..."

Ronen: "Withdraw."

Speaker McPike: "...has Amendment... Is Amendment #2 on the Bill?"

Clerk Rossi: "Amendment #2 has been adopted to the Bill."

Speaker McPike: "You want to table Amendment #2?"

Ronen: "Yes, Sir."

Speaker McPike: "The Lady moves to table Amendment #2. All those in favor say 'aye'; opposed, 'no'. The 'ayes' have it. Amendment #2 is tabled. Amendment #3, Representative Ronen."

Ronen: "Thank... Thank you, Speaker. Amendment 3...would change the rate of reimbursement for advance practice nurses replacing 100 % with 90%. I move 'do adopt'."

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

Clerk Rossi: "Floor Amendment #4, offered by Representative Ronen."

Speaker McPike: "Representative Ronen."

Ronen: "Thank you, Speaker. Amendment 4...deletes any place in the reference to 'certified nurse midwives' and replaces it with 'specialist and practitioners' so that the Bill now only refers to 'advance practice nurses who are nurse

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practitioners'. In addition, under the credentialing agency, we have removed the agency dealing with...the American College of Nurse-Midwives and just included all the other...regulatory agencies that do and have certified nurse-practioners. I move for 'do adopt'."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All those 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 Blagojevich, 2057. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2057, a Bill for an Act in relation to adequate ventilation of public buildings. Third Reading of the Bill."

Speaker McPike: "Mr. Bla...Blagojevich."

Blagojevich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2057 would create the Illinois Indoor Air Quality Act. It would be the first time that the State of Illinois would have...set guidelines for indoor air...cleaned...indoor air quality. This Bill would...create the Indoor Air Pollution Advisory Council through the Illinois Board of Health. It would...develop criteria for acceptable indoor air quality, recommendations on achieving acceptable indoor air quality, would develop an educational activity on indoor air quality among public and private agencies, and it would further develop a program for the certification of indoor air quality inspectors. The cost in this is...diminutive other than putting up the papers and perhaps having the board meet. It sailed out of committee with 17 votes in favor, 1 vote 'no' and 3 'presents'."

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Speaker McPike: "The question is, 'Shall House Bill 2057 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 109 'ayes', 0 'nays'. Representative Parke votes 'aye'. One hundred and ten 'ayes' and 0 'nays'...Representative Laurino, 'aye'. One hundred eleven 'ayes' and 0 'nays'. House Bill 2057, having received the Constitutional Majority, is hereby declared passed. House Bill 2063, Representative Currie. Currie? Mr. Lang, 2182. Representative Erwin, 2194. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2194, a Bill for an Act in relation to child care development council. Third Reading of the Bill."

Speaker McPike: "Representative Erwin."

Erwin: "Thank you, Speaker. House Bill 2194 is a sorely needed piece of legislation to provide additional assistance for the development of day-care centers. This is not public money being utilized to subsidize day-care, but rather, a targeted loan guaranteed program that is modeled after the successful Illinois Farm Development Authority, where private lenders provide the capital for the loans. ...In this case, it would be for day-care centers. The state, in effect, is...will guarantee. There would be a board that would review these very carefully. But again, it is private dollars making the loan to sorely needed day-care centers. I would appreciate your support."

Speaker McPike: "Representative Roskam."

Roskam: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Representative Erwin and her efforts. ...This, I think, is a wise piece of legislation. There's a model that's underway that's working in Maryland. The default rate is incredibly low. I think as we all

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campaigned around the state, we were all amazed at the number of latch-key children that we ran into...who were...alone and whatnot. And this is an opportunity for us...to encourage the private sector to jump forward, and I would urge your 'aye' vote."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, to the Bill. The Illinois Economic and Fiscal Commission says in its debt impact summary that this Bill will create loan guarantees of up to \$20 million. In addition to that, the...the Treasurer, Treasurer Pat Quinn says it's gonna cost taxpayers an additional million dollars a year, starting on the second year of the program. You know, a million here and a million there, and pretty soon we're talking about some serious money in this budget. If we're gonna continue to add up the millions of dollars in cost and the Treasurer admits, it's gonna cost a million bucks a year starting in '95, without a budget even being in place, you oughta think twice about voting for another measure to spend another million dollars. And this is another of the populist Treasurer Quinns' ideas to put this state further and further in debt. And if you add up all 85 Bills that he's sponsoring, you're gonna put the state in serious financial difficulty and serious financial debt, and a 'no' vote ought to be proper vote on this Bill."

Speaker McPike: "The question is, 'Shall House Bill 2194 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 85 'ayes', 25 'noes'. House Bill 2194, having received the Constitutional Majority, is hereby declared passed. House Bill 2234, Mr. Homer. Representative Schoenberg, 2242. Read

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the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2242, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2242 would require the Department of...Public Aid to development...to develop and implement the use of...EDT cards, Electronic Data cards or as they are referred to in some other states, 'smart cards', for billing Medicaid and Medicare...patients in the state. This was something that was originally initiated by former Health and Human Services Secretary Louis Sullivan in the Bush administration. It has been, and in fact, one of the states' largest HMOs, Cherry HMO, is using this successfully, and a number of states, ranging in size from Wyoming to Texas are using this as well. My reason for introducing this is simple: To do electronic data claims processing with a 'smart card' cost an average, according to the literature, of approximately \$1.30 to process each claim. We process... Versus a...\$3.5 to \$4 dollars, according to the manual way which we currently do it. For fiscal '92, I'll just tell you that we processed over 20 million claims."

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

Weller: "Thank you, Mr. Speaker. I rise in support of this legislation..."

Speaker McPike: "All right. The question is, 'Shall House Bill 2242 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 111 'ayes', 2 'noes'. House Bill 2242, having received the Constitutional Majority, is hereby

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declared passed. Representative Kotlarz, 2287. Read the Bill, Mr. Clerk. The Gentleman asks leave to return the Bill...to Second Reading."

Clerk Rossi: "House Bill 2287, a Bill for an Act to amend the Alternative Health Care Delivery Act. Third Reading of the Bill."

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

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

Speaker McPike: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Thank you for your indulgence. I do have a very special guest here, a Gentleman that is...should be known to all of you. He is the athletic director of the University of Illinois. His name is Ron Gunther. So would you join me in welcoming Ron Gunther, and as you do, I might point out, he's from Elmhurst, Illinois."

Gunther: "Thank you, Lee. This is actually real unexpected. I'm just here selling in Illinois as you are, so thank you all for your support. I know this is a busy time, and we're gonna be real, real, good next year, too. Thank you."

Speaker McPike: "Representative Kotlarz, on Amendment... No, Representative Lang, on Amendment #1."

Lang: "Thank you, Mr. Speaker. As we know, House Bill 2287 deals with alternative health care centers. Amendment #1 would do two things: It would stipulate that the first three recovery centers shall be located in a health professional shortage area designated by the U.S. Department of Health and Human Services and administered by the Illinois Department of Public Health. This would be for areas that

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are short of needed health professionals, such as doctors or nurses. It would be advantageous, particularly for rural downstate areas, and even selected areas in Cook County. The Amendment also states that a recovery center must obtain a certificate of need from the Health Facilities Planning Board, and that the planning board must determine that the applicant satisfies the criteria for projects for adding beds for the medical, surgical category of service. The point for this, is that hospitals must meet these criteria when applying for a Certificate Of Need when they want to make major changes. If a hospital can't add beds without a CON, these facilities should not be able to do so as well. The Health Facilities Planning Board is supposed to monitor these areas."

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

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

Speaker McPike: "Yes, Representative Kotlarz. Mr. Kotlarz."

Kotlarz: "Speak light was on."

Speaker McPike: "Oh, I'm sorry, I didn't see that. Representative Kotlarz."

Kotlarz: "Mr. Speaker, I'd treat this as a hostile Amendment."

Speaker McPike: "Oh, I didn't realize this."

Kotlarz: "I've got an Amendment coming up that will address some of these questions."

Speaker McPike: "I didn't realize that. All right, Mr. Lang, I did not realize that. I didn't see his light. So, having voted on the prevailing side, Representative Kotlarz moves to reconsider the vote by which the Amendment #1 was adopted. All in favor say 'aye'; opposed, 'no'. The

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'ayes' have it. It's being reconsidered. Mr. Lang, complete your explanation of Amendment #1."

Lang: "Well thank you, Mr. Speaker. I fairly well completed it. If the recovery centers are really mini-hospitals that are gonna add bed space, the Health Facilities Planning Board should be involved in adding the beds, just as they would if a hospital was asking to add bed space. This is a critical Amendment if this Bill is going to pass, and I would move adoption."

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

Kotlarz: "As I was saying before, it's a hostile Amendment, and I have an Amendment coming up momentarily which will address some of these questions. Please vote 'no'."

Speaker McPike: "Representative Black, on the Amendment."

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

Speaker McPike: "Yes, he will."

Black: "Representative, I don't know... You don't have to answer this because I'm not sure it pertains to the Amendment."

Speaker McPike: "Mr. Lang, a question."

Black: "I would like a...would like a question if you choose to answer it, but I'm not sure that it's embodied in Amendment 1. My question is, 'Who owns and operates these post-surgical recovery centers?' Are they public, quasi-public, private?"

Lang: "Private."

Black: "Private. Okay."

Lang: "Private entities own them, and there'd be no reason, in my opinion, to allow private entities to avoid the same rules and regulations that hospitals must go through when they add beds."

Black: "Okay. Thank you."

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Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 19 'ayes', 84 'noes'. Amendment #1 is defeated. Further Amendments?"

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

Speaker McPike: "Mr. Lang."

Lang: "Thank you. Amendment #2 would stipulate that the first two recovery centers should be in health professional shortage areas and counties with fewer than 50,000 people. Rural communities, particularly in downstate Illinois, obviously have a serious health care shortage, and this Amendment would help address that problem."

Speaker McPike: "Any discussion on this Amendment? Mr. Kotlarz."

Kotlarz: "Again, Mr. Speaker, I'd treat this as a hostile Amendment and ask for a Roll Call Vote and urge people to vote 'no'."

Speaker McPike: "Mr. Black, do you have an opinion on this Amendment? No. The question is, 'Shall Amendment #2 be adopted?' 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 23 'ayes', 78 'noes'. The Amendment's defeated. Further Amendments?"

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

Speaker McPike: "Mr. Turner. Mr. Lang."

Lang: "Thank you. Might I handle this Amendment for Representative Turner?"

Speaker McPike: "Yes. The Gentleman asks for leave to handle it. Leave's granted."

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Lang: "As soon as I find it, Mr. Speaker. The Amendment would specify that applicants for a license must be certified as providers under the federal Medicare and Medicaid program. The current law requires that the applicant seeks such certification but not actually obtain it, and this would require that to run one of these facilities, that applicants must be certified by the federal government."

Speaker McPike: "Mr. Kotlarz, do you want to speak on this Amendment?"

Kotlarz: "I would, Mr. Speaker. Again, it's a hostile Amendment. I'd ask for a 'no' vote and a roll call."

Speaker McPike: "Mr. Black, do you have an opinion on this Amendment? No. The question is, 'Shall Amendment #3 be adopted?' All in favor vote 'aye'; opposed vote 'no'. Mr. DeJaegher."

DeJaegher: "Mr. Lang, Mr. Lang. What basically you're trying to do with this Amendment is remove that class distinction, that if people do not qualify for Medicaid and Medicare, they would be placed in the same category as those that have the wealth to use these particular centers. Is that right?"

Speaker McPike: "You just have to nod. The Amendment is going down. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there's 45...45 'ayes' and 60 'noes'. The Amendment's defeated. Further Amendments?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Kotlarz."

Speaker McPike: "Mr. Kotlarz."

Kotlarz: "Mr. Speaker and Members of the General Assembly. My Amendment will make a number of changes to the Bill that was passed out of the Health Committee by a 25 to two vote.

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First of all, it specifies exactly where the surgical centers will be located. Second of all, it attempts to address the Medicaid question which, I think, is the big issue before us here today. The hospitals are saying that the...all the good patients will be skimmed out of hospitals and put in surgery centers. Lastly, it also will um allow for a patient to not stay longer than 48 hours. I reduced it from 72 to 48 hours, and there's other provisions as well. I'd ask for a 'yes' vote on this Amendment."

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

Ryder: "Thank you, Mr. Speaker. I also rise in support of this Amendment. I compliment the Gentleman. Many of the items that have been expressed in the previous Amendments have been addressed and are part of this Amendment. I believe that he's gone a distance here in attempting to accommodate the concerns of those folks who have opposed this concept. Perhaps he has not gone far enough to obtain the dismissal of their opposition, but the Gentleman has gone, I think, beyond the required distance to accommodate some of those concerns. I compliment him on the Amendment."

Speaker McPike: "Who rises in opposition? Who rises in opposition? Representative Schakowsky."

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

Speaker McPike: "Yes."

Schakowsky: "Representative, you say it addresses the Medicaid question. Could you just explain how the access to Medicaid patients is addressed in your Amendment?"

Kotlarz: "Mr. Speaker, I said it attempts to respond to the Medicaid question. I think a lot more work needs to be done, but I don't think it can be done at this level. I think the department has to get involved at this point."

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Schakowsky: "Well, does...does the Amendment address the Medicaid question; and, if so, how does it?"

Kotlarz: "Clearly it does address the Medicaid Amendment, and...it adds a requirement to the underlying law for all our alternative health care delivery models, implement and development, a reimbursement methodology for all facilities participating in this model. So specifically, it does address that question."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, Amendment 4 does not become the Bill, correct?"

Kotlarz: "Correct."

Black: "Amendment 4 does not become the Bill."

Kotlarz: "Correct."

Black: "All right. Now let ask you a few questions about the Bill."

Speaker McPike: "About the Amendment."

Black: "I'm sorry, about the Amendment. This Amendment does not address Medicaid and Medicare mandates? I don't see that in the Amendment."

Kotlarz: "It's not mandated, but I'd like to call your attention to the Amendment, and it's on the third page, line two."

Black: "Okay. What line?"

Kotlarz: "Also, Representative Black, it's not a part of the Bill. It's part of the underlying law as well."

Black: "Would these... Just one question, cause I'm not sure whether this is in the Amendment either. Would...would such a treatment center be subjected to any provider tax that may or may not be levied now or in the future?"

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Kotlarz: "Not at this time."

Black: "All right. Thank you."

Speaker McPike: "Representative von Bergen-Wessels."

von Bergen-Wessels: "Thank you, Speaker. Will the Sponsor yield?"

Speaker McPike: "Yes."

von Bergen-Wessels: "Representative Kotlarz, you changed the time from 72 to 48. Originally, it was 72 plus hours if the medical director of the facility agreed to keep that patient. Am I correct in assuming that it is now 48 plus hours if the medical director agrees to keep that patient?"

Kotlarz: "Correct."

von Bergen-Wessels: "Thank you."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Representative Phelps, 2290. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2290, a Bill for an Act to amend the Alternative Health Care Delivery Act. Third Reading of the Bill."

Speaker McPike: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In 1992, the General Assembly passed the Alternative Health Care Delivery Act to establish a demonstration program to license and study alternative health care models. One was the birthing center, and this is another one. This model was created and established on a demonstration basis, a subacute care hospital model. Up to ten of these models could be authorized. The question

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being explored in this Bill is in the subacute care demonstration program is not whether this level of care should develop because it already exists in hospitals and nursing homes, rather the purpose of the demonstration program is to determine whether subacute care should be separately regulated, and that's what we were trying to clear up in this Bill, and I appreciate your support. Be happy to answer any questions."

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

Weller: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker McPike: "Yes. Yes."

Weller: "Representative, as I understand, can you tell me exactly what this Bill does?"

Phelps: "I thought I just did."

Speaker McPike: "He just did."

Weller: "All right. Well..."

Speaker McPike: "Is there too much noise in the chamber?"

Weller: "It is noisy in the chamber, Mr. Speaker."

Speaker McPike: "Yeah, I can hear a pin drop."

Weller: "Representative..."

Speaker McPike: "Mr. Phelps, I guess you'll have to explain it again."

Phelps: "Okay."

Speaker McPike: "Briefly, briefly."

Phelps: "Okay. This is a demonstration model. It's established on the basis that a subacute care hospital model could be explored in demonstration environment, and as to be determined whether not those that exist today, hospitals and nursing home that can deliver this care, but the purpose is to determine whether subacute care should be separately regulated, and that's what this Bill clarifies."

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Weller: "My understanding, Representative, is this Bill would allow licensed hospitals and nursing homes to perform functions subacute care hospitals without participating in the demonstration program of the Alternative Health Care Delivery Act. Is that true?"

Phelps: "As long as they do not determine themselves or define themselves to be separate from the hospital."

Weller: "Representative, did you grandfather any subacute care services currently being provided by licensed health care facilities into this legislation?"

Phelps: "This Amendment, or this Bill, has nothing to do with that grandfathering at all."

Weller: "So, this Bill has not been amended to grandfather in those facilities. It's my understanding there's some regulations that are currently under consideration by the Health Facilities Planning Board. What's the status of those regulations?"

Phelps: "When the Health Facilities Planning Board began developing rules for these models, they made an initial interpretation that the language in the ten site subacute care demonstration program would be exclusive, and that no other facility could offer subacute services. But this interpretation could be disruptive to the health care system, so that's yet to be determined."

Weller: "Representative, I rise in opposition to your legislation. The Health Facilities Planning Board is going to be meeting on April 28th at 1:30 p.m. to consider action on the proposed rules. And this legislation, frankly, conflicts with the goals that we set forth in the Alternative Health Care Delivery Act this past year. I ask the Ladies and Gentlemen of this House to vote in opposition, to vote 'no' on this legislation. We came to a

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bipartisan compromise last year on the Alternative Health Care Delivery Act, language was agreed to by all health care provider organizations and, frankly, this legislation destroys a lot of what we achieved last year. Health care reform is a big issue for all of us, and there's gonna be a lot of conflict. This legislation, frankly, is part of that conflict. Let's keep it negotiated. Let's keep it agreed. Let's make sure everyone participates on equal playing ground. I ask for a 'no' vote."

Speaker McPike: "The question is, 'Shall House Bill 2290 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 70 'ayes' and 40 'noes'. House Bill 2290, having received the Constitutional Majority, is hereby declared passed. House Bill 2336, Representative Wojcik. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2336, a Bill for an Act to amend the Life Care Facilities Act. Third Reading of the Bill."

Speaker McPike: "Representative Wojcik."

Wojcik: "Mr. Speaker, may I have leave to take the Bill back to Second?"

Speaker McPike: "The Lady asks leave to return it to Second Reading. Leave is granted. The Bill's on Second. Any Amendments?"

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

Speaker McPike: "Representative Wojcik."

Wojcik: "Mr. Speaker, this Amendment has been agreed to by both sides of the aisle, and..."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye' for... Mr. Clerk, you

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

Clerk Rossi: "No Further Amendments."

Speaker McPike: "Third Reading. Representative Wojcik."

Wojcik: "Mr. Speaker, may I have leave to present the Bill?"

Speaker McPike: "No."

Wojcik: "No. Thank you."

Speaker McPike: "State and Local Government, Third Reading. Representative Giorgi. Representative Giorgi. (House Bill) 152. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 152, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker McPike: "Mr. Giorgi."

Giorgi: "Mr. Speaker, the need for House Bill 152 arose on an unfortunate incident in the Rockford area. A high school student became suddenly ill, went into a coma, was in a coma for at least ten months, and came out a paraplegic and mute. She's what called the locked-in syndrome, and her mind is working but her...she needs 24-hour care, she needs therapy every day, and the family has been doing that with the help of the Public Aid and the Department of DORS. So now, we want to extend... She's gonna be 21 in July, she'll go off of this program, and we want to extend the time so that she can stay on Medicaid and have help from the Department of Public Aid and DORS, so that we need this extension in this Bill to extend the time so that the girl that's 18 year old, who's gonna be 21...this has happened three years ago, she's be 21 in July, and if we don't extend the time in this legislation, she will not be able to be given 24-hour care and..."

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

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

Speaker McPike: "Yes."

Black: "Representative, are you still in negotiations with the Department of Rehabilitation Services on this Bill?"

Giorgi: "Yes Sir. They have negotiated, and in one instance they went to court and the court ordered this service for 24 hours."

Black: "Okay. Might I make one suggestion to you?"

Giorgi: "Yes."

Black: "When this Bill goes to the Senate, you may want to consider because it is rather specific in nature, you may want to consider some kind of a sunset clause as well as a further negotiation with the Department of Rehabilitation Services. Would that be all right with you?"

Giorgi: "Thank you. Yes, that's a good idea."

Black: "All right, thank you very much."

Speaker McPike: "The question is, 'Shall House Bill 152 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. Schoenberg, 'aye'. Schoenberg, 'aye'. Hawkins, 'aye'. Hartke, 'aye'. On this Motion, there are 112 'ayes', 0 'nays'. House Bill 152, having received the Constitutional Majority, is hereby declared passed. House Bill 169, Mr. Lang. Out of the record. House Bill 575. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 575, a Bill for an Act concerning consumer contracts. Third Reading of the Bill."

Speaker McPike: "Mr. Lang."

Lang: "Thank you Mr. Speaker. House Bill 575 would create in plain language a consumer contracts. We've debated parts

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of this over the years, and...we feel it's necessary to protect the public. We see leases and contracts that are written in legalese, they go on for paragraphs and paragraphs that can be reduced to simple language that people can understand. And let me suggest to you that in yesterday's election, there were 18 or 19 communities in the State of Illinois that had a referendum on this issue, and the preliminary vote totals are startling, in Berwyn 7,000 'yes', 500 'no'. In Burbank, 5300 'yes', 400 'no'. In Dolton, 300... 3,000 'yes', 100 'no'. In Lake Villa, 2400 'yes', 200 'no'. The people in our communities want to be able to read documents and understand them. They want to be able to read their insurance policy and understand what it means and what it says and how to make a claim and what their premium pays for. They want to be able to read a lease and understand what their rights and responsibilities are, what the landlords rights and responsibilities are. Our constituents, the citizens of the State of Illinois, should not have to hire a lawyer every time they have a contract to read. So, this is not a full employment for lawyer Bills. So, those of you who are concerned about lawyers and how much money they make, this a good Bill for you. In every single community that had this referendum yesterday, the vote totals were staggering in favor of this Bill. This is a good Bill to protect consumers. It requires an 'aye' vote."

Speaker McPike: "All right. In opposition, we're gonna recognize one person and then explain our votes. Representative Lindner."

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

Speaker McPike: "If you want to ask a question."

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Lindner: "I do want to ask a question."

Speaker McPike: "Yes, he will yield."

Lindner: "Yes, will this require changing the statutes, and how much will the cost be, and who will pay for it?"

Lang: "I'm sorry, Representative, I did not hear your question."

Lindner: "Will this require a change in statutory language, how much will the cost be, and who will pay for it?"

Lang: "It will not require changing any other statutory language, other than what we have. The State Mandates Act fiscal note said that it doesn't apply. The...the Attorney General prepared a fiscal note suggesting that it would require about \$69,000 by his office to put this Bill in force. As far as I know, that's the only cost. We've put into the Bill a provision that companies that have existing forms can continue to use them for a period of time. We've also taken out of the original Bill the requirement that certain language be in ten-point type. So, we've satisfied some of the concerns of some of the groups that were concerned about costs in printing new forms. So the company that have forms will be able to use them up before they have to print new forms."

Lindner: "Thank you."

Speaker McPike: "All right, that was not a speech in opposition. So, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to comment a little bit about some of the statements that the Sponsor of this Bill has made. I just want to remind the Body we have defeated this Bill before, and the reason we've defeated it, is that common sense would say that the referendum on that...on those ballots was correct, that most people would say, 'Yes, I'd like to have a more readable contract. I would like to be able to

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understand more of what goes on. I don't want all this legalese in it'. But the fact of the matter is that we as a Body must do what's right, and what is right is not to do this, because those contracts are legal documents, legal documents. It means that they will stand up in court, that they have stand up to the challenge of court already. All you're gonna do is, if you pass legislation like this, you're going to give lawyers more jobs, it's gonna cost the business community more money, it's gonna cost the State of Illinois more money, on something that is not necessary, that must be necessary to have legal contracts in our society. Now, common sense would say, 'Yes I'd like to read it, I'd like to be able to understand it'. But, quite frankly, most of the contracts are readable. Most people can read those if they take the time to do it. We do not need to add this expense to the Legislature. It's rather cavalier of the Sponsor of this Bill to simply say it's only gonna cost about \$70,000, like maybe he might want to write a check out of his own pocket for \$70,000 if it's such a little bit. But every day, we pass legislation that costs money, and nobody ever talks about where that money's gonna come from. We should not vote for this Bill, it is a bad idea, and I think that we as a Body have to do what's right, and that is to vote 'no' on this legislation."

Speaker McPike: "Mr. Hoffman, for an introduction."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I know this is a very important piece of legislation, but I have a very important person with me today. His name is Reggie Hudlin, he's a second grade student at St. Albert The Great in Fairview Heights, and he's the winner of the Organ Donor Awareness poster contest sponsored by the Secretary of State, George Ryans' Office."

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I would like to congratulate Reggie Hudlin, he won in the category for kindergarten through second grade. Congratulations Reggie."

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

Lang: "Thank you, Mr. Speaker. Some of the statements of the previous speaker, if we can remember it there, are just an outrage; an outrage. Twenty-nine states have this law. Twenty nine states. So to say that chaos will reign in the legal community if we pass this law is just an absurdity. The State of New York, no more complex than the State of Illinois, has had this law in force since 1979. The legal community has not fallen apart. The state has not fallen apart. New York is is...the legal community of New York is just fine on this law. There's no reason we can't pass it in the State of Illinois. If we don't, this is the kind of clause we'll have in our leases: 'In consideration of the mutual covenants and agreements herein stated, lessor hereby leases to lessee, and lessee hereby leases from lessor for a private dwelling, the apartment designated above, the premises, together with the appurtenances thereto for the above term.' In New York, that sentence is: 'The landlord and tenant agree to lease the apartment at the rent and for the terms stated on these terms'. Eighteen words instead of 55 words. There is no excuse for not passing this. Vote 'aye'."

Speaker McPike: "The question is, 'Shall House Bill 575 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative von Bergen-Wessels, to explain her vote."

von Bergen-Wessels: "In law school, we learned that a contract is a meeting of the minds. There's no better way to have a meeting of the minds than to understand what you are agreeing to. This Bill will simply make it possible for

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consumers to understand what they are agreeing to, and I would submit to you it would reduce litigation if we all knew what our responsibilities are. Please support this Bill. Thank you."

Speaker McPike: "Mr. Roskam, to explain his vote."

Roskam: "Thank you, Mr. Speaker. The... I'd like to encourage more 'no' votes up there. The great flaw in this piece of legislation is that it doesn't define 'plain language'. It totally leaves it within the discretion of the Attorney Generals' Office as to what 'plain language' is and is not. And as for the notion that New York is somehow a role model for us to be following, that place is going down the tubes fast. I would urge some 'no' votes. Thank you, Mr. Speaker."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Request a verification."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 69 'ayes' and 20 'noes'. Mr. Wennlund, you persist? We have 65 Members here. The Gentleman does not persist. On this Motion, there are 69 'ayes' and 20 'noes'. House Bill 575, having received the Constitutional Majority, is hereby declared passed. House Bill 694, Mr. Turner. Representative Schoenberg, 822. Representative Phelps, 1055. McAfee, 1464. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1464, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker McPike: "Representative McAfee."

McAfee: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1464 was a Bill we shelled out yesterday. It's a vehicle Bill, and I have an agreement

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with the other side of the aisle. This Bill would be specifically..."

Speaker McPike: "You have an agreement with the other side of the aisle. House Bill 1464, the question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there's 108 'ayes' and 0 'nays'. House Bill 14... Mr. Black, 'aye'. Mr. Parke, 'aye'. Representative Clayton, 'aye'. This Motion has 111 'ayes' and 0 'nays'. Representative Frederick, 'aye'. On this Motion, there are 112 'ayes' and 0 'nays'. House Bill 1464, having received the Constitutional Majority, is hereby declared passed. House Bill 1584, Mr. Turner. Mr. Edley, 1623. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1623, a Bill for an Act in relation to balancing budgets. Third Reading of the Bill."

Speaker McPike: "Mr. Edley."

Edley: "Thank you, Mr. Chairman, Ladies and Gentlemen of the General Assembly. This is part of a package program by our Comptroller to bring some structure to the budgeting process. What this would do is form a bipartisan commission to come up with a consensus of what our General Revenue funds would be for a fiscal year, and then to have the Governor include that in his budgeting process."

Speaker McPike: "The question is, 'Shall House Bill 1623 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 114 'ayes', 0 'nays'. House Bill 1623, having received the Constitutional Majority, is hereby declared passed. House Bill 1624, Mr. Novak. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 1624, a Bill for an Act to create the Fiscal and Economic Stability Fund. Third Reading of the Bill."

Speaker McPike: "Mr. Novak."

Novak: "Yes, Mr. Speaker, thank you. Ladies and Gentlemen of the House, House Bill 1624 creates the Illinois Fiscal and Economic Stability Act. Creates a rainy day fund to eliminate recurrent fiscal crises to promote growth during economic downturns. The Act provides for a small percentage of General Revenue receipts to be deposited into the Illinois Fiscal and Economic Stability Fund over a period of five fiscal years, so the startup costs associated with the fund did not put excessive strains on the budget. The fund cannot be used for any circumstances until fiscal year 1999. You know, it's been a recurrent situation that we've seen reported in newspapers that our balances get to a precariously low levels of \$1 million or \$2 million or \$3 million, and for that matter even below the \$1 million mark. This Bill seeks to add some stability to our General Revenue Fund situation, where we would set aside dollars for five consecutive fiscal years to have a rainy day fund just in case something serious happens that we can rely on some...a solvent fund to handle situations that are perpetuated with the late Bills and other situations that affect state finances, and I ask for your support."

Speaker McPike: "Mr. Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Can you tell the Ladies and Gentlemen of the House what the difference between this Bill and the prior Bill is?"

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Novak: "I can't hear you, Representative."

Wennlund: "Yes. What's the difference between this Bill and the prior Bill?"

Novak: "This Bill is to stabilize when revenues are below the official estimates. It's to provide a fund so we can have some stability in our General Revenue Fund as we progress through these fiscal years."

Wennlund: "And what happens to that fund?"

Novak: "It can only be accessed in the last quarter of the fiscal year when revenues fall below a particular forecast."

Wennlund: "All right. Thank you. To the Bill, Ladies and Gentlemen of the House. Yeah, it's a good government Bill and it's something we ought to be doin; however, any of you who have been around here for a little while, know that this General Assembly will appropriate to the last nickle and last penny every single year if not beyond the last nickle or penny of what revenues are available."

Speaker McPike: "The question is, Shall House Bill 1624 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 112 'ayes' and 0 'nays'. House Bill 1624... Flowers, 'aye'. Rotello, 'aye'. Morrow, 'aye'. On this Motion, 115 'ayes', 0 'nays'. House Bill 1624, having received the Constitutional Majority, is hereby declared passed. House Bill 1626, Mr. Dart. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1626, a Bill for an Act in relation to the contents of the state budget. Third Reading of the Bill."

Speaker McPike: "Mr. Dart."

Dart: "Thank you, Mr. Speaker and Members of the House. This Bill is a companion to the ones we have just spoken to."

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This would require that the budgets as set forth for the coming fiscal year, the estimated balance of funds available for appropriation at the beginning of the fiscal year, the estimated revenue from all sources, and a complete financial plan for every department agency and authority. This Bill is basically going..."

Speaker McPike: "The question is, Shall House Bill 1626 pass?'
Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know this series of Bills all sound like good government Bills, sound like they really ought to sell with the taxpayers back home, but if you really want to give the taxpayers a break, then cut the amount of taxes. That's simple; cut the amount of taxes. Don't be putting money in a reserve fund, leave it in the taxpayers pocket. That's the only way the taxpayers of this state get a break. These Bills are hypocrisy. This General Assembly has never followed any of those procedures; they never will. They'll gonna appropriate and spend every last nickle, and it's this General Assembly that does it. How many millions and multi-millions of dollars worth of programs have you seen pass through this House already. This is ridiculous. It's sheer hypocrisy. You've spent hundreds of millions of dollars on every program imaginable and now you want to come up with a little savings. A little extra revenue in the general fund, instead of in the taxpayers pocket. It's sheer hypocrisy. Go ahead and vote it outa here."

Speaker McPike: "The question is, 'Shall House Bill 1626 pass?'
All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Wennlund, 'aye'. Have all voted who wish? The Clerk will take the record. One hundred and twelve 'ayes', 0 'nays'.

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House Bill 1626, having received the Constitutional Majority, is hereby declared passed. House Bill 1631, Mr. Dart. Read the Bill. Out of the record. Representative Woolard, 1748. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1748, a Bill for an Act in relation to ethanol. Third Reading of the Bill."

Speaker McPike: "Mr. Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Once again, we get the opportunity to address one of the greatest assets that we have in the State of Illinois: The use and utilization of ethanol. What this Act does, is creates the Ethanol Conversion Act, and also gives us the authority to establish a Conversion Advisory Council and provide a loan opportunity, guaranteed conversion opportunity, for local businesses throughout the state. I would encourage everyone to join me in standing up for one of the greatest assets that we have, our farmers and their corn."

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

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

Speaker McPike: "Yes."

Persico: "Representative, first of all, could you tell me what is the genesis of this Bill? Where did this come from?"

Woolard: "I'm sorry."

Persico: "The genesis of this Bill?"

Woolard: "Well I think the genesis of this Bill is the fact that the State of Illinois for many, many years has been one of, if not, the leading agriculture industrial-based state in the nation, and that we have to recognize that this asset is something that we have to do various things to help promote and make better, and working with other Legislators

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and the Treasurer of this state, we have accomplished this goal with a package of very much deserving legislation that can make us step forward for this industry."

Persico: "Is (sic- Does) this Bill make the state liable for up to \$18 million in IDFA loans should they default?"

Woolard: "I think that any time that the State of Illinois is actively or aggressively involved in any project, the liability is sometimes great. But if the possibilities are great enough, we can establish a responsible approach to anything, and yes there can be some liabilities; I don't think that it would ever amount to any significant number. You know, we can take any project that we start and we can say that there is a tremendous concern for the safeguarding of our moneys, but if the banks of this nation or in this state are very careful in the approach that they take, all we're going to be is guaranteeing a certain portion of the moneys that those banks accommodate for these conversion projects in the state."

Persico: "Does a... But if the state...I mean, but if the loans do default, this would make us liable up to \$18 million."

Woolard: "Without a doubt, there could be a liability if there was a failure, and without a doubt, any business that we approach can have failures. But for us to assume that every loan that would be made to accomplish something of this magnitude would be unsuccessful would be ridiculous for us to even assume."

Persico: "Is this one of the Bills from the state treasurer? Is this where it originated from?"

Woolard: "The state treasurer has worked with me as the chairman of the Agriculture Committee on several things that are important to the agri-business industry in this state, and I think it's a very important issue, and that we should

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involve all the Leaders of this great state for something of this magnitude."

Speaker McPike: "To the Bill, Mr. Persico, to the Bill."

Persico: "To the Bill. First of all, this is one of the three Bills that came out of Energy and Environment that the state treasurer...originated from the state treasurer. Now the state has already had its bond rating lower twice over the last two years by MOODY and Standard and Poors because of excessive debt. These bond houses consider state loans collateral debt just like bonds. Isn't this the exact opposite of what we should be doing right now? How in the world can the treasurer, an elected official charged with overseeing the states' finance advocating jeopardizing the states' bond rating even further? I...This is a bad Bill. It's an irresponsible Bill, and I urge a 'no' vote on this."

Speaker McPike: "Representative Lawfer."

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

Speaker McPike: "Yes. Mr. Clerk, turn the lights down a little bit, they're getting in Mr. Lawfers' eyes."

Lawfer: "The Gentleman from Williamson County. This would enable people to get into the ethanol production business. Is this correct?"

Woolard: "Very definitely."

Lawfer: "If I had a constituent in my district that wanted to build an ethanol plant that probably could cost anywhere from \$50 to \$100 million, would you guarantee a loan on that for up to the amount of this, of \$20 million?"

Woolard: "No, I don't think that that's exactly what would be accomplished there. But if we had the conversion opportunities for the local businesses to get into the actual use of the product, then we would encourage big

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business to come in and make those guarantees, and I think that we would see the growth of those facilities on a natural basis."

Lawfer: "But on the other hand, you probably wouldn't make loans to smaller businesses or smaller amounts that wanted to produce ethanol?"

Woolard: "I think that's the whole genesis of this idea, is to incorporate the moneys in the places with the small businessman that is much needed throughout this state, and I think that's the thing that excites me, along with the agri-business industry we're also supporting that small businessman that needs an assist in the approach."

Lawfer: "Mr. Speaker, to the Bill. I feel that we do have to support the small businessman, and also I think that small businessman, they also include the farmers that produce the raw product there. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 1748 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 88 'ayes', 22 'noes'. House Bill 1748, having received the Constitutional Majority, is hereby declared passed. House Bill 1853, Mr. Ryder. House Bill 1853. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1853, a Bill for an Act to amend the Illinois Health Facilities Planning Act. Third Reading of the Bill."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. This is a fairly simple concept. It would remove HMO's from the Health Facility Plannings Board definition. It is agreeable with the Health Facilities Planning Act...or the Planning Board. Since an

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HMO does not deal with such things as bricks, mortar, concrete or equipment but rather with the supplying of those services through contracts and other arrangements, we believe that that would be an appropriate way to deal with this. And I know of no opposition, but I would be glad to answer any questions."

Speaker McPike: "The question is, Shall House Bill 1853 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's 110 'ayes', 0 'nays'. House Bill 1853, having received the Constitutional Majority, is hereby declared passed. Representative Tom Johnson, House Bill 2157. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2157, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Mr. Johnson."

Johnson, Tom: "Yes, Mr. Speaker. House Bill 2157, the basic Bill provides that if a person has been convicted of an aggravated DUI involving an accident which resulted in great bodily harm or permanent disfigurement and disability and is convicted again for subsequent DUI, that the penalty in that case would be a Class IV Felony, or one to three years. The Amendment to this Bill further provides that anyone who violates the Controlled Substances Act of the State of Illinois or the federal government or our Cannabis Control Act would result in a six month suspension of their drivers licenses, period. I believe that this is very good public policy in the the sense that this Amendment gets drug users out from behind the wheel, improves the safety for a vast majority of drivers who do not use drugs; and further, if there's anything that would deter 16 and

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17-year olds (I have one) who have just gotten their drivers license who are at an age where drug use may be tempting, I think that this would be a real prohibiting factor from them getting involved. The other purpose of the Amendment is that it avoids the loss of million of dollars of federal highway funds. As you're aware, Federal Public Law 101-516 requires states to have a law pursuant to which an individuals' drivers license is automatically suspended or revoked for a six month upon period upon conviction of a violation of a Controlled Substances Act. States that do not have such a law in place by October 1, 1993, will lose 5% of the federal highway moneys available under certain programs in fiscal year 1994. This, in Illinois, would result in approximately a \$24 million loss in matching road funds in fiscal year '94, \$24 million in '95, \$61 million in '96, and \$62 million in federal fiscal year '97. This totals out to in excess of a potential loss of \$171 million of road funds to the State of Illinois if we do not adopt this law...or the Amendment dealing with the suspension of drivers licenses for convictions of Controlled Substances Act, which I believe is good public policy anyway. And I would urge you a 'do pass' on this."

Speaker McPike: "We're gonna have to break just for ten seconds here for an introduction. Mr. Ryder, in the Chair."

Ryder: "Thank you. We have with us the Class A Football Team from Calhoun County, and I believe... I would ask the Clerk to read portions of House Resolution 538."

Clerk Rossi: "House Resolution 538, offered by Representative Ryder. WHEREAS, The Hardin community and the citizens of Illinois are justly proud of the Calhoun High School football team on winning the Illinois High School Association's Class 1A Football Championship at Illinois

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State University's Hancock Stadium in Normal; and WHEREAS, Led and inspired by Head Coach Ric Johns, assisted by Kirk Brandenburg, Jim Holste, Scott Hamilton, Chip Lorsbach, Greg Ringhausen, Joe Kilday, and Jon Hillen, the Calhoun Warriors defeated North Boone of Poplar Grove with a 28-11 victory to win Calhoun High School's first State football championship; and WHEREAS, The members of the team are: Tony Friedel, Nathan Rea, Nate Lorton, Terrie Don Smith, Klint Bailey, J. D. Lorton, Casey Longnecker, Tad Strauch, Jeremy Stumpf, Gus Wallendorf, Jeremy Robeen, Matt Zipprich, Terry Gress, Dusty Stelbrink, Pat Friedel, Nathan Grimes, David Presley, Brian Longnecker, Ryan Becker, Brian Baremore, Aaron Tucker, Chad Squier, Shad Burris, Charles Gilman, Joe Friedel, Mike Margherio, Wayne Baalman, Brian Eilerman, Aaron Elmore, Jason Tepen, Tim Isringhausen, Brad Rose, Craig Robeen, Jason Wienere, Jeff Gress, Josh Zipprich, Jason Klocke, Tim Nelson, Tim Gerson, and Mike Eilerman; and WHEREAS, The numerous achievements of the Calhoun Warriors confirm our belief that hard work and dedication are effective when you set goals and strive to achieve them; therefore be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Calhoun High School Warriors on winning the IHSA. Class 1A State Football Championship and extend our sincere best wishes to them for the future; and be it further RESOLVED, That suitable copies of this preamble and resolution be presented to Superintendent/Principal Terry Strauch, Athletic Director Kirk Brandenburg, Head Coach Ric Johns, and to each of the assistant coaches and members of the team. Congratulates Calhoun High School Warriors football team of Hardin on winning IHSA. Class 1A Championship.

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Speaker Ryder: "Having heard the Resolution 538 read, all those in favor say 'aye'; those opposed 'nay'. The 'ayes' have it. The Resolution is adopted. It's not often that I get the opportunity to present to you some of the finest young people in the State of Illinois, but today I do. You have before you the Warriors Football Team of Calhoun County, one of the smallest counties in the state, and yet these people are part of a winning tradition in that county's football program that has seen them participate in the state playoffs eight out of the last nine years. This is a team that is representative of the school that's been in the state playoffs twice, the second time just last year, in which they capped a 14 and zero record; a record that culminated with third winning the State Championship for Class 1A. As you might guess, I've had the opportunity to visit in their school and pass out some Resolutions and honor them on previous years, and one of the pleasures is working with their coach, who I've heard say on several occasions that each team that's been under his administration is or will be part of a State Championship, and the people that participated in that program believed it. They believed it so much, that they've had one of the most successful football programs in the state, and clearly the fact that they're here representing the Championship of Class 1A is indicative of just how much those people believe in the program. For those of you that are sportsmen, you may know that Calhoun County has one of the largest deer kills in the state. Well, they dropped precipitously in this past year, because of the community involvement and they were so interested in following the team, that even the hunters decided to take time off to follow the Warriors of Calhoun County. It's my pleasure to

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present to you, the coach of this fine team, Ric Johns."

Johns: "This is quite an honor for us, and I would like to thank Representative Ryder for having us up here, and I personally would like one more time to thank these young men for giving us this opportunity. Thank you."

Ryder: "Thank you, the General Assembly for honoring this team in this way, and my thanks to the Speaker for this indulgence in a very busy schedule. Thank you all."

Speaker McPike: "Mr. Weaver, for what reason do you rise? On the Bill, is that what you're up for? All right, now back to the Bill. Mr. Flashly would also like to thank Mr. Ryder. All right, Mr. Johnson has moved 'do pass' on House Bill 2157; and, on that, Representative Granberg."

Granberg: "Thank you. Representative Johnson, I just want to walk through, I respect your intentions, but I want to walk through this Bill for the Members, because this is very important to all the Members of this House. Now, your Amendment #1 to House Bill 2157 provides that a persons' license can be suspended for six months without any preliminary hearing. Does that person have to be in the automobile to have his or her license suspended?"

Johnson, Tom: "No."

Granberg: "So any person on the streets, if they get convicted, can have their license suspended for six months without a preliminary hearing, even if they're not even in an automobile."

Johnson, Tom: "It's upon a conviction of the drug offense, that's correct."

Granberg: "So any person can get their license suspended for six months without being in an automobile?"

Johnson, Tom: "That's correct."

Granberg: "Now, we have a Supreme Court Case in Illinois, People

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vs Lindner, that the court has indicated this law would clearly be unconstitutional, because the certain specified offense does not involve the use of a vehicle, and those are ruled unconstitutional. But when we get down to why we're doing this, this is a federal mandate. So all the time we talk about what we're doing because the federal government is telling us we have to do it, this is a federal mandate; otherwise, they threaten to take some of our road fund money. Is that...isn't that right?"

Johnson, Tom: "No. I believe... You know this is not... It's true that this is a mandate, but you know there have been other mandates that the State of Illinois has followed, and all of these mandates are not bad. They've saved a lot of lives. Now you also... Can I answer your question on the constitutionality of Lindner? Lindner was a case dealing with a law that we evidently had on our Books that mandated a suspension of a drivers license or revocation where a sex crime was involved. Now I submit that that is somewhat different than where drugs are being involved. I have been informed by IDOT that they surveyed 62% of the fatalities that occurred on the road last year; 25% of those fatalities ended up showing positive for drugs. Now, I believe that there is substantially more of a nexus, if you will, between drugs and driving than there might be between sex and driving, though I suppose sex in the car while you're driving might be difficult. Might be fun they say."

Granberg: "Representative, let me ask you this. If we do not...if we do not pass... You indicated earlier that we have to pass this law so we don't lose our road fund money."

Johnson, Tom: "That is correct. We have two alternatives: Pass this law or in the alternative; if this General Assembly

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wants to go on record stating that it is in not in the interest of the State of Illinois, and we do not agree with the enactment or enforcement of a law suspending drivers licenses where controlled substances are involved, if we want to pass such a Resolution and the Governor sign it, that would be the other alternative. I, for one, do not want to pass a law stating that controlled substances have no impact on driving; and, therefore, do not merit a six months suspension."

Granberg: "Representative, it my understanding that a House Resolution, which does not have the effect of law, only has to state that that would be unconstitutional, which is what the Supreme Court said in People vs. Lindner, and in that court case, they also cited the use of drugs in connection with driving, and it's unconstitutional. My point being, this is not the only alternative we have. We can pass a House Resolution saying that this is unconstitutional. That would give us the requirements where we would not lose the federal dollars, and we don't have to pass a law to do that. We're worried about losing the 5% of road fund dollars, but we do not have to pass this Bill to do that. We can pass a House Resolution saying that this is unconstitutional. That is what they have done in other states, and that's what we can do here but the bottom, Ladies and Gentlemen, and I hear from the other side of the aisle in particular and myself, mandates are always a concern. Here's again is an opportunity where the federal government is telling us they're blackmailing us, that we have to do something or they threaten to take our money away. Here we are again faced with the federal government telling us that we have to do a mandate or they take our money away. Isn't it time we say, 'No'. Say 'no' that we

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don't do these things, that they can't tell us what to do all the time. We can pass a Resolution and tell them this is unconstitutional. Tell 'em we've had enough. They don't give us the money, they threaten us, and it's time we stand up and tell the federal government, 'No'."

Granberg: "Was that a question?"

Speaker McPike: "No, it wasn't a question. Mr. Dart."

Dart: "Will the Sponsor yield? Representative, is your intent with this legislation to just prohibit licenses for individuals convicted of drug offenses?"

Johnson, Tom: "Just people convicted... The Amendment states Controlled Substances Act of the State of Illinois or Cannabis Control Act."

Dart: "So, if an individual is charged with possession of one joint on them, that would be enough to have their license revoked?"

Johnson, Tom: "That's correct, and you know you've minimized 'one joint'."

Dart: "No, I'm not minimizing, that was a question and I..."

Johnson, Tom: "Yeah, right."

Dart: "...and I appreciate the response."

Johnson, Tom: "One joint is in violation of the Controlled Substances Act..."

Dart: "And I know that better...as well as you do, I've been prosecuting these cases as well."

Johnson, Tom: "Right."

Dart: "The second point though is I... The way the law is drafted here. it says.. is it... The Bill says 'if an individual is adjudicated as a minor under the Federal Juvenile Delinquency Act or the Juvenile Court Act of 1987'. That seems to me the way that the plain reading of that is, is that any juvenile convicted or found delinquent

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for any offense, drug or another offense, would come under the heading of this. I don't see how drugs are related to this. If you can clarify that, I don't see how it's tied in to drugs at all. It seems to be any juvenile offense whatsoever, you get your license revoked for six months without a hearing."

Johnson, Tom: "No. That is not the intent of this legislation and I don't believe that's the way it reads."

Dart: "I direct you to page six, line 12 and 13. I believe the plain reading of that is exactly that."

Johnson, Tom: "I don't believe that it is. I believe that it refers to violation of the Controlled Substances Act. Any juvenile, minor under the Federal Juvenile Delinquency Act, or Juvenile Court Act convicted as an 'adult' of any violation of the Federal Controlled Substances Act, et cetera, et cetera."

Dart: "Yeah, but that says, or..."

Johnson, Tom: "It goes on convicted of the Controlled Substances Act."

Dart: "No, no, no. The plain reading of it says, 'has been adjudicated as a minor under the Federal Juvenile Delinquency Act or the Juvenile Court Act of 1987, or convicted as adult of any of numerous controlled substances offense'. I mean that...I mean that's very important. What you're saying is basically any juvenile who is convicted or adjudicated of any offense, loses his license without a hearing."

Johnson, Tom: "I disagree with your reading of that. These are commas in the Amendment; unfortunately, all the Members don't have this to read along with; maybe they do."

Dart: "Well, I think, that's the plain meaning of it and the plain reading of that statute, and to the Bill. The Bill

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is plainly unconstitutional. I have the Lindner Case in front of me, and I'm only gonna quote one sentence. It says, 'Because a vehicle was not involved in any way in the commission of the offenses for which the defendant was convicted, the revocation of his license bears no relationship, much less a reasonable one to the public interest we have identified'. That was used to find it unconstitutional, that is the same situation here. This is not only unconstitutional but is very poorly drafted, and I would urge a 'no' vote."

Speaker McPike: "Mr. Hicks."

Hicks: "Thank you, Mr. Speaker. A point of personal privilege. I have joining me here the Honorable Jim Wexton, who's the Chief Judge of the Second Judicial Circuit of Illinois. Welcome him here to the chambers, please."

Speaker McPike: "Mr. Balthis."

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

Speaker McPike: "Yes."

Balthis: "Representative, am I to understand that this is a federal mandate that we are hearing all the fuss about?"

Johnson, Tom: "That's correct."

Balthis: "To the Bill, Mr. Speaker. I rise in strong support of the comments made by Representative Granberg about federal mandates, and I would hope that he would join with us when we get time...when we come time to pass a state mandate on local governments, school districts, and oppose them just as vehemently as he has this one, because I will join with you in that. I do rise in support of this Bill, however."

Speaker McPike: "They fooled you, didn't he? Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I beg all of you to listen very carefully about what's going on here. Let's not play

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politics with \$175 million of our tax dollars that is being held in Washington D.C. now, in all due respect to my colleagues on the other side of the aisle, the Democrat Party controls not only Congress but the White House. If we are being blackmailed by the federal government, you have people in this state that have a pipeline to the President, get him to change his mind. But in the meantime, may I remind my colleagues on both sides of the aisle, you think you're afraid of a direct mail-piece on being soft on crime, what are you gonna do with a direct mail-piece that goes into your district that says you don't believe, you don't believe because of some Illinois Supreme Court case, that a person convicted of a drug offense should not lose his or her drivers license. Explain that to the man and woman on the street. Secondly, if that doesn't appeal to you, I urge you again don't play politics with \$175 million of road money. You're gonna put your labor constituents out of work, you're going to put road builders out of work, you're going to have a negative impact on road projects in your district. Now I agree, wholeheartedly, I don't like this heavy-handedness coming out of Washington any more than you do. But all of you on that side of the aisle voted just a few hours ago, late last night, to comply with a federal mandate on long-term health care. Sometimes we have to do what we have to do. I don't like it any better than you do, but remember this, we've already lost four weeks of a construction season because of bad weather. This \$175 million needs to be obligated and spent by October when most of the construction weather is over with in this state. Do you want to play politics with \$175 million of your road tax dollars? I don't think you do. Because if you're gonna

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play politics that Resolution isn't gonna work; you know it and I know it. The Governor isn't gonna sign any letter; you know it and I know it. Uncle Sam says this is what we have to do. I don't like it, you don't like it. But I don't want \$175 million of road construction money go somewhere else other than the State of Illinois. We need it. It's our money. Your constituents need it and they would want you to vote 'yes', to bring that road construction money home to Illinois and get it spent in Illinois. I urge an 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 2157 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Lindner."

Lindner: "Yes, Mr. Speaker. I just wanted to rise for a point of personal information, and to clarify the record that I am not the Lindner involved in the sex and drug case of People vs Lindner, nor is anyone in my family."

Speaker McPike: "Representative Homer."

Homer: "Well I was gonna speak in debate. I know this is explanation, so I won't go into that other... I wanted to get a legislative intent from Representative Johnson with regard to the question asked by Representative Dart, concerning whether the adjudication... I don't... He can explain his vote and do this."

Speaker McPike: "Yes."

Homer: "I think there needs to be some legislative intent regarding whether any adjudication under the Juvenile Court Act would result in the six months suspension or whether it would have to be in accord with the Controlled Substance or Cannabis Control Act, and since I have 30 seconds left, let me just say that I support the Bill. I think its clearly distinguishable from Lindner, which held there was no

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relationship between sexual conduct and driving. In this case, there clearly is a rational purpose for the state to do this, including retaining \$175 million in federal moneys. The fact that we have stated a clear purpose for the Bill, and because of the nexus between the use of drugs and the safety of motoring."

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

Johnson, Tom: "Yes, in explaining my vote, and also reference what Representative Homer has just stated in his remarks, it is clearly the legislative intent behind this Bill that it only involves the adjudication of minors for violation of the Controlled Substances Act and Cannabis Control Act of the State of Illinois, and not a simple adjudication of delinquency for any other reason. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 98 'ayes' and 2 'noes'. House Bill 2157, having received the Constitutional Majority, is hereby declared passed. Representative Prussing, 2352. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2352, a Bill for an Act concerning clean fuels. Third Reading of this Bill."

Speaker McPike: "Representative Prussing."

Prussing: "This Bill is introduced, Mr. Speaker and Ladies and Gentlemen of the House, in order for us to comply with the Clean Air Act and some other federal Acts, and it's got an amazing coalition of people in favor of it. This is a rare historic coalition. Its got environmentalist, the utility companies and the agricultural community. And what it does is set up a \$30 million in bonds to get us on the road toward using alternate fuels, and the bonds will be repaid by a \$40 sticker on the alternate fuel vehicles."

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

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Skinner: "Yes, would the Gentle...Lady yield for a question or two?"

Speaker McPike: "Yes."

Skinner: "If this is... If the bond proceeds are to be paid...repaid with money from a sticker on the vehicles, why are they General Obligation bonds, why are they not Revenue bonds?"

Prussing: "This is at the recommendation of the Bond Houses."

Skinner: "All right. Well, let me...let me speak to the issue. My hometown is Lakewood, Illinois. My local village trustees decided to buy a golf course, against my judgment. They decided...they promised me it would never cost me a dime. They told me it would be revenue bonds; that if the bonds were not repaid, the only losers would be those people who had bought the bonds, and then the bond council came in and said, 'We'll have a 9% rate if we go revenue bonds, but we're going to have a 6% rate if we go general obligation'. Well, general obligation means that the golf course bonds in my village are backed by the full faith and credit of all the property taxpayers of my village. As a result of a miscalculation on the part of my village board, my tax bill's gonna be \$500 more than it would have been otherwise. What we're doing in the State of Illinois with this Bill, is saying that we are pledging the full faith and credit of the State of Illinois if these little stickers don't come through in sufficient number to pay back the bonds. That means that we are gonna have less money in the general fund should that occur to pay for state aid education, to pay for bonds for new schools, to pay for any other general fund expenditure. Now, I happen to believe that compressed natural gas will be a successful alternative fuel, and if I were a gas company, instead of

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doing the hard work of going out and selling these cars to people, I would go to the easiest market I have, and that easiest market that these large regulated monopolies have are us, Members of the Illinois General Assembly. Now they're not selling a car at a time; they're selling how many 150,000 cars here, 15,000 cars, what's the number?"

Prussing: "At the end of the time period, it would be like 259,000 cars."

Skinner: "All right, 259,000 cars, that's a pretty production run for an automobile plant in a full year. So what we're doing, is saying we're going to give a subsidy for a full year to operate an automobile plant of approximately \$2,000 per car. Now why can't we let private enterprise do this? I am in a non-attainment area, in a...according to the United States Environmental Protection Agency. Factories that have 100 cars in McHenry County are gonna have to go down to 65 cars within a very few number of years, assuming that all the cars burn gasoline. Well, what if some percentage of the cars burn compressed natural gas, which is much cleaner, instead of gasoline? Perhaps the manufacturer would not have to convince 35 people to car pool in McHenry County, and you have to understand when someone moves to McHenry County they're deciding that they do not want to car-pool, they do not want to take a bus, they want to drive to and from work. Now, this would be a job for a good salesman. The salesman would walk in and say, 'If you are willing to convert 'x' number, let's say 15 of your cars', I don't have the scientific...trade-off study done yet by the legislative council. 'If you will buy...if you're willing to convert 15 of your employees' cars; you don't have to convince anyone to car pool. It's gonna cost you \$30,000. It is worth it? It is worth

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\$30,000 not to to have to convince 35% of your employees to car pool. Now this is a hard sell. This is a job for private enterprise, but the easier sell is on this House floor. The easier sell is to say is to hold out the potential of political action committee contributions from large regulated monopolies and other large firms in this state, and to say, 'If you vote for this Bill, maybe you'll get a contribution the next time you run for election'. Now, I'm not suggesting any of the lobbyist have done this to any of us, but that thought is in the..."

Speaker McPike: "Mr. Wirsing."

Wirsing: "Yes, Mr. Speaker. This Bill is the one that we amended yesterday, and the Amendment is something that the Republicans had worked on very hard with the other side of the aisle to formulate, to make this Bill be a much more progressive Bill for the ethanol industry, and I think that we that we are very encouraged by this Bill at this point in time. I think that to clear up something, there's been a rumor that ADM is not in support, and ADM if you don't know, is the largest producer of ethanol in the world, and for the record, they are neutral on this particular Bill and they needed to clarify that. I think it's a good Bill, and I would appreciate your vote of 'yes' on this."

Speaker McPike: "The question is, 'Shall House 2352 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 107 'ayes' and 7 'noes'. House Bill 2352, having received a three-fifths Constitutional Majority, is hereby declared passed. Representative Edley, 2416. Out of the record. State and Local Government, Second Reading. House Bill 165, Mr. Balanoff. Representative Prussing, House Bill 524. This

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Bill has been read a second time previously. Any Amendments, Mr. Clerk?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Prussing."

Speaker McPike: "Representative Prussing."

Prussing: "This is a Bill that would allow the public to vote on the size of county boards, and Amendment #1 merely takes out a provision that was recommended by the committee."

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

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1816. Representative Granberg will handle the Bill. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1816, a Bill for an Act to amend the Illinois Development Finance Authority Act. The Bill has been read a second time previously. No Committee Amendments. No Floor Amendments."

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

Clerk McLennand: "House Bill 1816, a Bill for an Act to amend the Illinois Development Finance Authority Act. Third Reading of this Bill."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I'd like to move this Bill to the House. This is our annual vehicle Bill, and I ask for an 'aye' vote."

Speaker McPike: "Mr. Ryder."

Ryder: "If I could ask the Sponsor to yield for questions please?"

Speaker McPike: "Yes."

Ryder: "Representative, we passed an identical Bill yesterday I'm

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told. I don't recall the number. 1963, it was a good year. You might have recalled that year, no you're too young. In any event, we passed the identical beer Bill yesterday, and I'm wondering why we need two identical Bills?"

Granberg: "That... I think that gives you and Representative McPike more flexibility as the Session progresses."

Ryder: "Unfortunately, it somewhat hampers my flexibility, because I'm not on the Bill. It gives Representative McPike a lot of flexibility. Do you have a better answer?"

Granberg: "No. Representative McPike mentioned that he wanted to try to accommodate you and he wanted to move this Bill to the Senate so he could confer with you as the Session progressed."

Ryder: "You know, those favors from Representative McPike just fall like raindrops from heaven, except he never tells me about these things. We have a problem with duplicate Bills in a vehicle Bill, and so I think that we'll probably not be supportive of this. But in the event, however, it does ultimately suit our flexibility, I'm sure that we'll revisit the issue."

Speaker McPike: "The question is, Shall House Bill 1816 pass?' All 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 75... 74 'ayes', 33 'noes'. House Bill 1816, having received the Constitutional Majority, is hereby declared passed. House Bill 1882 has been read a second time previously. Are there any Amendments?"

Clerk McLennand: "No Floor Amendments."

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

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Clerk McLennand: "House Bill 1882, a Bill for an Act to amend the General Obligation Bond Act. Third Reading of this Bill."

Speaker McPike: "Mr. Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This, too, is our annual vehicle Bill for the GO bonds, and I would move for its passage."

Speaker McPike: "The question is, 'Shall House Bill 1882 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 79 'ayes' and 34 'noes'. House Bill 1882, having received the Constitutional Majority, is hereby declared passed. House Bill 1883 has been read a second time previously. Are there any Amendments?"

Clerk McLennand: "No Floor Amendments."

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

Clerk McLennand: "House Bill 1883, a Bill for an Act to amend the Illinois Bond... Build Illinois Bond Act. Third Reading of the Bill."

Speaker McPike: "Mr. Ryder.... Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. This is our Build Illinois Bond Vehicle, and I would move for its passage."

Speaker McPike: "The question is, 'Shall House Bill 1883 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 75 'ayes', 37 'noes'. House Bill 1883, having received the Constitutional Majority, is hereby declared passed. House Bill 2040 has been read a second time previously. Are there any Amendments?"

Clerk McLennand: "House Bill 2040. No Floor Amendments."

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

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Clerk McLennand: "House Bill 2040, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Bill."

Speaker McPike: "Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2040 makes a couple of technical changes in regards to the criminal housing management, and I would be more than happy to answer any questions you may have in regards to House Bill 2040."

Speaker McPike: "The question is, 'Shall House Bill 2040 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 0 'nays'. House Bill 2040, having received the Constitutional Majority, is hereby declared passed. House Bill 2053, Representative McAfee. This Bill has been read... Out of the record. House Bill 2171, Mr. Lopez. Mr. Lopez. Mr. Lopez. Turn on Mr. Lopez, please."

Lopez: "I'd like to be recorded as 'aye' on the last vote."

Speaker McPike: "The Gentleman indicates he would have voted 'aye' on House Bill 2040. The record will so reflect. House Bill 2171. Out of the record. The Republicans will have a caucus immediately in room 118. The Democrats will go to lunch. The House will stand at ease until 12:45. The House will come to order. Roads and Transportation, Third Reading. House Bill 457, Mr. Hartke. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 457, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this Bill."

Speaker McPike: "Mr. Hartke."

Hartke: "How many Amendments are on the Bill?"

Clerk McLennand: "Amendments #1 and 2 are on the Bill."

Hartke: "I'd like to take the Bill back to Second for the purpose

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of Amendment."

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

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

Speaker McPike: "Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. House Bill 457, the Amendment #3 adds language to the Vehicle Code that is necessary for the Secretary of State and its operation of its scales. I would appreciate your support."

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

Hawkins: "Yes, ...can I, will the Sponsor yield?"

Speaker McPike: "Yes."

Hawkins: "Does this affect...Amendment 2 that...will give the counties the money for fines received for overweight trucks that are found on county roads?"

Hartke: "Jerry, this takes your...your Amendments off."

Hawkins: "In other words, this Amendment 3 will...stop this legislation from giving the counties the money for...the roads where overweight trucks have been driving?"

Hartke: "This money keeps the money in the road fund, where it was designated to go."

Hawkins: "Okay. I'm opposed to this legislation or this Amendment. I believe strongly that where truck...trucks are overweight the roads that they're on, the money from the fines should go to that unit of local government that has to repair those roads. It simply makes sense for whatever roads that is being damaged by overweight trucks to receive the penalties that have been imposed on overweight trucks; therefore, I ask for a 'no' vote on Amendment #3. Thank you."

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Speaker McPike: "The question is, 'Shall Amendment 3 be adopted?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 74 'ayes' and 31 'noes'. Amendment #3 is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 458. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 458, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. House Bill 458, as amended, now contains the...the go-kart initiative put forth by Majority Leader McPike, on Amendment #2. I would ask for your consideration for this piece of legislation. I'd be happy to answer any questions."

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

Stephens: "I didn't have my light on, Mr. Speaker, but if this has your Amendment on it, I'm for it."

Speaker McPike: "Right, this is the one that you spoke on last week. This is the Amendment that you spoke on in regards to go-karts."

Stephens: "Did you add me as a Co-Sponsor to that, Mr. Speaker?"

Speaker McPike: "Yes. I told you to get me a slip to sign and I'd be glad to sign it."

Stephens: "I didn't know we could do that on Amendments, but if the Clerk would file the appropriate form, I'd appreciate it."

Speaker McPike: "Just...yes. To the Bill now. This is on final passage."

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Stephens: "I rise in support, Mr. Speaker and...of its passage."

Speaker McPike: "Mr. Black."

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

Speaker McPike: "Yes."

Black: "We show Amendment #2 on the Bill, 3 withdrawn. We don't know where Amendment #4 is. Has that been withdrawn?"

Speaker McPike: "Mr. Clerk?"

Clerk McLennand: "Amendment #4 has not yet been offered."

Speaker McPike: "No. It's not going to be offered."

Black: "Okay, thank you very much."

Speaker McPike: "Mr. Weaver."

Weaver: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, on this mistake...I misspok in debate the other day. This Bill has absolutely nothing to do with motorcycles. It is strictly amended to deal with go-karts, and I stand in support of the Bill."

Speaker McPike: "Thank you, Mr. Weaver. The question is, 'Shall House Bill 458 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 111 'ayes', 2 'noes'. House Bill 458, having received the Constitutional Majority, is hereby declared passed. House Bill 460, Representative Woolard. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 460, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Mr. Woolard."

Woolard: "Thank you, Mr. Speaker. I would like to take this back to Second Reading for purpose of an Amendment. I think maybe I'm wrong. Maybe the Amendment was adopted yesterday."

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Speaker McPike: "Mr. Clerk?"

Clerk McLennand: "Amendment #1 is on the Bill."

Speaker McPike: "Mr..."

Woolard: "Was there Amendment 2?"

Speaker McPike: "Is there Am...?"

Clerk McLennand: "Amendment #2 has not yet been offered."

Speaker McPike: "Amendment #2 is here. Do you wish to return it to Second Reading?"

Woolard: "No. If Amendment 2 is on the Bill, I'd advise not."

Speaker McPike: "No, it is not. No, no, Amendment #2 has been filed."

Woolard: "All right. That's what I thought. Let's take it to Second for the purpose of that..."

Speaker McPike: "All right. The Gentleman asks leave to return to Second Reading. Leave is granted. The Bill is on Second. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Amendment #2 adds some language necessary to the special waste haulers and license. It also reclassifies many of the trucks' weights, lengths, licensers and so forth. All this legislation is supported by the Illinois Department of Transportation, State Police, the ICC, Midwest Truckers, the Illinois Truckers, General Contractors of Illinois."

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 is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 465, Mr. Deering."

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Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 465, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Mr. Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 465 establishes a 2,000 pound variance for truck weights over 73,280 pounds to 80,000 pounds. Current law requires...current law allows the 2,000 pound variance for vehicles up to 73,280 and 1,000 pound variance for vehicles over 73,280. Of the uniform 2,000 pound variance, that's one-weight tolerance for all classifications and eliminates the disparity of weight tolerances around the 73,280 pound mark. I'd like to answer any questions."

Speaker McPike: "The question is, 'Shall House Bill 465 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Sant... Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there's 105 'ayes', 6 'noes'. House Bill 465, having received the Constitutional Majority, is hereby declared passed. House Bill 482, Representative Laurino. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 482, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this Bill."

Speaker McPike: "Representative Laurino."

Laurino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 482 implements...the operation of a new configuration of a garbage truck. In essence, what it does is it creates the ability to utilize a front-loading compactor with two axles as to opposed to what we now are used to seeing a three axle. It probably reduces the amount of stress on the highways and roads by about 10,000

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pounds, and I urge the adoption of...House Bill 482."

Speaker McPike: "Any discussion? 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 are 109 'ayes', 1 'no'. House Bill 482, having received the Constitutional Majority, is hereby declared passed. House Bill 1075, Representative Gash. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1075, a Bill for an Act to amend the Road Workers Safety Act. Third Reading of this Bill."

Speaker McPike: "Representative Gash."

Gash: "This Bill amends the section of the Illinois Highway Code that currently requires a highway authority to give ten-day notice to the owners of a highway obstruction before they can actually remove the obstruction. This provides that the ten-day notice would not be applicable, when there is an obstruction to traffic flow. This is a common sense Bill, and I urge your 'aye' vote. Thank you."

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

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

Speaker McPike: "Yes."

Wennlund: "Representative, with the noise level and the House...I missed your explanation of the Bill, as amended."

Gash: "The Bill, as amended, takes away the ten-day notice requirement from the Illinois Highway Code when there is a traffic obstruction. That means that the obstruction can be removed when there's an obstruction to traffic flow."

Wennlund: "Now, what's current law? Do they have to give ten-days notice?"

Gash: "Yes."

Wennlund: "And...and it removes that?"

Gash: "Yes."

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Wennlund: "This was proposed by the county superintendent of highways in Lake County?"

Gash: "Yes."

Wennlund: "How does...the Illinois Department of Transportation and state police feel about the issue?"

Gash: "They're...they're not opposed to it. They're neutral."

Wennlund: "I'm sorry, I can't hear you."

Gash: "Neutral, Sir."

Wennlund: "They're both neutral on the Bill."

Gash: "Yes."

Speaker McPike: "The question is, 'Shall House Bill 1075 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 107 'ayes', 2 'noes'. House Bill 1075, having received the Constitutional Majority, is hereby declared passed. House Bill... Representative Mulligan. Representative Mulligan. Turn on Representative Mulligan."

Mulligan: "Would you record me as a 'yes' on the last one, please?"

Speaker McPike: "Yes. The Lady indicates that she desired to vote 'aye' on House Bill 1075, and the record will so reflect. House Bill 1792, Representative Stephens. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1792, a Bill for an Act in relation to motor vehicles. Third Reading of this Bill."

Speaker McPike: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. House Bill 1792 is a lengthy proposal that is the result of months of research and planning and interagency meetings to develop a Vehicle Code Bill directed towards solving numerous problems within the laws that govern trucks and other commercial vehicles. The

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proposal has been reviewed by DOT, the Midwest Truckers, Illinois Trucking Association, the Illinois Farm Bureau, Farm Implement Dealers Association and Deere and Company. The...Bill is lengthy. I'd be glad to try to respond to any questions that you might have, and I move its passage."

Speaker McPike: "And, on that 'do pass' Motion, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. This is an agreed to administration Bill, and I stand in support of the legislation."

Speaker McPike: "Representative Granberg. The question is, 'Shall House Bill 1792 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 114 'ayes' and 0 'nays'. House Bill 1792 having received the Constitutional Majority, is hereby declared passed. House Bill 2308, Representative Deuchler. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2308, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this Bill."

Speaker McPike: "Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2308 attempts to address a problem that has plagued many of the Representative offices and the Senate offices throughout the state; that is a mistake in Chicago parking tickets being issued to our constituents. On the last two years, for example, in my district, we have processed about 500 of these complaints. This Bill attempts to address the problem experienced by so many residents where they had not realized and not been able to obtain the original parking ticket, which was not included, when they received a form from the City of Chicago. This legislation would enable

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them, it would be printed on the ticket and would enable them to send along a stamped, self-addressed envelope, so that they could get a copy of the ticket and compare their make and model of car with the ticketed make and model of the car."

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

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Each and every one of us in our district offices has been confronted with this problem of unwarranted tickets, in the Chicago area, and I think the Lady is trying to address the issue in a sensible way to make the city more responsible, and I stand in support of her legislation."

Speaker McPike: "Representative Dart."

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

Speaker McPike: "Yes."

Dart: "Is the City of Chicago taking a position of any type on this one?"

Deuchler: "Not that we know of."

Speaker McPike: "All right. The question is,... Representative, would you take this out of the record and talk to Mr. Dart? We're not sure about that last answer. Thank you very much. Out of the record. Representative Martinez."

Martinez: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker McPike: "State your point."

Martinez: "I would like very much to introduce some constituents from my...my district, namely from ~~D~~issonville Village, McKinley Park, as well as constituents from around the State of Illinois, who are down here in Springfield in support of educational choice."

Speaker McPike: "Special Call, Taxes, page 28 of the Calendar,

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appears House Bill 685. (House Bill) 686. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 686, a Bill for an Act to amend the Revenue Act of 1939. Third Reading of the Bill."

Speaker McPike: "Representative McAfee."

McAfee: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. May I have a little order, please?"

Speaker McPike: "Please...please give the Gentleman some attention please."

McAfee: "Thank you, Mr. Speaker. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 686 addresses the issue of property tax caps. As many of you know, we have had discussions in the last decade and logged double-digit inflation as it relates to property tax increases. This has effected many of the property taxpayers of metropolitan Chicago and in particular DuPage County, and they all have experienced these increases. We have received a lot of criticism for it and there was now required to do something. During the 1990 gubernatorial election campaign, then gubernatorial candidate, Jim Edgar, made the issue of property taxes a very prominent political issue. I must point out to you that in 1991, as many of us sat here going on into the month of July, a political compromise was reached on the issue. Tax caps were then approved, but only for the five counties surrounding Cook County. According to the taxpayers federation and in this past year, the first year of caps the annual rate of increases in overall extension . . . extensions was less than all the five counties for... for any of the preceding three years. Governor Edgar, this year in his State of the Message indicated and proclaimed, that tax caps worked and that this protection should be extended to homeowners

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throughout Illinois, and that is what House Bill 686 intends to do. House Bill 686 provides in part: First, a requirement that DuPage County conduct a referendum at the primary election in 1994 on the issue of establishing a property tax classification system. Second, it requires that the 1994 extension be based on the previous year extension basically a one year freeze would eliminate balloon levies similar to the process that we adopted for Cook County, as I indicated earlier in 1991. House Bill 686 does not exempt home rule units. Home rule units are included and we do, in fact, apply the Act statewide. However, all taxing districts whose current year EAV (equalized assessed valuation) does not exceed their 1983 EAV are exempted. This would affect positively one-half of the downstate counties. New property growth or additions or construction, as it's been referred to, in all counties except Cook and DuPage are also to be exempted from the tax caps. There are two other minor statements in the Act relative to a statement that the Bill constitute a preemption on the home rule powers indicated and there's also an Amendment that would require under the states mandates act excluding reimbursement. As to the Bill, I believe that for many of us this is an opportunity to affirmatively deal with an issue of property tax caps and the issue of increasing property taxes. It was applied in 1991 in selected counties, but is...it is and, as the Governor has indicated, is deserving of universal consideration to help homeowners who have experienced increasing property taxes, not only in my district, but also throughout the state. It will provide some tax relief. I urge your support, and I will answer any questions."

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Speaker McPike: "On the Gentleman's' 'do pass' Motion, Representative Andrea Moore."

Moore, A. "Thank you. Would the...would the Speaker yield for a question, please?"

Speaker McPike: "Yes."

Moore, A.: "Lake County is one...is the twelfth, fastest growing county in this entire country, and I'm sorry, but I did not understand as you explained, whether or not the new growth would allow...would be allowed to be part of the extension?"

McAfee: "That's only for Cook and DuPage, as proposed."

Moore, A.: "So, then all other counties would be exempted and so the new growth would be allowed. That's not what we are led to believe, and that's why I need that point of clarification."

McAfee: "I'm sorry, Representative, it includes all the collar counties."

Moore, A.: "So, the twelfth fastest growing counties would be included in the new growth would not be allowed in the extension?"

McAfee: "That is correct."

Moore, A.: "Thank you."

Speaker McPike: "Representative Kubik."

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

Speaker McPike: "Yes."

Kubik: "Representative... Oh, by the way...this would... Was this your Bill originally, Representative?"

McAfee: "I believe the initial Bill was filed by Representative Currie, but there were also Amendments added as well."

Kubik: "Okay. I...I thought the...I noticed the Sponsor had changed. Oh, there she is. Okay, okay... ..Let me make sure I understand this. You...you mentioned on new growth,

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Representative, that my understanding of reading the Amendment is that new growth in Cook and DuPage County is exempt from the tax cap?"

McAfee: "That is correct."

Kubik: "Okay, so new growth is not exempt from the tax cap in places like Lake, Kane, Will, et cetera?"

McAfee: "In Cook and the collars, Representative, it would not be exempt."

Kubik: "It would not be exempt."

McAfee: "It's still part of it."

Kubik: "Okay. We're getting...I guess...let's go back over this. In Cook and DuPage County, they would not..."

McAfee: "New growth is included in the cap in Cook and DuPage."

Kubik: "New growth..."

McAfee: "New growth additions, home improvements."

Kubik: "Would be included in the cap?"

McAfee: "That is correct."

Kubik: "Would it be simpler to say that no new growth anywhere is allowed under this cap legislation? Okay..."

McAfee: "No."

Kubik: "Where is new growth allowed? ..."

McAfee: "Everywhere but Cook and the collars is indicated."

Kubik: "Okay. Okay. So, for those people in DuPage County and Cook County, new growth would be included in the cap? Okay."

McAfee: "That is correct."

Kubik: "Now, the classification system, that provision, is there anything in the Bill which defines what that classification system will be?"

McAfee: "Let me address one thing on that classification system. As you know, Representative, the Constitution in 1970 provided for any county to adopt it; Cook being the only

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jurisdiction county-wide that has that in Illinois. Therefore, we're only really talking about allowing a referendum to be given to the electors in DuPage County to adopt such a classification system of whatever type. The provisions, of course, are required by the Constitution to be a certain level of assessment and reasonableness, of course, as a criteria in the Constitution."

Kubik: "I was just curious and I...I understand that you are not the Sponsor of the Amendment. Representative Currie was the Sponsor of the Amendment. You are handling the Bill. Well, I...I'm just curious why we did not choose a general election to...to have a declassification system on the..."

McAfee: "This will be...this will be the earliest available opportunity, as I understand the legislation, Representative."

Kubik: "Well, it would seem to me that it might be better that there would be more people participating in a general election. Now, this legislation...provides that the cap...is a statewide cap, correct?"

McAfee: "That is correct."

Kubik: "Okay, now, I heard you say something about...it would be...it would not apply to those counties which had a reduction in equalized assessed valuation. Is that... Maybe you could explain that provision to me."

McAfee: "Well, as I indicated to you in the description, basically as to the assessment for the downstate counties, the EAV would be based on 1983. And had they gone less than that, that would still be an indication that there wouldn't be a cap for them. It's approximately, I think I indicated based on the taxpayers federation of Illinois figures, approximately half...about half of the counties."

Kubik: "Is that... Representative, is that provision...is that

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provision the same provision as contained in Senate Bill 1?"

McAfee: "It is not. I believe Senate Bill 1 was visited upon last evening. I don't have the actual language of the Bill, but I don't believe that was included."

Kubik: "The..."

McAfee: "Appar...excuse me, apparently it's the same as in House Bill 48."

Kubik: "Okay. Okay. We...Representative, let me...point out to you that...I worked on the classification. That's something, I think, we in Cook County probably ought to support. I mean, after all, would you not agree that...by creating a classification system, if the voters of DuPage County should opt to have a classification system, that it would shift...the tax burden...from residences to businesses?"

McAfee: "It has that ability, of course. You know in Cook County we have nine different classes under the classification system, varying percentages of the assessed valuation."

Kubik: "So, you would think...you would agree that it...it may have the effect of shifting the tax burden from residences to businesses in DuPage County."

McAfee: "As I indicated to you, it's up to the county board how they want to establish their classification system. In Cook County, there are nine classes and they can do it from everything from industrial to residential."

Kubik: "Mr. Speaker, to the Bill. I intend to vote for this Bill. ...I think I'm glad to see my colleagues on the other side of the aisle...have...seen religion and...decided that tax caps are a way of holding down a double digit inflation...of local budgets and...that is a...a good move and...and frankly, I'm very happy to see

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that...that this conversion that has occurred...because I know we have had numerous tax cap legislation in the House Revenue Committee and...we have been unable to advance those...those Bills to the floor. So, it's nice to see that...our friends on the other side of the aisle have now come to the realization that tax caps are effective in holding down the cost of government. The fact of the matter is, if you look at what has occurred since 1990 in the collar counties, taxes have been reduced. They have been held to a...a moderate growth and I think that's great, so Representative, I...I'm glad to see that you have...although maybe a late convert, have...have come to...join us on the issue of tax caps, because it's a...it's an issue that I will support, and I will support your Bill enthusiastically. Thank you, Mr. Speaker."

Speaker McPike: "Representative Clayton."

Clayton: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Clayton: "With regard to new growth,...I...would like a clarification on Representative Moores' question. At the present time..."

Speaker McPike: "Mr. McAfee, this is a question."

Clayton: "At the present time, in Lake County new growth is exempt from the tax cap. Does this Bill change that?"

McAfee: "It includes it."

Clayton: "It includes the other collar counties besides DuPage?"

McAfee: "The collar counties, as well as Cook."

Clayton: "Thank you."

Speaker McPike: "Representative Olson."

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

Speaker McPike: "Yes."

Olson: "Representative McAfee, over here in the corner. Your

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opening remarks said this applied to homeowners. For clarification, and I'm referring to downstate now more than the collar counties, does this also include commercial property?"

McAfee: "Yes."

Olson: "And does that also include farm land?"

McAfee: "Yes. All property."

Olson: "Thank you."

Speaker McPike: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker. I'm rising to speak in favor of this Bill. A couple years ago, I testified on its behalf at the Senate hearings that were held throughout Cook County, and I believe that this extending it statewide is a good policy for all of the taxpayers in Illinois. There are parts of the Bill I think are stringent in terms of municipalities and other local governments in how they will be able to raise and spend their money, but all in all I think it's a good Bill. Tax caps for everybody, tax caps are limits on tax increases, they are not caps that cut government spending or cut tax Bills. They limit tax increases and that's what the residents of my district say they are for, so I rise in support of them. They are season...they're not just seasonal, you can wear them year-around. Thank you."

Speaker McPike: "Representative Balthis."

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

Speaker McPike: "Yes."

Balthis: "Representative...one of the main reasons for property tax increases on the local level is the lack of state funding for schools. Is there anything in this Bill that addresses that issue?"

McAfee: "No, Representative, I don't think you can put everything

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in one Bill in any event. What we're trying to do here is provide property tax relief. If you're speaking on other issues as to funding and reform, this Bill only deals with property tax relief."

Balthis: "My school superintendent tells me that the biggest reason that they had to raise property taxes because the state's only funding schools on an average of about 33% and in my area it's about 10%. Then that's the biggest reason that they tell me the property taxes are going up. There's nothing in this Bill that addresses that?"

McAfee: "No, there isn't; and, as I indicated to you earlier, this is dealing specifically with property tax relief. If you want to take up the issue of school funding and reform and other areas, that can't do it all in one Bill."

Balthis: "Is there anything in this Bill that addresses mandates, because according to LRU 70 cents of each dollar spent on education is a mandate."

McAfee: "As we indicated one of the last points we have exempted it from the Mandates Act."

Balthis: "This Bill is exempted from the Mandates Act, but it is not exempted from this Body passing new mandates."

McAfee: "I couldn't agree with you more."

Balthis: "Is there anything in this Bill that takes into account that there are TIF districts outstanding that have bonds that are sold and those bonds in the prospectus' that were put out project an increase in revenue to pay off those bonds?"

McAfee: "It's my understanding that the TIF bonds are already exempted under the original Property Extension Act."

Balthis: "The TIF... So, the businesses in the TIF districts are going to continue to get a property tax increase at whatever level it happens while the other businesses around

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them are going to get a lesser increase in taxes?"

McAfee: "Well, those are already existing obligations under some bond. I would think they would have to be paid off under some format."

Balthis: "Okay. Is there... Since they are exempted, then there would be no liability on the states' portion...the states' part, regarding any of that?"

McAfee: "Correct."

Speaker McPike: "To the Bill, Representative."

Balthis: "Thank you, Mr. Speaker. Ladies and Gentlemen, I think there are several issues that bring...bring to the table discussion on this Bill. Tax caps, as we all know, are a base of a fraud to begin with because they do not reduce property taxes, and if the State of Illinois would stop passing mandates and would start funding education the level that they should, this Bill would not even be necessary."

Speaker McPike: "Representative Brady."

Brady: "Thank you, Mr. Speaker and Ladies and Gentlemen. Property tax relief is something that is very important to all citizens in the State of Illinois, but in my particular district, I've been convinced that this property tax extension would cause property taxes to increase. Now you may say, 'How and why?' And the reason is, our local officials have been very frugal and have operated within budgets in a very moderate manner. Because of this, they would be afraid that they would not be able to pass the referendum forcing maximum increases without referendum; and, for that reason, I stand with concern. Additionally, I think we need to look at a Bill in the Senate that is going to call for a downstate referendum on this issue. We need to hear from the voters and we need to understand what

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their thoughts are. For that reason, I intend to vote 'present'."

Speaker McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's no question that we need property tax reform. We need it very badly. Unfortunately, House Bill 686 does not give us the realistic reform that we need. We have a crisis right now, in terms of education. When experiences in the collar counties and DuPage have had property tax caps, it has hurt education. We can't improve our economy unless we improve the quality of education. Likewise, this legislation would affect police protection from local jurisdictions making it more difficult for kids to be able to get to school safely. And last night I talked to my wife and found out that we had a serious storm in Chicago. This legislation would affect the...the storm programs of the water reclamation district. What we need is realistic reform. I know, my district is seeing massive increases in assessment bordering on 100%. This Bill would not solve the problem in my district and many other districts that have spiraling assessment increases, because it wouldn't reduce the property taxes that my taxpayers pay. What we need, and I've had the opportunity to meet with a lot of the leading players since I've become Chairman of the Revenue Committee on revenue matters and I'm surprised at how much of the consensus there is out there. To link meaningful property tax reform with an increase in the income tax, so that we're able to continue to fund our schools, continue to fund our local governments, continue to protect against storms...storm programs and at the same time provide the relief that the local property taxpayer really needs. So, this is a

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well-intentioned Bill, but it is not one that we should pass, because I think the consequences would be very devastating. We need to wait for real reform, and I think that will be coming. Thank you."

Speaker McPike: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Real reform will come when the Sponsors of this legislation get serious about property tax relief. When a Sponsor of a piece of legislation can stand on the floor and explain the details of the legislation that are before him and doesn't have to turn to an aide or another Legislator to tell him what's goin' on in a Bill. When a Sponsor of a piece of legislation, understands straight forward and understands that the net result that what he is doing has dire consequences on the economic face in various parts of this state. The Sponsor that has now presented this Bill for passage isn't serious about its passage. He wasn't even the Sponsor of the Amendment. He didn't even sponsor the Bill until last night, until sometime in the shade of night he snuck over to the well and put his signature on a piece of paper that changed the sponsorship from a Chicago hard-core Democrat that has sponsored legislation to hurt suburban Cook County and collar counties in this state during their whole career. This man has put his name on this Bill, and it's a sham. It doesn't mean anything real. I'll quote from you, Chicago Crane's Business that said in their editorial on Monday; 'Let's get real about property tax relief, Mr. Speaker. Stop the fun and games.' It was an editorial out of the Chicago Crane's Business. Your own newspaper that recited to the gamesmanship that are playing in property tax relief. Now, what we have before us right now is not a serious effort to bring true relief to the

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taxpayers of suburban Cook County or to the City of Chicago. You've heard it. Every Legislator in this chamber from suburban Cook County has heard the cry for property tax relief and tax caps. Everybody has read the headline stories in Lake County that talk about tax caps working and how...in their implementation they reduce a persons' tax bill, not cut spending. No, they reduce the tax bill that somebody gets at home. That's the value of Governor Edgars' initiative and that's the value of what we have brought to the State of Illinois and the collar counties. That's what we want to bring to suburban Cook County; but in this instance, when we have a Gentleman standing on the House floor, a Gentleman who says that he understands property tax caps by putting his name on sponsorship, and who intends to now run for reelection and say, 'Oh, I'm a champion. I'm a champion of property tax relief for the people of Illinois and I intend to make sure that they understand how strong I feel for it', but yet he can't even explain what it's about. Now, let's get serious when we talk about this issue. Let's understand that this what we have before us is a sham. If it was for real, we wouldn't have the call for classification in some of our counties. We wouldn't have the combination of prior EAV with the tax cap. We would have a strong Bill as contained in Senate Bill 1 that is now coming before this chamber and now gives options to various parts of the state. Ladies and Gentlemen, the only thing that you can interpret from this sham that is before us right now is that four people on the Democrat side have felt the heat, but they're trying to hood wink their electors. They're trying to tell them that they're advocates for property tax relief and we know that that's not the case. Everyone of us knows that.

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Isn't that true? You bet your life. We know that come election time, you're going to pay the price for having failed as the Majority Party to bring the State of Illinois pro...true property tax reform and relief for the citizens of our state. You'll pay the price for it. We, as Republicans, stand for the true program. Stand for reducing our property tax relief. Shame on you. Shame on what you have done to your citizens in trying to hoodwink 'em, and we're going to stand up and expose you for the sham that you're pulling over right now."

Speaker McPike: "Representative Davis."

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

Speaker McPike: "Yes, he will."

Davis: "Representative, with the caps that you propose, do you think that there'll be any effect on the dollars that schools depend on for those districts that use a lot of public tax money to support their schools?"

McAfee: "Yes."

Davis: "It will affect those dollars in those school districts?"

McAfee: "It's a cap on units of local government as well as school districts."

Davis: "Where do you think the government will find the dollars to make up for those dollars that we cap off? Where will they find additional dollars to support their school system?"

McAfee: "Well, with respect to the classification system, it is going to be up to the county board and the voters and the electors in DuPage County to determine the classification system."

Davis: "Well, to the Bill, Mr. Speaker. I would just like to say, I too along with many of my colleagues from the City of Chicago would at one time or one day hope that there's a

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reduction in the amount of property tax that people have to pay. However, until we come up with a...a different method of funding education, I just find it almost...it isn't laughable, it isn't ludicrous, it is truly tragic. It's tragic that we would attempt to cut off those funds that school districts need and depend upon to fund the education of children. I think we should be much more far sighted and not attempt to punish people; the same people who are gonna support these caps are going to oppose any additional dollars for school districts. I vote a resounding 'no', and I urge all of those who are interested in the education of children to vote likewise. Thank you."

Speaker McPike: "Mr. McAfee, to close. Mr. Black. Just a minute, Mr. Black just put on his switch. First time today. Mr. Black."

Black: "Thank you very much, Mr. Speaker, I appreciate that. I have an inquiry of the Chair. How many votes...would this measure require for passage? Isn't it preempt home rule?"

Speaker McPike: "Yes, 71 votes."

Black: "Seventy-one, thank you."

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

McAfee: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think this is an opportunity for all of us to look to our own districts look to the State of Illinois, and I know I've heard some remarks as to the sincerity or the abilities or the comments of the Sponsor or those who feel likened to want to see property tax relief, but I would remind the distinguished Minority Leader, as to the Governor's remarks in his State of the State Message provided on January 27, 1993, when he indicated quite clearly and I quote, 'Caps have cut property tax growth by nearly half in DuPage and Lake Counties, where homeowners

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have been socked with double-digit increases year after year and now, we assume, we Legislators, should extend that protection to homeowners and small businessmen and women throughout Illinois'. I would have to say this is a bipartisan issue. And when somebody suggests to me that I've found new-found religion, I know there are many of us in this Body who have also served in local units of government and I, too, was fortunate enough to have to deal with property tax issues and I too was able to rebate and abate dollars, property tax dollars to my citizens when I served as a local mayor. I'm sure other communities did as well. I think this is an opportunity for us not only to provide property tax relief for our own districts, but for Cook County, for DuPage County, for the collar counties and for the state. I urge your support."

Speaker McPike: "The question is, 'Shall House Bill 686 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Granberg, to explain his vote."

Granberg: "...Mr. Speaker, just a question. How many votes does this take for passage?"

Speaker McPike: "Seventy-one."

Granberg: "Thank you."

Speaker McPike: "Mr....Woolard."

Woolard: "Mr. Speaker, I'd like to explain my vote. I believe that all of us have responsibilities to various groups that we represent, and I believe that I have a responsibility to both those people who are taxpayers and a responsibility of those units of government that depend on our support. I would like for this vote to be reflected that I believe that this is in the best interest of those people that I represent."

Speaker McPike: "Representative Zickus."

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Zickus: "I would like to explain my vote. I am supporting this with some reluctance, but I am very happy to see some tax re...property tax relief measures go forward and...as long as the Republican versions aren't going forward, I am supporting it."

Speaker McPike: "Representative Hoeft."

Hoeft: "I'd like to explain my vote in terms of this being an ongoing dialogue...that this is not the end product."

Speaker McPike: "Representative Currie."

Currie: "Thank you, to explain my vote, Mr. Speaker. I've always been philosophically opposed to tax caps imposed on local governments by the people in Springfield. I believe in local control. I believe people at the local level are able to make decisions through their elected officials about what kind of resources should be available to solve problems and to respond to local needs. I don't think they need the big guys in Springfield to tell them how to behave, but I do think for people who disagree with me philosophically, that the contents of House Bill 686 are exactly what the people who like tax caps are asking for. The provisions of this Bill are in no way a sham. The provisions of this Bill are a legitimate and reasonable effort to respond to people who do think that the big guys in Springfield have the answers to problems at the local level. I resent the suggestion that there are errors or flaws in this Bill. It seems to me when we've heard from people in DuPage and the collar counties, that their individual property taxes are still going through the roof, that there was legitimate reason to try to find ways to close loopholes in the current cap that operates in those collar counties. That's what we tried to do when we crafted this Bill and in terms of craftsmanship, I think

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it's a super job. In terms of philosophy, as you can tell from my 'no' vote, I don't agree with its provisions."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, just to put in the record some of the reasons why my units of government in the Winnebago County area couldn't live under these...proposals is because they don't provide for the needs for unemployment insurance needs, workmens' comp needs, IMRF benefits, retirement payments. They don't provide for public benefit levies. They don't provide for special assessment project impact fees, court awards, emergency needs in our units of government, that now sell general obligation bans...bonds at the start of every fiscal year and to retire the bonds from income doesn't provide for any of this. It would bankrupt some of my units; and, further, I think putting in the law that you'd allow a 5% increase would mean that there would be a 5% increase in spite of these problems so I have to vote 'no'."

Speaker McPike: "Representative Skinner."

Skinner: "This is indeed a finely crafted Bill. It is finely crafted...to make sure that when a new 500 home subdivision goes on the tax rolls, that the local school districts and other local districts won't be able to collect money from them, as they would if they had not been a new subdivision. I'm voting for this Bill just to give the Democrats a chance to show they're serious about tax caps. It's obvious that they're not, so we can get the roll call, and let's get on to the next Bill."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 49 'ayes' and 59 'noes'. House Bill 686, having failed to receive the Constitutional Majority,

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is hereby declared lost. House Bill 685. Read the Bill,
Mr. Clerk."

Clerk Rossi: "House Bill 685, a Bill for an Act amending the
Revenue Act of 1939. Third Reading of the Bill."

Speaker McPike: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. House Bill 685, provides real and substantive
property tax relief. For the first time since 1983, the
general homestead exemption and the senior citizens
exemption has not been changed for downstate. Although we
did change those exemptions for Cook County last year, this
legislation seeks to change those exemptions and increase
them to provide, as I indicated, real and substantive
property tax relief. With respect to senior citizens
exemption commencing with the 1993 levy year, collectable
in 1994, it increases the exemption from \$2,000 to \$2,500
in all downstate counties and from \$2,500 to \$3,000 in Cook
County. With respect to the general homestead exemption
commencing in the 1993 levy year and collectable in 1994,
it increases the value of this exemption from \$3,500 to
\$4,500 in all downstate counties and from \$4,500 to \$5,500
in Cook County. House Bill 685 also increases the
eligibility for the HIE, commonly known as the Homestead
Improvement Extension. It increases that exemption from
\$30,000 to \$45,000 statewide. For the edification of the
Members, the HIE is for individuals, property owners who
wish to expand on their current property, they want to add
a room on their home or build a garage due to increasing
building costs and inflation factors, we decided to raise
this to \$45,000 statewide; and finally there is a hold
harmless clause added to the School Code that provides that
the greater reduction in the equalized assessed evaluation

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in Cook County will not adversely impact school aid in all other counties. We believe this is time that we have parity, that we have change; for downstate communities as well, who are now starting to see escalating increases in EAV's, as well as the EAV increases in tremendous amounts in the collar counties in the City of Chicago as well as the rest of Cook County. I'd be more than happy to answer any questions."

Speaker McPike: "All right, on a 'do pass' Motion, Representative Biggins."

Biggins: "Thank you. Thank you, Mr. Speaker. Will the Sponsor yield? Yes, you will, you already said you would."

Speaker McPike: "Yes, he will."

Biggins: "Now, why is there the disparity between the amount of the exemption for seniors in Cook County as opposed to the other counties?"

Novak: "It is my understanding, Representative, that the dramatic increases in equalized assessed valuation, that have occurred in the last few years, specifically when we dealt with the tax cap legislation in 1991, that have been experiencing in the collar counties and in Cook County. What has been happening downstate with respect to increases in EAV is not as pronounced as it has been as we have experienced it in the northeastern part of Illinois. What's happened in DuPage County and Lake County certainly hasn't happened with respect to property value increases in Calhoun County or in Coles County or for that matter, Kankakee County, so there's the difference. That's why we have to provide for that difference."

Biggins: "And the hold-harmless provision of the school...for the school districts, would you explain how they're held harmless budgetwise on this?"

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Novak: "Pardon me, Representative? I can't hear you."

Biggins: "Well, it's because you're listening to Barbara Currie. Okay, but would you explain why the...the schools are held harmless, how they're held harmless on this Bill?"

Novak: "Well, any increases in EAV, Representative Biggins, if you've read the School Code (I would presume that you did), any increases in EAV your state aid goes down, so this is a hold harmless."

Biggins: "That's ..., it not a...it looks like it's discriminatory against senior citizens outside of Cook County to give them less of an exemption than those in Cook County yet, and I hardly support the exemption for those in Cook County."

Novak: "I think you're mistaken, Representative. It is not discriminatory towards senior citizens outside of Cook County."

Biggins: "Thank you."

Speaker McPike: "Mr. Brady."

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

Speaker McPike: "Yes."

Brady: "Is the intent of this legislation to bring the exemption up to the inflationary index as it would have been in the original stage?"

Novak: "Representative Brady, what inflationary factor are you considering or are you referring to?"

Brady: "I was wondering how the Sponsor came up with the increased amounts?"

Novak: "Well, I guess down here we like to deal with nice round figures."

Brady: "Well, did you just pull them out of the air?"

Novak: "Well, a \$500 increase, I think, is a reasonable increase. We'd like to increase it to \$10,000 if we could. I think

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the senior citizens have been paying for property tax increases for two long now, but we know that is unrealistic."

Brady: "Would it be the Sponsor's intent to...that this exemption would maintain with levels of inflation?"

Novak: "Well, I think it's a reasonable attempt to, Representative Brady."

Brady: "Why didn't the Bill include inflationary indexes?"

Novak: "Well, we can consider that in the future."

Brady: "Thank you."

Speaker McPike: "Mr. Kubik."

Kubik: "A question of the Sponsor."

Speaker McPike: "Yes."

Kubik: "Representative...I know we didn't have a lot of opportunity to debate the Amendment when it was placed on this Bill; and, as a consequence, there was no opportunity to file local mandates and fiscal notes now. Normally when...when we go through the normal way of moving legislation, we have an idea of what...what this Bill will cost local governments. Just for informational value, could we have an idea what these exemptions might cost local governments?"

Novak: "Certainly. Now, Representative Kubik, and for the edification of the rest of the Members, this is from growth in EAV. This is not from current EAV figures, so I want to make that perfectly clear. The impact on local governments from the increase in the senior citizens exemption according to Eck and Fisk is somewhere in between \$17 and \$19 million. The impact from the increase of the general homestead exemption that increases \$3,500 to \$4,500 downstate and \$4,500 to \$5,500 in Cook County is \$135 to \$140 million."

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Kubik: "What was the first figure? I'm sorry, Representative. What was the first figure?"

Novak: "The senior citizen homestead exemption, Representative Kubik, is somewhere, the impact on local governments is somewhere between \$17 and \$19 million."

Kubik: "Okay. And then and then the general homestead..."

Novak: "The general homestead exemption..."

Kubik: "Between \$135 and \$140?"

Novak: "One hundred thirty-five to \$140 million."

Kubik: "Okay. Now, this is not...would your figures be broken down by counties for example..."

Novak: "No, I don't have that..."

Kubik: "Do you know what it will cost the City of Chicago or...?"

Novak: "Well, I'm sure that's...you know...it would make up a considerable amount, if we broke them up all by 102 counties, but I don't have access to that information as of yet."

Kubik: "Yeah, I...well, okay. I..."

Novak: "But, again, let me reiterate, at the expense of being redundant, this applies to new growth, new EAV. That's added on to our current to the previous years' EAV due to increases in property valuation."

Kubik: "Well, Representative, our figures show that the general homestead exemption would...would be worth about \$162 million and that \$116 million of that is from downstate, so new growth, as you point out, that would be a net loss of \$116 million of new...new revenue for downstate and about \$46 million for Cook County. The senior citizen homestead exemption, according to our figures would indicate that there would be about a \$23 million shift, so to speak, with downstate being \$17 million and the County of Cook being about \$6 million. So you know, Representative, I have to

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tell you, I'm going to vote for you, because I think that...you make some very good arguments as to why we ought to support this Bill. But I think it's important for the Membership to know a couple of things. One, this does eliminate...it does take away money from local governments...and...and local governments, you may call it new growth, whatever, it takes money away. The other things that these exemptions do do, is they shift the tax base, so that your businesses in your counties, no matter where you are in the state, pick up the cost of these exemptions, because they are taxed at a different rate. So this does affect local businesses. It...it provides property tax relief for homeowners and senior citizens, but businesses do pick up the tab on this Bill. So...I think...Representative, I would support your Bill, but I think it's important that people know those two items."

Speaker McPike: "Mr. Black."

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

Speaker McPike: "Yes."

Black: "Representative, you indicate that this is only on new growth and not the current EAV, correct?"

Novak: "Representative Black, this...this applies to in...increases in equalized assessed valuation subsequent to 199...sub...from 1993 and thereafter."

Black: "All right. So, in other words, we're going to more or less level the base EAV out...in a subsequent out years... As downstaters you and I would expect the EAV base to remain somewhat the same the next two or three years. Correct?"

Novak: "Well, it's... As you recall the general homestead exemption is based on the 1977 base-year EAV, so in some

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respects, this increase may not apply to some counties downstate because their EAV has not experienced a substantial increase."

Black: "Well, let's concentrate then. If...if we, in fact, affect the base EAV and cap that...that's...cap's a bad word, scratch that. If we...if we don't allow governments to capture the subsequent growth in EAV, then how would this affect something near and dear to your heart and mine, fire protection districts for example that...that utilize a very low rate, usually a dime to provide basic fire protection. If...if we erode their EAV, are they still going to be able to operate because the rate is pretty much frozen?"

Novak: "Well, you know it's looking at a very similar aspect of what the caps have done. The caps have placed restriction on the ability of local governments to increase their taxes up to a certain percent. We're not digging into the current EAV. We all know that local taxing bodies need 'x' number of dollars to perform vital services to our citizens and sometimes if they wanna use extra money they have to either bond out or raise taxes. This...the increase in these specific exemptions does not obliterate entirely for that matter the increases in the EAV. It just increases, it certainly is going to have an impact, yes. Certainly, it will reduce the amount of new revenues that will come into local governments due to the increase in the EAV. I don't dispute that. I don't think anyone on the floor disputes that, Representative Black. We're just trying to help homeowners."

Black: "I...I understand that, and I can certainly as a homeowner appreciate what you're attempting to do here. But one thing that clearly is not...I'm having a difficult time

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grasping, those rates, and you're out of local government, those rates that float, the IMRF rate, the old liability rate..."

Novak: "The open-ended...the open-ended levies...the open ended levies, we call 'em."

Black: "Right. This really has no effect because that rate will go to whatever's necessary to...to capture the money required to pay the bill, correct?"

Novak: "Representative Black, yes it does regardless if there is an increase in the homestead exemption or not. Floating rates float all the time."

Black: "Right, but I guess what I'm trying to get straight in my own mind, if...if we level the EAV for a period of time, that rate might take, that floating rate, might take a substantial jump to capture the...like the IMRF levy. That can be very volatile depending on what we do here in Springfield. So, if we...if we kind of plane off the EAV and not allow subsequent growth for a period of time, then those floating rates might take a rather substantial jump. Would that not be possible under something like this?"

Novak: "I really can't answer that. I suppose we need some experts in the Department of Revenue, but in my experience even as a county treasurer for a number of years collecting property taxes and bearing the brunt of criticisms from people when they get their property tax bill, although we have nothing to do with raising rates, we just collect the money. My experience tells me that...people want to see those exemptions on there because they know it's at least a step in the right direction for them to purchase a home and maintain a home and when dramatic increases of...in equalized assessment valuation are experienced, not only in

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northeastern Illinois, but in...in very, many segments of downstate Illinois, people are demanding some type of a change and we need to increase these...increase these exemptions so we could at least provide them some form of relief."

Black: "All right. Thank you very much, Representative. Mr. Speaker and Members of the House, to the Bill. I understand what the Sponsor is doing, and I don't stand in opposition to what he is attempting to do. I think the question all of us have to ask ourselves, 'How much longer can we put band-aids on a system that's been in intensive care for years?' The property tax system in this state, as the recent report from the tax payers federation made very clear, is a burdensome, outmoded, outdated, outlived perhaps even its usefulness in the State of Illinois. Now, this is indeed a band-aid, and I think we all feel that when we come on the scene of an accident, we need to do something. So we continually put band-aids on something that is in need of major surgery. I don't know that this Bill is the answer, but I know this, if we continue to do this trauma first-aid care to what is indeed a major problem in the State of Illinois, and that's the property tax system, at some point the system will collapse. I guess what all of us have to do when we get up tomorrow and shave and look in the mirror or put on our makeup or whatever, we have to start asking ourselves, 'How many more band-aids can we put on a system that I think is near death?' Maybe we should come back here and seriously address, in Special Session, this whole concept of the property tax system, in the State of Illinois. It's a tremendous burden and sooner or later, we have to address the ultimate problem, not just a temporary fix or cure."

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Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House.

We've listened to a great deal of rhetoric today concerning the question of real estate taxation and how we might provide relief in areas where there is a undue burden of real estate taxes. It's normal and it's to be expected that you'll hear claims and counter-claims and rhetoric on top of rhetoric when you get to this particular issue. That's the way it's been for years. I expect that's the way it will be well into the future. The truth is, if you're interested in relief on real estate taxes for homeowners, then this is the Bill to vote for. There are a variety of ideas floating through the Legislature as to how there may be a reduction in real estate taxes, how there may be a freeze put on real estate taxes, how there may be just a slowing of the growth of real estate taxes, but after you work your way through all of those proposals, think them through, analyze them against the history of these ideas, you'll come to the conclusion that if you want relief for homeowners on the question of real estate taxes, then you vote to raise the homestead exemption, you vote to increase the senior citizen homestead exemption and you vote to increase the home improvement exemption. This plan is well thought out. It's worked since the middle 1970's. It will continue to work. I would recommend an 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 685 pass?'

All those in favor vote 'aye'; opposed vote 'no'.
Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I also recommend an 'aye' vote, but I recommend an 'aye' vote. Although this is an issue that I think we need to really

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address more carefully than what's contained in here. I think if we look at the time-tested homestead exemptions which we have increased throughout time and eternity, as the Speaker referred to, the fact of the matter is that this does not solve our real estate tax problem. So we're happy to join in what might be construed as some kind of a settlement, but this still, just like the prior Bill, is not the answer. We need to do more and Senate Bill 1 will help us do more, but we'll join in supporting this Bill in sending it over to the Senate, so that Senate can continue to look at the proper way to bring property tax relief to the taxpayers of Illinois."

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

Balthis: "Thank you, Mr. Speaker. I wonder if the next Bill that we see is going to be a Bill setting up a state agency to manage local governments and school districts. We continue to pass mandates. We continue to put restrictions, such as tax caps, in a hodge-podge of exemptions and then we want to take away the income tax surcharge. The next thing we'll be doing with state government is managing schools and local government."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Speaker, Ladies and Gentlemen of the House. I submit that if the Speaker were really concerned about property tax relief in Illinois, he wouldn't have had a down arrow on House Joint Constitutional Resolution 2, which would have reduced property taxes by 30% over five years. It would have put a freeze at the rate of inflation on assessments. A year ago, Representative Steczo passed a Bill increasing the homestead exemptions for Cook County, they raised the assessment? They completely did away with any property tax relief. This Bill would have provided

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real relief and would have let the citizens of Illinois make a judgment on whether or not they want it."

Speaker McPike: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker. You know I'm gonna change my vote. It says green now, and I really believe my convictions are committed that I have to change the vote. I believe that we have a responsibility as Legislators, and one of them is to do the best job we possibly can for those people that we represent. And homeowners is someone we all have compassion for and I, too, have that same compassion, but I truly believe the only way that we can address an issue such as this is to couple it with some kind of real change in the taxing formula. I have an idea. I believe that a graduated income tax is the right approach. I believe that coupled with some kind of new taxation to replace our property taxes is the right approach. I'm going to vote 'no', and I believe it's right for me and probably no one else."

Speaker McPike: "Representative Hoeft. Hoeft, I'm sorry, Hoeft, to explain his vote."

Hoeft: "Thank you, Mr. Speaker. I would like to react to the statement made that this is revenue-neutral to the schools. It is not, when 31% of the revenues come from the state and two-thirds come from local and you reduce the local, it is not balanced out for the state aid formula. I will vote 'no' in protest."

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 114 'ayes' and 2 'noes'. House Bill 685, having received the Constitutional Majority, is hereby declared passed. Business and Economic Development, House Bill 1038. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 1038, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1038 is a major recommendation of the Speakers' job summit, which was convened at the beginning of this particular legislative Session. The summit first met in Springfield; later it met in...in Marion, then in Rockford and then in Chicago and there are a variety of recommendations which have been...have been sent along from the job summit. Many of those are incorporated in later pieces of legislation, which we will consider today. This particular Bill is also a recommendation of the job summit. The Bill deals with credits against the Illinois income tax and the purpose of the Bill is to provide incentives for Illinoisians to invest money in Illinois businesses; thereby putting Illinoisians to work, people who will pay taxes, who will buy homes, will buy products from the retailers of Illinois. In developing this Bill, we followed the pure economic theory that if your goal is to revive a stagnating economy, such as we have in Illinois today, then you should concentrate your efforts on the formulation and the accumulation of wealth. You should not spend time, in areas of economic activity where that particular activity does not generate wealth itself. Consequently, what you do is you look at things such as agriculture, mining and manufacturing. So what we did was to work with the Illinois Manufacturers Association. We simply asked them, 'How would you recommend that we provide a jump-start for the Illinois economy?' Their recommendations are contained in this Bill. There are recommendations from other Members of the House, who I

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presume, would wish to speak to the Bill because their ideas are in the Bill, but in general what we're providing are a series of incentives and credits to jump-start the economy. I want to compliment the works of the Majority Leader, Mr. McPike, because he's the person who worked with the Manufacturers Association, worked with various Members of the House, to put these ideas into Bill form. Mr. Speaker, I would ask for an 'aye' vote.

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

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I join with Speaker Madigan in supporting the passage of House Bill 1038 and, too, would like to congratulate Representative McPike for his efforts, as well as the Illinois Manufacturers Association. For as you know for years, it has been our platform that tax credits support the creation of jobs. The government doesn't create jobs. Let business create jobs and manufacturers create jobs and anything we can do to help the industry is very, very important to assist the economy of the State of Illinois. Now, the Bill we have before us contains an awful lot of provisions. It has an awful lot of good in it and we support those, and I'm encouraging on this side of the aisle an 'aye' vote as well and congratulate those of you in the Majority Party for joining with us, as we have prevailed over the years in bringing forth the issue of tax credits for manufacturers. But let's also remember the work that we have to do in conjunction with this Bill. This Bill will cost, if it were signed in its present form, close to \$150 million as a result of the tax credits in loss of revenue to the State of Illinois. It's not good enough to just say, 'We're gonna pass this Bill and it solves our problem'. Of course, that's not the answer. Of

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course, what we have to do is carefully balance the state spending, the priority of our state government, in making sure that we bring together that very careful mix of business incentives, job creation activities, manufacturing tax credits, along with the carefully crafted budget, which maintains the priorities of the state and the requirements of the state. Just alone, and without any other careful workings, this Bill in and of itself, will not work, but it's good to pass and it's good to continue with this discussion for manufacturers tax credits. I, for one, applaud the efforts of all concerned, the Illinois Manufacturers Association, the Majority Party, the Members of my Party and those individuals that will support this Bill. It's the right way to go, and we should continue on moving it forward. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 1038 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Schakowsky, to explain her vote."

Schakowsky: "Thank you, Speaker, Ladies and Gentlemen of the House. I rise in opposition to House Bill 1038, not because I'm against creating jobs and doing everything we can in Illinois, but I urge my colleagues to look carefully at this package. Among the ways that we're supposedly creating jobs, is to give industry \$58 million to help them with their utility bills and their utility taxes. All of us have constituents who are suffering under the burden of high utility rates and we're saying we're going to create jobs by giving \$58 million back to industry. We couldn't even come up with \$17 million for the low-income energy assistance program for poor people who are going to be freezing in the winters, and we're going to give \$58 million that we don't have back to industry."

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

Saltsman: "Yes. Thank you, Mr. Chairman. In looking through this whole program, I don't see where labor has been invited to look at any part of this issue. Now, we've got companies that are out sourcing products from their own main companies under union contracts, out into scab shops and out into sweatshops and there is nothing here that says who is gonna monitor it if I send the same job up the road at \$7.00 an hour that a man was making \$14.00 an hour for and say, 'Well, we're going to train you'. That way the man who is already trained gets laid off. I do hope that this goes into a summit. I'm going to vote 'yes' to this, but I'm going to change my vote hoping that if this Bill goes into the summit with the Governors' office, that people from labor can get involved in this and we don't have the mess we got with our Illinois training program now that we got in DCCA. It won't bring these problems back. I'm going to switch my vote to 'aye', but I certainly want labor invited in when the summit comes upon in this legislation."

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

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm voting 'present' on House Bill 1038. It's not necessarily because I'm not against a tax credit to create jobs, but I think I mentioned something last week that a lot of the Members kind of let go in one ear and go out the other and I think it was mentioned earlier on this Bill. We're going to give a tax credit to employers, and many of you are going to go home sometime in May or possibly June and you're going to worry about how you're going to open up your schools. I think we need to put that as our highest priority and not the creation of jobs. Jobs are going to

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come around. There's a lot of things comin' out of Washington that is gonna create a atmosphere of jobs, but what's gonna create enough revenue so that we can all open up our...or allow our kids to go to school..."

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

Weaver: "Thank you very much, Mr. Speaker. I think we need to keep our focus on what's the main issue here and the name of the game is 'jobs'. Our economy is driven by jobs and if you look at the success, particularly from the national level in the past administrations, it has all been because of jobs. You cannot tax yourself into economic prosperity. It has to come through creation of jobs to allowing the manufacturers to do what they do best and that is create jobs. I think an 'aye' vote is the only vote on this Bill."

Speaker McPike: "Mr. Black."

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

Speaker McPike: "Yes."

Black: "Is Amendment #1 still on this Bill?"

Speaker McPike: "Mr. Clerk?"

Clerk Rossi: "Amendment #1 is on the Bill."

Black: "Is on the Bill? A further inquiry of the Chair then, because I...I'm very interested in Amendment #1. It was a Bill I sponsored and couldn't get out of committee on the earned income tax credit."

Speaker McPike: "Yes. Amendment #1 was adopted, but Amendment #2 was adopted, so Amendment #1 is technically on the Bill, but #2 stripped everything after that enacting clause."

Black: "Thank you very much, Mr. Speaker. To the Bill..."

Speaker McPike: "Mr. Kubiks' Amendment."

Black: "Thank you."

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Speaker McPike: "Yeah."

Black: "...The Bill is an attempt to go in the right direction, but in all due respect to Speaker Madigan, while I'm on the Indiana border, we must address workers' compensation clause. We're not competitive. I hope that we can get that in this Bill when it comes back from the Senate."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Representative Davis, to explain her vote."

Davis: "Thank you so much, Mr. Chairman. I'd like to commend Speaker Madigan for attempting to solve this problem and it's a problem that really should be solved by the Governor and the Governors' administration with our assistance. We sincerely believe that it's important for manufacturers to create jobs because they want to increase productivity. The more productivity they have, the more income they have. I remember, I think, two years ago, we gave money to Sears and Roebuck in an attempt to keep jobs in the State of Illinois, in an attempt to increase the opportunity for citizens of the state to work and yet Sears laid off a tremendously large number of people and then they moved out of where they were and moved to another location, which also hampered and hurt Illinois workers. Personally, I believe this is some welfare for the rich. Welfare to..."

Speaker McPike: "Have all voted? I didn't cut you off, Miss...Miss, Representative. You are on a one minute timer, just like everyone else is on a one minute timer on explanation of vote. I did not cut you off. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 100 'ayes', 3 'noes'. House Bill 1038, having received the Constitutional Majority, is hereby declared passed. House

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Bill 814, Mr. Turner. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 814, a Bill for an Act to amend the Minimum Wage Law. Third Reading of the Bill.

Speaker McPike: "Mr. Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I bring to you today House Bill 814, and what it does is it amends the Minimum Wage Law to permit an employer to employ an employee for a period of not more than ten hours in the aggregate in a work week without paying overtime compensation. This is an issue that has been before the Assembly in the past. It is one that I truly believe will help make life better for all of us. I know that there have been some discussions about this overtime work. It's considered...those who view it as overtime work, but it is not overtime work. What it does is it...the training, it allows for a minimum of ten hours training and that training has to be for remedial education, and that is it would help a person in terms of learning how to read and write. It does not have to do with job training, and I'd move for the favorable adoption of House Bill 814."

Speaker Dunn: "Representative Dunn, in the Chair. Is there further discussion? Hearing none, the question...the question is, 'Shall House Bill 814 pass?' Pardon me. On that question, Representative Saltsman."

Saltsman: "You know, back in the 30's they used to work people for straight time, 16, 18 hours a day. Them days are over with. There's nothing wrong with this Bill if it wasn't mandatory. If this Bill wasn't mandatory, there's nothing wrong with it. You can't force a man to sit there in a hot factory for ten hours a day and have him stay for over two hours for straight time; and, in most of these cases, we're

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paying the Bill with our job training funds. We're givin' 'em the money up front to do it, and they still want to stay there for the straight time. At least we're paying for these training funds in most of these cases. This money's not coming from these companies. These training funds are coming from us. They wouldn't even want to be involved in it. They didn't even want to push this Bill till we started putting all this training money around, and this last Bill could be a perfect example of what could be spoiled right here. That last Bill that we just sent out of there could be the worst labor Bill; it could be. The very worst labor Bill to ever come out of this General Assembly. I'm not saying it's going to be, but it could be. This right here opens the door to force a man...you know, they won't bring him in two hours early in the morning and let his first two hours behind a desk and let him work the last six. You know, when it gets 100 degrees, these companies that can't afford to pay this, these are hot little factories. They don't have air conditioning. That's rough to stay around those shops when it's 98 degrees in the shade. Old brick walls and small windows in them. I've did it. I worked in those machine shops, and I'd hate to think that I'd have to be told, 'You stay over or you're fired'. Now, you're gonna mandate these people to stay over. By using the excuse; 'I'm sick', you're still going to get fired. This is nothing here to take and have a weapon, in some cases, to fire people who don't belong to the buddy system. This Bill has been here before, and it was a terrible Bill then; it's a terrible Bill now. You vote for this Bill, and let's go back to 1938. I wish it had House Bill 1937, 1934. That's what it should be. This is a terrible piece of legislation.

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You're talking about some illiterates who need training. They do. They do need training. We're giving 'em JTPA money. We're putting the training funds out there for 'em, but give 'em the option to go to a junior college. Give 'em the option to at least get time-and-a-half. If you're going to force this man to stay in that shop, what you're going to do with this Bill...if you're going to force him to stay in that shop for training, you're breaking every labor law that labor worked for a hundred years tried to get. This Bill right here, take the mandate off of it, it'll be fine. But as of now, you are going back to 1930's, and this is a kick in the teeth of labor."

Speaker Dunn: "The Lady from McHenry, Representative Hughes."

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

Speaker Dunn: "Indicates he will."

Hughes: "Representative Turner, could you explain please...does this Bill require that an employee take remedial training in reading and math? Does it mandate that an employee receive this education?"

Turner: "It does not require the employee to take that training, but it says that if, in fact, the employee is taking the training, that the employer does not have to pay him time-and-a-half, and this training that the employee would be taking is not job related training. It is basically to help bring a person up to speed in terms of teaching 'em how to at least reach an eighth grade reading level so that he would learn how to read and write."

Hughes: "Thank you. To the Bill, Mr. Speaker. There is no mandate here that requires an employee to receive remedial training. We're talking about people who have below the eighth grade level of reading and math. We're talking about people without a high school equivalency. We are

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talking about helping employers provide a wonderful opportunity and benefit for their employees by giving them the incentive of straight pay and still paying those employees while they are broadening their opportunities for the future by improving their reading and basic skills. I don't know how anyone could possibly vote against a Bill such as this, and I urge your support. It had bipartisan support in committee, and I would urge your support for this Bill. Thank you."

Speaker Dunn: "Representative Black, on the Motion."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I don't think anyone in this chamber can rationally accuse Representative Turner of being anti-labor or insensitive to labor issues, and I think what Representative Hughes said must be revisited and listen carefully. This does not provide for job-specific training. That's already taken care of as the previous speaker indicated. Where this comes from, when Congress passed the minimum wage...increased the minimum wage in 1990, the United States Congress, controlled by the Democrat Party, provided this exemption, and said if the states wanted to use it, they could use it, and that's all we're doing here. That's all the Sponsor is doing. It is for remedial training to upgrade basic reading skills, math skills, blueprint reading skills, so that employee can stay on the job and continue to earn a paycheck and improve the basic skills needed to compete in an ever-complex work force today. It is a good idea. It's a good Bill. Vote 'aye'."

Speaker Dunn: "Representative Turner, to close."

Turner: "Thank you, Mr. Speaker. As I mentioned before, I think that, you know, we deal with a lot of issues here in this

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Assembly, and many of 'em, especially the human services, social service issues are related to peoples' educational levels in terms of their ability to read, write and understand some of the basic things in life. This Bill, and what I'm attempting to do in it, just says that the employer can provide the opportunity for a person to learn how to read and write to help him bring him up to snuff in terms of eighth grade reading level, and not have to be paid overtime for only...for a maximum of ten hours a week. Anything over ten hours a week, it would be a different scenario, but I'm saying, for less than ten hours a week, if an employer is willing to teach you how to read and write, and the employee is willing to stay that extra ten hours a week to learn how to read and write, then he ought to be able to do that, and it should not be mandatory that the employer pays overtime pay, and I move for the favorable adoption of House Bill 814."

Speaker Dunn: "The question is, 'Shall House Bill 814 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. For what purpose does Representative Saltsman arise?"

Saltsman: "Yes. We have a printout here from the State Federation of Labor. They're definitely opposed to this legislation."

Speaker Dunn: "Representative Saltsman, I believe you spoke in debate."

Saltsman: "Did I? Well, labor's opposed to this anyhow."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question, 89 voting 'aye', 20 voting 'no', 7 voting 'present'. House Bill 814, having received the required Constitutional Majority, is hereby declared passed. House Bill 973, Representative

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McGuire. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 973, a Bill for an Act concerning unemployed workers. Third Reading of the Bill.

Speaker Dunn: "Representative McGuire."

McGuire: "Yes, Sir. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have House Bill 973, and I have Amendment #3. Do we have 2 up there, Mr. Clerk?"

Speaker Dunn: "Mr. Clerk, how many Amendments have been adopted on the Bill?"

McGuire: "This creates the Career Opportunity Act."

Speaker Dunn: "Representative McGuire, please proceed."

McGuire: "Yes. It creates the Career Opportunity Act, and it directs the Department of Employment Security to establish a program under which unemployed workers may purchase up to \$1,200 of education or training. Now, what we're doing here is the...we're creating a...the Illinois Job Training Coordinating Council to conduct a comprehensive job training study. Now, the Illinois Job Training Coordinating Council is already required by law to do this, and what we'd like to do is just the...be a emphasis to further that and to have it done with a report by March 1st of 1994, after having made a comprehensive study, and I'll answer any questions that you may have, and I'd ask for an 'aye' vote."

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

Black: "Thank you very much, Mr. Speaker. Inquiry of the Chair. We need to get off the...we need to get this Bill straightened out. There's been a lot of Amendments, and I'm not sure what's still on the Bill. Would you ask the Clerk if Amendment #1 and #2 have been withdrawn, and if in fact, Amendment 3 becomes the Bill?"

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Clerk Rossi: "Amendments 1 and 3 are on the Bill."

Black: "Amendment 1 is on the Bill?"

Clerk Rossi: "Yes."

Black: "All right, but it's my understanding...let me...thank you, Mr. Clerk. Mr. Speaker, may I address this question then to the Sponsor?"

Speaker Dunn: "Yes. The Sponsor indicates he'll yield."

Black: "Thank you. Representative, it's my understanding then that Amendment 3 becomes the Bill..."

McGuire: "That's correct."

Black: "So, it would negate Amendment 1, right?"

McGuire: "That's correct, Sir."

Black: "And all Amendment does is to ask that we...you're asking the Department of Commerce and Community Affairs to conduct a job training study evaluation?"

McGuire: "Yes, or a survey. Yes."

Black: "So, it's your intent to see if the programs that we are working are, in fact, being targeted to and working for the people that we are trying to help. Is that your intent?"

McGuire: "That's correct."

Black: "That seems very laudable to me. It makes a great deal of sense. I stand in support of your Bill."

McGuire: "Thank you very much, Representative."

Speaker Dunn: "The Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Just a point of personal privilege. We have on the floor today...several graduate students and scholarship recipients from Illinois Women in Government. There's three... Representative Lindner and I each have one. I have a young lady named Catherine Obotto, who's a graduate student at Northwestern University and Representative Lindner has one and we haven't identified where the third young lady is."

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Speaker Dunn: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. I, too, would like to introduce Wanda Jones. She's one of six out of 80 young women who has won a scholarship from the Illinois Women in Government. She is getting her Ph. D. at Northwestern University, which is also my alma mater, and I'm very happy to welcome her here and I hope you will all welcome her too."

Speaker Dunn: "Welcome to all our guests. The question is, 'Shall House Bill 973 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 110 voting 'aye', 1 voting 'no', 0 voting 'present'. House Bill 973, having received the required Constitutional Majority, is hereby declared passed. House Bill 1040, Representative McPike. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1040, a Bill for an Act amending the Workers' Compensation Act. Third Reading of the Bill."

Speaker Dunn: "Representative McPike."

McPike: "Thank you, Mr. Speaker. This is a vehicle for workers' compensation. The Senate intends to send the vehicle over here and we were asked to send the vehicle over there. It would be used only in case there is an agreement between labor and management. I move for the passage of the Bill."

Speaker Dunn: "The question is, 'Shall House Bill... The Gentleman from Cook, Representative Parke. On the Motion, Representative Parke. Representative Parke, do you wish to speak? The question is, 'Shall House Bill 1040 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? Have all voted who wish? Mr. Clerk,

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please take the record. Seventy-one voting 'aye', 26 voting 'no', 13 voting 'present'. House Bill 1040, having received the required Constitutional Majority, is hereby declared passed. House Bill 1043, Representative McPike. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1043, a Bill for an Act amending the Unemployment Insurance Act. Third Reading of the Bill."

Speaker Dunn: "Representative McPike."

McPike: "This is a vehicle for unemployment insurance. Again, it would only be used if there's agreement between labor, management and the Governors' office. I move for passage of the Bill."

Speaker Dunn: "The question is, 'Shall House Bill 1043 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 70 voting 'aye', 30 voting 'no' and 13 voting 'present'; and House Bill 1043, having received the required Constitutional Majority, is hereby declared passed. House Bill 1045, Representative McPike. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1045, a Bill for an Act amending the Illinois Public Labor Relations Act. Third Reading of the Bill."

Speaker Dunn: "Representative McPike."

McPike: "Same with this Bill, Mr. Speaker. This is a vehicle for the Public Labor Relations Act which could also be used as a vehicle for the Education Labor Relations Act. It would only be used in the case there's an agreement between labor and management to make changes in the Act. I move for the passage of the Bill."

Speaker Dunn: "The question is, 'Shall House Bill 1045 pass?'"

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All those in favor vote 'aye'; those opposed vote 'no'.
Voting is open. Have all voted who wish? Have all voted
who wish? Mr. Clerk, please take the record. Mr. Clerk,
please take the record. On this question, 68 voting 'aye',
27 voting 'no', 20 voting 'present', and House Bill 1045,
having received the required Constitutional Majority, is
hereby declared passed. House Bill 1047, Representative
Turner. Representative McPike, do you wish to proceed with
House Bill 1047 as a co-sponsor? No. Out of the record.
House Bill 1049. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1049, a Bill for an Act amending the
Minimum Wage Law. Third Reading of the Bill."

Speaker Dunn: "Representative McPike."

McPike: "And this is the final one. This is a...changes minimum
wage. Again, this Bill would only be used in the Senate in
case there is an agreement between labor and management to
make changes or to comply with the federal law. I move for
passage of the Bill."

Speaker Dunn: "The question is, 'Shall House Bill 1049 pass?'
All those in favor vote 'aye'; those opposed vote 'no'.
Voting is open. Have all voted who wish? Have all voted
who wish? Mr. Clerk, please take the record. On this
question, 67 voting 'aye', 30 voting 'no', 19 voting
'present'. House Bill 1049, having received the required
Constitutional Majority, is hereby declared passed. House
Bill 1053, Representative LeFlore. Representative Morrow
will handle House Bill 1053 on behalf of Representative
LeFlore. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1053, a Bill for an Act concerning small
business surety bonds. Third Reading of the Bill."

Speaker Dunn: "Representative Morrow."

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

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House. House Bill 1053 creates the Small Business Surety Bond Guaranty Act. It allows...or is a program DCCA will run. The moneys will be run to IFA. It will allow minority contractors to apply and receive a small business surety bond to allow them to bid on contracts as a prime bidder and not necessarily have to allow themselves to take a bid as a subcontractor. There was several Amendments put on. Amendment #1 created a advisory board. Amendment #2 was tabled, and Amendment #3 just tightened up some of the language that we had in House Bill 1053. I urge passage of House Bill 1053."

Speaker Dunn: "Representative Black, on the Motion."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I simply rise to support the Sponsors' Bill. He's worked very hard and solved a good many problems and overcome a lot of obstacles to get this Bill in the shape that it's in, and I think it's now ready to go to the Senate. I'm glad to join with him and vote 'aye'."

Speaker Dunn: "Do you wish to close, Representative Morrow?"

Morrow: "Thank you, Mr. Speaker. I just want to thank all those involved in trying to get House Bill 1053 in the form that it's in. I want to thank DCCA, I want to thank IFA, and I want to thank the Treasurers' Office for their help. This is a good Bill, and I urge all of you to vote 'green' on House Bill 1053."

Speaker Dunn: "The Gentleman moves for passage of House Bill 1053. The question is, 'Shall House Bill 1053 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 114 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 1053, having received... ease

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vote Representative Novak 'aye'. On this question, 115 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 1053, having received the required Constitutional Majority, is hereby declared passed. House Bill 1292. Out of the record. House Bill 1316, Representative Kaszak. Mr. Clerk, please read the Bill.

Clerk Rossi: "House Bill 1316, a Bill for an Act in relation to environmental protection. Third Reading of the Bill."

Speaker Dunn: "Representative Kaszak, on..."

Kaszak: "Thank you, Speaker and Members of the General Assembly. House Bill 1316 is a Bill we discussed yesterday on Second Reading. It requires that the Illinois Environmental Protection Agency to the extent possible apply for all federal funds for environmental work which may be performed by other agencies of the State of Illinois. I urge and move for your approval."

Speaker Dunn: "The question is, 'Shall House Bill 1316 pass?' All those in favor vote 'aye'; opposed, 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 78 voting 'aye', 38 voting 'no', 0 voting 'present. House Bill 1316, having received the required Constitutional Majority, is hereby declared passed. House Bill 1396. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1396, a Bill for an Act to create the Business Assistance and Regulatory Reform Act. Third Reading of the Bill."

Speaker Dunn: "Representative Kaszak."

Kaszak: "Thank you, Speaker and Members of the House. House Bill 1396 establishes a one stop business assistance office. It was discussed yesterday on Second Reading, and I move for

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its approval."

Speaker Dunn: "Representative Wennlund, on the question."

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

Speaker Dunn: "She indicates she will."

Wennlund: "Could you tell the Members of the House what the annual cost of this program is?"

Kaszak: "In the first year that it would be funded, we would have anticipate that it would require that transfer of approximately \$500,000 from other agencies."

Wennlund: "It will transfer approximately \$500,000 from what agencies?"

Kaszak: "I think it would be a variety of agencies, including the Illinois Environmental Protection Agency, other agencies that provide business assistance and have business assistance offices and individuals who provide that help."

Wennlund: "Can you tell me where in the Bill it provides for the transfer of these funds from other agencies to DCCA, and which agencies?"

Kaszak: "We're working very closely with the heads of the appropriations committees to develop a plan so that that could be incorporated into the appropriations Bill."

Wennlund: "So, at this point in time, we don't know where the money would come from to be transferred into DCCA. Is that correct?"

Kaszak: "This Bill does require and provide for the transfer of personnel, and we would identify the personnel who would provide these kinds of services that are located throughout state government and transfer them into DCCA."

Wennlund: "So, we're going to take personnel and we're going to take money from other state agencies and put 'em into DCCA."

Kaszak: "It...we would be taking those individuals and those

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funds that are currently used to provide business assistance."

Wennlund: "Thank you very much. To the Bill, Ladies and Gentlemen of the House. The estimated annual cost according to the fiscal note is between a half million and a million dollars a year. As many of you know, DCCA's budget was cut about 80% over the last two years. It simply does not have the funds or the personnel to be able to accept this type of a program. The concept is good. One stop shopping is good, and it's kind of a catchy tune, but if the money isn't there and you can't afford it, then no program is worth it. A 'no' vote should be the correct vote."

Speaker Dunn: "The Lady from Cook, Representative Kaszak, to close."

Kaszak: "I would just urge the approval of the Members of the House to this proposal because certainly we are going to be attempting to assist small businesses in their dealings with government, and that in and of itself will have a tremendous benefit to...economic benefit, not only to state government but also to businesses throughout Illinois."

Speaker Dunn: "The question is, 'Shall House Bill 1396 pass?' Pardon me. Let's hold up a minute. Representative Black, on the Motion."

Black: "Thank you very much, Mr. Speaker. I don't want to be redundant. I think Representative Wennlund has already said most of what needs to be said."

Speaker Dunn: "The Lady has closed actually."

Black: "She has closed?"

Speaker Dunn: "Yes, she has, Sir."

Black: "Okay. Then I'll explain my vote. I'm sorry."

Speaker Dunn: "Thank you very much. The question is, 'Shall

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House Bill 1396 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Representative Black, to explain his vote."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Again, this is a good concept, probably makes a good press release, but I was talking on the phone most all day to business people back in my district, and you know what they tell me? The best thing we could do for them is to leave 'em alone. Leave them alone. Stop all this nonsense. Stop adding to the statutes. There isn't going to be any one-stop shop, because there's no money appropriated for it. Catchy idea? I'm not opposed to the idea, but if you go back and talk to your small businessmen and businesswomen, what they tell you they'd like you to do is leave them alone and let them get about the business of creating jobs and improving the economy of the State of Illinois. Stop all this nonsense. Sometimes you just have to have the guts to stand up and say, 'No more'. Let business do it. We can't screw it up much worse than we already have."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 70 voting 'aye', 45 voting 'no', 1 voting 'present'; and House Bill 1396, having received the required Constitutional Majority, is hereby declared passed. House Bill 1443, Representative Stroger. Do you wish to call your Bill, Sir? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1443, a Bill for an Act amending the Illinois Public Labor Relations Act. Third Reading of the Bill."

Speaker Dunn: "The Gentleman from Cook, Mr. Stroger, on the

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Bill."

Stroger: "House Bill 1443 will amend the Public Labor Relations Act to provide that in all collective bargaining agreements involving units of police officers to be developed jointly by the state and local labor relations board there will be a mandatory permanent affirmative action standards. This is necessary. I believe that Superintendent Matt Rodriguez of Chicago has stated that after more officers who represent their district and more detectives of color and other minority groups, and it will be easier to solve crimes and get things done."

Speaker Dunn: "Gentleman moves for passage of House Bill 1443. The question is, 'Shall House Bill 1443 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 92 voting 'aye', 21 voting 'no', 2 voting 'present'. House Bill 1443, having received the required Constitutional Majority, is hereby declared passed. House Bill 1739, Representative Wennlund. Representative Wennlund, do you wish your Bill called, Sir? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1739, a Bill for an Act concerning small business development. Third Reading of the Bill."

Speaker Dunn: "Representative Wennlund, on the Bill."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill creates the Small Business Development Program. Now the nice part about this program is, no new funding is needed. No new moneys are needed. The Department of Commerce and Community Affairs will use existing revolving loan funds to pay for the additional projects that this program can generate, and if the program

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is implemented, existing resources could be leveraged to provide over \$150 million in private investment and economic development and would impact over 15,000 new Illinois jobs. What it does, is it allows the Department of Commerce and Community Affairs to establish credit enhancement and reserve programs to fund such established programs as minority surety bond programs, the community development corporations, and the loss reserve programs, and to assist intermediaries to get the money out into these intermediaries like community development corporations so they can make loans to small businesses, they can expand, buy machinery, add jobs, the bottom line, it will add new jobs to the Illinois work force. Everybody knows that small business is the single largest employer in the State of Illinois and throughout the nation. This will allow the State of Illinois to assist small businesses to buy new equipment to modernize, expand their facilities where they otherwise wouldn't be able to borrow the money in the private market. With a little bit of money from the State of Illinois on a loan basis and an entrepreneur who doesn't quite have enough can go to his local bank and leverage out a small amount of money into a larger amount of money to allow small business to grow and prosper in Illinois. It's a good program, and it will allow financing not only for job generating projects, but also for manufacturing modernization. It's an excellent program, and an excellent concept. I strongly support it and ask for your 'aye' vote. Remember, no new dollars, no new GRF dollars are necessary because there are existing revolving loan funds that are being paid back and that money can be used to leverage out new money for 15,000 new jobs. Thank you."

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Speaker Dunn: "Lady from Cook, Representative Kaszak, on the question."

Kaszak: "Thank you, Mr. Speaker and Members of the Assembly. I just wanted to add my support to Representative Wennlund. I think this is a good program that provides access to capital that's certainly needed by small and mid-sized businesses."

Speaker Dunn: "Gentleman moves for passage of House Bill 1739. The question is, 'Shall House Bill 1739 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 115 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 1739, having received the required Constitutional Majority, is hereby declared passed. House Bill 1934, Representative Giglio. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1934, a Bill for an Act amending the Illinois Architecture Practice Act, the Professional Engineering Practice Act of 1989, the Illinois Professional Land Surveyor Act of 1989 and the Structural Engineering Licensing Act of 1989. Third Reading of this Bill."

Speaker Dunn: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill that we put on the Amendment the other night that really is the Bill, and what it does it streamlines the Architectural Professional Engineers Structural and Engineers and Land Surveyor Practice Act. It was something that came together with the Department of Professional Regulations and the Architects and Engineers, and they all agreed, and it's a cleanup piece of legislation, and I would ask for your support."

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Speaker Dunn: "Gentleman moves for passage of House Bill 1934. The question is, 'Shall House Bill 1934 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 113 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 1934, having received the required Constitutional Majority, is hereby declared passed. House Bill 2262, Representative Kaszak. Representative Kaszak."

Clerk McLennand: "House Bill 2262, a Bill for an Act to amend the Administrative Procedure Act. Third Reading of this Bill."

Speaker Dunn: "Representative Kaszak."

Kaszak: "Thank you, Mr. Speaker and Members of the House. House Bill 2262 is another Bill that we discussed yesterday dealing with improving the regulatory procedures. It addresses the problem of confusing standards and encourages meaningful participation by business and the public, and I move for its approval."

Speaker Dunn: "The question is, 'Shall House Bill 2262 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 107 voting 'aye'; 5 voting 'no', 1 voting 'present'. House Bill 22... Representative Younge wishes to be voted 'aye', Representative Hughes, 'aye'. Representative Tom Johnson wishes to be recorded as voting 'aye', Representative Tim Johnson wishes to be recorded as voting 'aye'. Now Mr. Clerk, please take the record. On this question, there are 111 voting 'aye', 4 voting 'no', 1 voting 'present'. House Bill 2262, having received the required Constitutional Majority, is hereby

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declared passed. House Bill 2263, Representative
Ostenburg. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2263, a Bill for an Act to create
the Illinois Abraham Lincoln Quality Awards Act. Third
Reading of this Bill."

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

Ostenburg: "Thank you, Mr. Speaker and Ladies and Gentlemen of
the House. House Bill 2263 was amended yesterday and we
gave considerable discussion to the provisions of that
Amendment. Basically, what it does is to provide
opportunities for businesses under the Small Business
Incubator Act to engage in time-sharing at the various
incubators around the state, and I urge passage of this
Bill."

Speaker Dunn: "The question is, 'Shall House... On the question,
Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the
Chair. The Gentleman purports this Bill to be a small
business incubator, and I think Floor Amendment #2 that was
adopted yesterday becomes the Bill, and I don't see
anything in there about the small business incubators."

Speaker Dunn: "Representative Ostenburg."

Ostenburg: "If you look toward the end of the Amendment."

Black: "What page are you on, Representative? You're looking at
Amendment #2, right? Okay. Your staff just pointed it out
on page 4, line 25, 6 and 7?"

Ostenburg: "That's right."

Black: "All right. So, Amendment #2 then, in effect, did not
become the Bill. It just added to it, right?"

Ostenburg: "Exactly."

Black: "The main part now is the Abraham Lincoln Quality Awards?"

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Ostenburg: "No, the Abraham Lincoln Quality Awards are added to the Bill."

Black: "Oh. It's added to the Bill."

Ostenburg: "Yes."

Black: "So, it's still a small business incubator with Abraham Lincoln being second? Well, never second in Illinois, but..."

Ostenburg: "There are two parts to the Bill. The one part relates to the time-sharing of the incubators. The other relates to the establishment of the Abraham Lincoln Awards."

Black: "Okay."

Ostenburg: "Two distinctly different parts to the same Bill."

Black: "Well, I don't know how anybody in the Land of Lincoln can vote against this. Good Bill."

Ostenburg: "Thank you."

Speaker Dunn: "The Gentleman moves for passage of House Bill 2263. The question is, 'Shall House Bill 2263 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 109 voting 'aye'; 0 voting 'no', 0 voting 'present'. House... Representative Parcells wishes to be recorded as voting 'aye'. Now Mr. Clerk, please take the record. On this question, 110 voting 'aye', 0 voting 'no', and 0 voting 'present'. House Bill 2263, having received the required Constitutional Majority, is hereby declared passed. Representative... House Bill 2265, Representative Hoffman. Representative Hoffman. Do you wish to have your Bill called? Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2265, a Bill for an Act in relation

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to modernizing manufacturing operations. Third Reading of this Bill."

Speaker Dunn: "Representative Hoffman."

Hoffman: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 2265 creates a working group that will work together and draft a proposed interstate compact concerning usage and preservation of the Mississippi river and shores. The interstate compact will contain provisions establishing interstate cooperation in the areas of economic development, environment and conservation, transportation, land use planning along the Mississippi. It's intended that we begin to work with all the states along the Mississippi to better utilize the Mississippi river for its economic development uses. I ask for an 'aye' vote."

Speaker Dunn: "Representative Black, on the question."

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

Speaker Dunn: "He indicates he will."

Black: "Representative, would you be willing to take this back to Second Reading for an Amendment I'd like to put on the Bill?"

Hoffman: "What's the Amendment?"

Black: "I want the Mississippi River declared a wild and scenic river."

Hoffman: "I think it already...right now, the Mississippi river is a wild and scenic river."

Black: "Well, I have a wild and scenic river designated in my district that this Body passed about seven years ago. and we're just thrilled with it and we want to share it. So...but you won't roll it back, I take it."

Hoffman: "Normally for you I would, but I think I can just do it now. The Mississippi River is a wild and scenic river. We

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just declared it."

Black: "Executive order?"

Hoffman: "I'll sign anything you want."

Black: "All right. I certainly appreciate that. Thank you, Representative."

Speaker Dunn: "On the question, the Gentleman from McLean, Representative Brady."

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

Speaker Dunn: "Indicates he will."

Brady: "Does DOT have a position on this?"

Hoffman: "I don't think they're for it or against it. I haven't talked to them."

Brady: "No fiscal impact on them?"

Hoffman: "No, the only fiscal impact would be that the working group in drafting this proposed interstate compact would be compensated for expenses."

Speaker Dunn: "Gentleman moves for passage of House Bill 2265. The question is, 'Shall House Bill 2265 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 113 voting 'aye'; 0 voting 'no', 1 voting 'present'. House Bill 2265, having received the required Constitutional Majority, is hereby declared passed. House Bill 2272, Representative Novak. Representative Novak. Out of the record. House Bill 2410, Representative Levin. Ellis Levin. Mr. Clerk, please read the Bill. House Bill 2410."

Clerk McLennand: "House Bill 2410, a Bill for an Act that creates the Long Time Owner-Occupant Property Tax Relief Act. Third Reading of this Bill."

Speaker Dunn: "Representative Levin."

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Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. One of the biggest problems in my district and other locations in the city, in the suburbs and throughout the state is the spiraling property tax assessments. In...unfortunately, all too many cases, those assessments have gone up 50, 75, 100, 125%. This is what has happened in parts of my district. The result of these massive and unconscionable increases is to affect, for example, senior citizens and others who have lived in their houses for 10, 15 and 20 years. And in many cases, they can't afford to pay the property taxes and they're forced to sell and move. This is not their fault that a townhouse was constructed next door to them that raised the values for them and for everybody else. Their interest is simply in being able to continue to afford to live in their house until they retire. House Bill 2410 is purely a permissive Bill to authorize county boards and counties of over 100,000 to develop a program of tax deferral or tax exemption pegged to those taxpayers that have been seeing these massive increases. It applies only to the long time owner occupant, and that is defined in the Bill as 'a taxpayer who for at least 10 continuous years has owned and occupied the same principal residential dwelling or who for at least five years has owned and occupied the same principal residential dwelling if such person has received governmental or not-for-profit housing assistance'. It is a modest proposal in that not only is it voluntary on the part of the county boards, they're the ones that decide whether to craft a program of tax deferrals or exemptions or combinations, but it expressly exempts out schools and municipalities so that it is, in fact, a very modest approach. In the City of Chicago, for example, it would

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only affect one-third of the base. It's modeled on a proposal, on a law in the State of Pennsylvania that's working very well. It's, as I say, purely voluntary, but it is a modest first step towards providing tax relief to those who are most hard hit, the long-term residents in areas which are seeing very large increases and want to continue to live there. We've passed this Bill before. It was House Bill 2193, and if there are any questions, I'll be happy to answer them and just urge your support for House Bill 2410."

Speaker Dunn: "Representative Black, on the question."

Black: "Thank you very much, Mr. Speaker. I was going to ask if the Sponsor would yield five minutes ago, but will he yield now?"

Speaker Dunn: "I think he still will."

Black: "Thank you. Representative, this is completely permissive, right?"

Levin: "Correct. That is correct."

Black: "Doesn't have any connotation other than what you say it does? Long term owner-occupant property tax relief."

Levin: "That is correct, and..."

Black: "We're not dealing with living arrangements, cohabitation; that has nothing...none of those red herrings are in this Bill, correct?"

Levin: "That's correct."

Black: "I just wanted to put some Members over here at ease. It seems like a pretty good idea to me, 'cause I've been a long time owner-occupant. but my county isn't big enough to take advantage of it, but I appreciate what you're trying to do anyway."

Levin: "Thank you."

Speaker Dunn: "Representative Skinner."

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Skinner: "I would ask the Gentleman a couple of questions."

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

Skinner: "Why do you think this Bill is constitutional?"

Levin: "It would provide...it would authorize uniform treatment."

Skinner: "It's uniform treatment according to the length of ownership of a property and I do not believe that has ever been considered constitutional in the State of Illinois to this point, so why do you think it is constitutional?"

Levin: "We have checked with the experts and we believe that it is constitutional."

Skinner: "Would you like to cite any specific court case in either Illinois or the federal courts?"

Levin: "I have not done my own personal research on this question."

Skinner: "Well, you're the lawyer, I'm not."

Levin: "Okay. We have... Various counties have various programs now. This is... In Cook County, for example, we had...there is classification. It recognizes different types of taxpayers and that's what this legislation does as well. It also provides, by the way, that individual who gets that break moves out, the break goes away. So if somebody moves into the area, they know that the assessments are higher, they're forewarned and this is limited simply to the long-term resident."

Skinner: "Are you trying to create a classification system similar to the one created by Proposition 13 in California?"

Levin: "I think there are some ramifications of that. This is a very modest voluntary approach, but I think that...you know, what people are looking for is some stability in terms of their assessments. One of the major reasons I took the...I asked for the chairmanship of the House

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Revenue Committee is because of what I hear from the people in my district as far as the massive increases. They cannot even budget for them, because they don't know what's coming. This provides some stability as well."

Skinner: "Representative, did you support the tax cap legislation that was just voted upon?"

Levin: "I'm sorry, I didn't hear the question."

Skinner: "Did you support the so-called tax cap legislation that was just voted upon and defeated?"

Levin: "I did not."

Skinner: "This is a real interesting proposal, especially for politicians like us. What this proposal will do, is allow those people who are most likely to vote in your primary elections to have lower taxes than those people who are least likely to vote in your local primary elections. Now, why do I say that? Obviously, the longer people live in a community the more likely they are to become politically interested and active and to vote in their self-interest. Obviously, the Representative is trying to reward those people who are most likely to vote for him, and to keep those who are least likely to vote for him from getting tax breaks. Now, who's least likely to vote for you? It's somebody who's just moved into the area and doesn't know all of the good deeds that you've done over the years. This is an intriguing proposal. Those of you who have any contacts with the State of California ought to ask your friends there what it's like to move into a neighborhood and have the house next to you have a tax Bill that's maybe 25% of what your tax Bill is. It may keep the Legislator...it may help the legislator get elected and re-elected, and re-elected but I guarantee you, down in the neighborhood there's going to be some real tension."

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Speaker Dunn: "Do you wish to close, Representative Levin?"

Levin: "You know, on behalf of the senior citizens and long-term residents throughout this state, I urge your support for House Bill 2410."

Speaker Dunn: "The question is, 'Shall House Bill 2410 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 111 voting 'aye', 2 voting 'no', 0 voting 'present'. House Bill 2410, having received the required Constitutional Majority, is hereby declared passed. On the Special Order of Business, Business and Job Development, Second Reading, appears...page 6 of the Calendar, House Bill 211. Representative Kaszak. Representative Kaszak, House Bill 211. Out of the record. House Bill 212, Representative Kaszak. Out of the record. House Bill 1939, Representative Steczo. Representative Steczo. House Bill 1939. Out of the record. House Bill 2264, Representative Morrow. Representative Charles Morrow. Out of the record. House Bill 2267, Representative Giolitto. Representative Giolitto. Do you wish your Bill called? Out of the record. House Bill 2268, Representative Kotlarz. House Bill 2268, Representative Kotlarz. Do you wish your Bill called? Out of the record. House Bill 2431, Representative Lou Jones. Representative Lou Jones. Do you wish your Bill called Representative? Representative Lou Jones? Out of the record. Representative Jones. Representative Lou Jones. Out of the record. Let's go back to House Bill 2264, Representative Morrrows' Bill. Representative Flowers, are you going to handle that Bill for Representative Morrow? Mr. Clerk, please read the Bill."

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Clerk McLennand: "House Bill 2264, a Bill for an Act in relation to business financing. Second Reading of this Bill. No Committee Amendments. Floor Amendment #1...Floor Amendment #1 offered by Representative Flowers."

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

Flowers: "Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 becomes the Bill, and what the Amendment does, it authorizes the school district and community colleges to have a child-care program, and I would urge for the adoption of Amendment #1 to House Bill 2264."

Speaker Dunn: "The Lady moves for adoption of Amendment #1 to House Bill 2264; and, on the Amendment, Representative Wennlund."

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

Speaker Dunn: "Indicates she will."

Flowers: "Yes."

Wennlund: "With the level of noise in the House floor, I couldn't hear the explanation, and I think a lot of the Members couldn't hear it. If you could explain what the Amendment does."

Flowers: "Yes."

Wennlund: "Does the Amendment become the Bill, first of all?"

Flowers: "Yes. The Amendment becomes the Bill, and it permits... This Bill is permissive, it's not mandatory. It permits elementary and secondary schools to have day-care program on the premises if they so choose to do so."

Wennlund: "It...they don't have that authority now to do this? Is that for employees or for students?"

Flowers: "It would be for anyone in the community. It could be for the employees of the school, the students of the school, or either just a neighbor that lived down the street that needs a convenient day-care center to drop her

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child off at."

Wennlund: "This is not a mandate on local school districts?"

Flowers: "No, it's not."

Wennlund: "Does it apply outside of Cook County?"

Flowers: "It's a statewide program."

Wennlund: "And it's totally permissive, is that correct?"

Flowers: "It's totally, totally permissive."

Wennlund: "Okay. Thank you very much."

Speaker Dunn: "The Lady moves for adoption of Amendment #1 to House Bill 2264. All those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Dunn: "Third Reading. Let's go back to House Bill 2268, Representative Kotlarz's Bill. Representative Ostenburg, will you handle that Bill on behalf of Representative Kotlarz? Mr. Clerk, please read House Bill 2268."

Clerk McLennand: "House Bill 2268, a Bill for an Act concerning the development of public infrastructure. Second Reading of the Bill. Amendments #2 and 3 have been adopted previously. Floor Amendment #4, offered by Representative Ostenburg."

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

Ostenburg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #4 is simply a cleanup of some language. We would ask passage of that Amendment."

Speaker Dunn: "Gentleman moves for adoption of Amendment #4 to House Bill 2268. On that question, those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

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Speaker Dunn: "Third Reading. Representative Ostenburg, for what purpose do you arise?"

Ostenburg: "Speaker, could we move this Bill to Third Reading? We have the fiscal note that was filed."

Speaker Dunn: "And the Bill was moved to Third Reading."

Ostenburg: "Can we call it on Third Reading?"

Speaker Dunn: "No, we may not call it now, because it was amended."

Ostenburg: "Thank you."

Speaker McPike: "Representative McPike, in the Chair. Financial Institutions, Third Reading. House Bill 1410, Representative Deuchler. Deuchler? Out of the record. House Bill 2079, Representative Dart. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2079, a Bill for an Act to amend the Currency Exchange Act. Third Reading of this Bill."

Speaker McPike: "Representative Dart."

Dart: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2079 deals with the currency exchange, and the currency exchange industry. As amended, it attempts to make some long overdue changes in the currency exchange structure right now. This is a Bill that passed out of Financial Institutions Committee 25 to nothing. This is something that is...to say long overdue is an understatement. The currency exchanges for years have had a virtual monopoly on this business. All we are attempting to do with this Bill is to inject the free market economy into this scenario so that it will force rates down that way."

Speaker McPike: "The question is, 'Shall House Bill 2079 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish?"

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The Clerk will take the record. On this Motion, there are 109 'ayes' and 2 'noes'. House Bill 2079, having received the Constitutional Majority, is hereby declared passed. Representative Novak has his light on. Will somebody turn it off? Representative Jones. Representative Jones intended to vote 'aye' on House Bill 2079, and the record will so reflect. Representative Dunn, in the Chair."

Speaker Dunn: "Special Order of Business, Veterans, Third Reading, page 34 of the Calendar, appears House Bill 1601, Representative Martinez. Representative Ben Martinez, do you wish your Bill called, Sir? Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1601, a Bill for an Act to amend the Department of Veterans' Affairs Act. Third Reading of this Bill."

Speaker Dunn: "Representative Martinez, on House Bill 1601. Please proceed."

Martinez: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This... House Bill 1601 was amended in committee. I'm being told right now that this is on the Agreed List."

Speaker Dunn: "The Gentleman moves for passage of House Bill 1601; and, on the question, the Gentleman from Will, Representative Meyer."

Meyer: "Thank you, Mr. Speaker. Would the Representative yield to a question?"

Speaker Dunn: "He indicates he will."

Meyer: "Thank you. Ladies and Gentlemen of the chamber, I'm the Veterans' Affairs Minority Spokesman, and when this Bill appeared in our committee, the Bill deals with funds that are collected as a part of a benefit from the commissary profits. And the commissary profits, if I understand, Representative Martinez, are really derived because the

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people that live there in the facility shop in the commissary and along with that I believe there...the shopping is done by employees. Is that true?"

Martinez: "I'm afraid I didn't hear you, Sir."

Meyer: "The Bill deals with profits that derive from people who use a commissary there, and it's my understanding that not only do the employees of the facility use the commissary and therefore generate profits, but also those that live in the facility generate those profits also, and I was just wanting a clarification on that."

Martinez: "Yes. You're absolutely true. In this Bill brings everybody into compliance, all the homes."

Meyer: "I'd like to speak to the Bill. Ladies and Gentlemen, I believe that those funds that were derived from profits that...from that commissary had previously been spent for entertainment for those that lived in the facility. And really, to my way of thinking, I believe that's how those profits should have been spent. They benefited those people that actually lived in the veteran's home, and now we have a case of employees who want to take some of those profits and use them for their own private parties. And that, I think, is inappropriate use of those profits, and that I certainly would speak to a 'no' vote on this, and would hope that the rest of the chamber would join me in voting 'no'."

Speaker Dunn: "Representative Martinez, do you wish to close, Sir?"

Martinez: "Yes, Sir. As I stated before, 1601 was amended in committee and provides cleanup language within the Department of Veterans' Affairs Act. The Bill has the full support of the Illinois Department of Veterans' Affairs, and I ask for the Bodys' favorable consideration with

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regard to this legislation."

Speaker Dunn: "The Gentleman moves for passage of House Bill 1601. The question is, 'Shall House Bill 1601 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 106 voting 'aye', 6 voting 'no', 0 voting 'present'. House Bill 1601, having received the required Constitutional Majority, is hereby declared passed. Special Order of Business, Seniors. Third Reading, page 26 of the Calendar, appears House Bill 355, Representative DeJaegher. Representative DeJaegher. House Bill 355. Do you wish to have your Bill called, Sir? Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 355, a Bill for an Act to amend the Illinois Act on the Aging. Third Reading of this Bill."

Speaker Dunn: "Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. House Bill 355 has an Amendment and for all intents and purposes, the Amendment has become the Bill. This Amendment is being supported by ARP, Illinois NOW, United Way of Illinois, Lutheran Social Services, Jewish Federation of Illinois and Catholic Charities. I've also read a fiscal impact from the Department of Aging. There is no fiscal impact for the implementation of this particular Bill. What the Amendment does is, if there is a change in services in a local agency, it would be the responsibility of the Department of Aging to hold conduct meetings in those particular areas, and that's the extent of the Amendment, and that basically is the Bill, and for this, I ask your support."

Speaker Dunn: "Gentleman moves for passage of House Bill 355."

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The question is, 'Shall House Bill 355 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? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 113 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 355, having received the required Constitutional Majority, is hereby declared passed. Page 37 of the Calendar appears House Bill 2008, Representative Granberg. Representative Granberg, 2008. Do you wish your Bill called? Out of the record. Page 43 of the Calendar appears House Resolution 109, Representative Sheehy. Mr. Clerk, please call the resolution."

Clerk McLennand: "House Resolution 109. A Bill for an Act... A Resolution urging Congress to enact legislation to eliminate inequities in the payment of Social Security benefits based to persons based on the year in which they initially became eligible for benefits."

Speaker Dunn: "Representative Sheehy, on the Resolution."

Sheehy: "Mr. Speaker and House Members. House Bill... House Resolution 109 states that people born during the years of 1917 to 1926, referred to as 'notch babies', receive lower Social Security benefits from the federal government than persons born before this time. I ask that legislation be enacted to eliminate the inequities in the payment of Social Security benefits, and that a copy of the Resolution be sent to the Vice-President of the United States, the Speaker of the U.S. House of Representatives and the Illinois Congressional Delegation. Thank you."

Speaker Dunn: "The Gentleman moves for adoption of House Resolution 109. All those in favor of the Resolution say 'aye'; those opposed 'no'. The 'ayes' have it. The

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Resolution is adopted. Special Order of Care, Health and Human Services, Third Reading, page 38 of the Calendar, appears House Bill 2182, Representative Lang. Mr. Clerk, please read the Bill. House Bill 2182."

Clerk McLennand: "House Bill 2182, a Bill for an Act to amend the Illinois Human Rights Act. Third Reading of the Bill."

Speaker Dunn: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Can we have a little order in here, please?"

Speaker Dunn: "May we have a little order in the...chamber, please?"

Lang: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2182 embodies an Amendment to the Illinois Human Rights Act. Simply stated, it adds to the current areas of discrimination: Discrimination based on sexual orientation. Currently, as you know, it's against the law in the State of Illinois under the Human Rights Act to discriminate against someone for race, for color, religion, national origin, ancestry, age, sex, marital status, familial status or a handicap. This Bill adds a section to that Act which would provide a civil rights violation for discrimination based on sexual orientation. This Bill is limited, very specifically, to the areas of employment and housing. Let's talk briefly about what the Bill does and what it doesn't do. It does not promote, condone or give special privileges to any group of people. It does not supersede a religious institution's right to hire and fire according to its religious principles. It does not force an employer to hire unqualified workers. It does not require employers to establish affirmative action quotas based on sexual orientation, and it does not legalize any activity that is currently illegal, such as same-gender

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marriages. The Bill does none of those things. It does prohibit the firing of workers based on sexual orientation, prohibits failure to hire based on sexual orientation, prohibits failure to rent an apartment or condominium to somebody based on sexual orientation. This Bill would establish that all of our citizens have the same fundamental rights to work where they are qualified and to live where they can afford. It makes illegal discrimination in employment, housing, and as much as 10% of our population is affected by this Bill. One in four families in Illinois have a gay or lesbian person in that family. This Bill is about basic and fundamental human rights. It's not about politics. It's not about winning your next election. It's not about any of those things; it's about the rights of individual citizens of our state to live in the manner they wish to live where they're not bothering anyone, where they wish to work side-by-side with others and do a job just as others do, live in an apartment building with others, minding their own business, living and paying rent and doing all the things that all the other citizens of the State of Illinois do. That's what this Bill is about. It will guarantee fundamental rights in housing and in employment to all of our citizens. It's a change in the Human Rights Act. There are so many areas that are protected. There is absolutely no reason that these individuals should not be covered. The only vote of conscience here, the only vote that's right here, is an 'aye' vote."

Speaker Dunn: "Lady from Cook, Representative Mulligan, on the Bill...on the question."

Mulligan: "Thank you, Mr. Speaker. Lady and...Ladies and Gentlemen of the House, I rise to speak in favor of this

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Bill. I only fear in speaking to this that I will not be eloquent enough to express the feelings that I have in regards to this, particularly with regards to a Republican voting for this Bill. This is not a Republican or a Democratic issue. This is an issue of fairness and human rights. No one should be denied a job or housing based on sexual orientation. Such discrimination is wrong, plain and simple. All you had to do was be in the committee when this Bill came out to understand how a mother felt because her son was murdered over this issue. For anyone to say that this issue is not an important issue is wrong. When we in government have to take care of people because people persecute them, that's an issue that must be addressed, whether we want to or not. It would be better if we did not have to address such a issue as this, but we do. I think it's very important that Republicans as well as Democrats support this issue for many reasons that should be apparent after what happened at our national convention. I would like to read from a letter that was written in September...on September 13, 1991, to the Honorable Pete Wilson, the Republican Governor of California, from Bill Wells, the Republican Governor of Massachusetts, asking Governor Wells to please sign into effect California's gay rights. I will paraphrase some of this: 'In all of 1990, only 14 claims...41 claims of anti-gay discrimination were filed with the Massachusetts Commission Against Discrimination. This represented less than 1% of the agency's total workload. So, additional...no additional staff have been hired since the law passed, and there has been no burden to the taxpayer. I believe this law has well-served the people of Massachusetts. An important message has been sent that discrimination against gays or

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against any group of people is quite simply wrong and will not be tolerated'. In closing his letter, Governor Wells said, 'A governor which respects individual rights and which does not intrude into peoples' private lives of individuals is a government which, I believe, best represents the spirits and goals of American democracy'. I urge my colleagues on both sides of the aisle to support this Bill."

Speaker Dunn: "The Gentleman from Perry, Representative Hawkins, on the question."

Hawkins: "Will the Speaker yield?"

Speaker Dunn: "Representative Hawkins."

Hawkins: "Will the Speaker yield?"

Speaker Dunn: "Indicates he will."

Hawkins: "Does this piece of legislation give any special rights or privileges to homosexuals?"

Lang: "Who's asking the question?"

Speaker Dunn: "Representative Hawkins is asking."

Lang: "Representative Hawkins, I'm sorry, could you ask that question one more time?"

Hawkins: "Does this legislation provide any special rights or privileges to homosexuals that it doesn't to anybody else?"

Lang: "It provides no new rights. It simply says that, just as all other people in our society, you cannot discriminate in the hiring or in the...the housing area for these individuals in the State of Illinois."

Hawkins: "Thank you."

Speaker Dunn: "Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is one of the most important Bills, I think, that we're gonna be voting on this year, because it's the only real civil rights Bill that we will have the

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opportunity to make a decision on. In the 1960's, this country said, 'We want to benefit from the talents of all of our citizens, irrespective of their race'. In the last 20 years, we've been saying, 'We want to benefit from the talents of all of our citizens, irrespective of whether they're a man or a woman; we want the best'. And here we have the opportunity to say the same thing, in terms of extending civil rights, that we want the opportunity to get the best, irrespective of a person's sexual orientation. There's a lot of misunderstanding. There's a lot of stereotypes. There were a lot of stereotypes when we dealt with race 30 years ago. There were a lot of stereotypes when we dealt with sex the last 20 years, in terms of what was a woman's place or what was the black's...what a black could do. We found that those are all wrong. I want you to know I live in a community that has a very large gay and lesbian population. I have... My next door neighbors are gay. The person that sold me my house is gay. I live, I work with the gay-lesbian community, and they're the same as anybody else. They just want the opportunity to be treated equally and to have a piece of the American dream. I urge your support for House Bill 2182."

Speaker Dunn: "Gentleman from Cook, Representative Ostenburg, on the question."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Resolution. Allen Schindler, who is the sailor who was tragically killed last year, resided in my district, the 80th House District; he's a resident of Chicago Heights. I think that it's unfortunate that we see circumstances such as what occurred in his case because we allow laws to be perpetrated which discriminate against certain members of our society. As

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long as we do not take affirmative action to make sure that discrimination does not take place, it will continue to occur and the result will be more tragic deaths and injuries to human beings. I urge everyone to support this Bill, in memory of an Illinois citizen who tragically died because we allowed discrimination to be perpetuated. I urge an 'aye' vote."

Speaker Dunn: "On the question, the Gentleman from Cook, Representative Blagojevich, and may we have some order in the chamber? This is an important question. Please, may we have some order in the chamber? Representative Blagojevich."

Blagojevich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This, in my view, is an easy vote. All we are seeking to do with this Bill is to extend fundamental human rights to a group of people whose sexual orientation happens to be different from the sexual orientation of most of us. This Bill is nothing more than the reaffirmation of the Declaration of Independence. In 1776, when Thomas Jefferson wrote that there were certain inalienable rights guaranteed to life, liberty and the pursuit of happiness, he phrased the question as being create... 'all men are created equal'. In 1776, that phrase did not apply to men...to women, that phrase did not apply to African-Americans, particularly those who lived in the southern states; and yet, who in this chamber would dispute the fact that the phrase 'all men are created equal' does not apply to women today and does not apply to African-Americans today? This merely extends to our time the question of whether or not those rights guaranteed by the Declaration of Independence, the founding charter of our Constitution and of our founding as a nation, that

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those rights oughta be extended to people whose sexual orientation is different from ours. My reading of scripture does not tell me that we oughta be against this. I view... My reading of scripture teaches me that the Golden Rule says that, 'We ought to do unto others as would we have others do unto us'. I read scripture, and the message I derive from that is that it teaches us love, it teaches us tolerance, it teaches us charity and kindness. It is...it teaches us inclusion and not exclusion. I urge everyone to vote 'yes' on this Bill; and, again, I believe it's an easy vote for everybody throughout the state. My district is a northwest side, working-class neighborhood in Chicago. As far as I know, there aren't that many gay people who live there. This is not so much a gay issue. This is a human rights issue, a reaffirmation of what our country is supposed to stand for, and if we're ever gonna realize Martin Luther King's dream where we judge people by the content of the character, then we ought to reaffirm the Declaration of Independence and vote 'yes' here today. Thank you."

Speaker Dunn: "There being no one further seeking recognition, the Gentleman from Cook, Representative Lang, to close."

Lang: "Thank you, Mr. Speaker. I think it bears stating the organizations that are supporting this: The AFL-CIO, AFSCME, the League of Women Voters, the American-Jewish Congress, the NAACP, the Chicago Urban League, the National Association of Social Workers, the IFT, the Anti-Defamation League, the Illinois State Bar Association, the Sisters of Dominican of St. Francis, the National Federation of Priests, the Chicago Board of Rabbis, Illinois Women's Political Caucus, Illinois Now, Illinois Coalition Against Domestic Violence, Illinois Coalition Against Sexual

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Assault, Illinois Federation for Human Rights, IPAC, IVI, Impact, Illinois Gay and Lesbian Task Force and Catholic advocates. And some of the political leaders who have signed onto this Bill are: Cook County State's Attorney, Jack O'Malley; Comptroller, Dawn Clark Netsch; Lolita Didrickson; Attorney General, Roland Burris; State Treasurer, Pat Quinn; Republican Chairman, Manny Hoffman; Cook County Board President, Richard Phelan. Some have said to me, 'Why are you handling this Bill? You don't have a...a district that has a...great gay population.' Well, I'm handling this Bill because this Bill involves human rights. You've heard me on the floor of this House, those who are veterans and even now many who are freshmen, and you've heard me talk about human rights and you've heard me talk about the right to privacy. This is something I believe in strongly. This is what the Bill is about. It's about people's ability to live their lives, without harming anybody else, in the way they see fit. Finally, let me say this: Some in...one person in committee quoted some scripture about this topic, and I responded with another piece of scripture, and it's...it's something that we should be living by in Springfield, as we do the work of the people of the State of Illinois, and that simple comment is 'Love thy neighbor'. That's what this Bill is about. This Bill is about taking care of each other. This Bill is about caring about the civil rights of everybody in our society, and one more thing: Many of you have said to me, 'Well, if you get 58, Lou, I'll be there'. But if everybody that says that waits, there won't be 58 or 60 or 65 on that board. So, what I'm asking you to do, those who said, 'I'll be 60 for you, Lou. I'll be 60'; be one. Be the first one, and if you wanna come off the Bill

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because you don't think it's gonna pass, come off. The Chair'll give you plenty of time to get off the Bill, but get on the Bill first. Make a statement. Make a statement about civil rights in this state. Make a statement that you care about people's rights. Vote 'aye'."

Speaker Dunn: "Gentleman moves for passage of House Bill 2182. The question is, 'Shall House Bill 2182 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Lady from DuPage, Representative Biggert, to explain her vote."

Biggert: "Thank you, Mr. Speaker. ...As of April, 1993, eight states (Hawaii, Vermont, Wisconsin, Connecticut, New Jersey, California, Massachusetts and Minnesota) and over 100 cities, counties and other municipalities have legislation that prohibits discrimination on the basis of sexual orientation. In Illinois, the cities of Champaign, Chicago, Evanston, Oak Park and Urbana and the County of Cook have such legislation. I think we should support the rights of all individuals."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Gentleman (sic - Lady) from Cook, Representative Davis, to explain her vote. The Lady... Lady from Cook, pardon me."

Davis: "I appreciate your correcting yourself."

Speaker Dunn: "Please accept my apology."

Davis: "Thank you, Mr. Speaker. I really just wanted to...explain my vote by saying to my colleagues that I don't believe there's anyone in Illinois, I hope not (and especially I hope they're not sitting in this Body), who would deny human rights to anyone, regardless to their sexual orientation, regardless to the color of their skin, regardless to the part of the country that hail from. I

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think, in this Body in Illinois that we expect all citizens to be treated fairly in the Department of Housing, ...in a lot of other places, and it... I understand. So, ...I would just urge you to vote 'aye'."

Speaker Dunn: "Have all voted who wish? Lady from Whiteside, Representative von Bergen-Wessels, to explain her vote. One minute."

von Bergen-Wessels: "Thank...thank you, Speaker. You know, we pick up the paper and we see another study pointing to sexual orientation being something that's determined at birth, and another day and another study and another day and another study. We're talking about discrimination, stopping discrimination against people that were born the way they are. We think it's wrong and evil to discriminate against somebody because they are female or because they are black. It should be just as wrong and evil to discriminate against somebody because of their sexual orientation, something that is there from the time they're born. I would urge my colleagues to vote 'yes' on this very important piece of civil rights legislation."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? Lady from Cook, Representative Maureen Murphy. Representative Maureen Murphy, one minute to explain your vote."

Murphy, M.: "Yes. ...In voting...in voting 'no' on this, this is not a vote for intolerance of any kind. Intolerance of race, color, size, height are rampant throughout our society. My 'no' vote does not favor discrimination of any kind, but we do not need to give justification. The mother of that sailor that was beat to death, if I were in her shoes, my son would have been murdered. It was about murder. It was not about his sexual orientation, and I

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feel quite strongly that we would be given...we do not need to know, we do not need to know what two consenting adults do behind closed doors, and to open up EEOCC at our labor boards to scrutinize sexual orientation and to define sexual orientation, I think, will take us back in intolerance. This is not a vote for intolerance. I am not for intolerance of any kind, and I would really look at what you're..."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 60 voting 'aye', 49 voting 'no', 7 voting 'present'. House Bill 2182, having received the required Constitutional Majority, is hereby declared passed. Special Order of Business Law, Third Reading, page 24 of the Calendar, appears House Bill 49, Representative Daniels. Representative Tom Johnson, will you be handling this Bill for Representative Daniels? Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 49, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of the Bill."

Speaker Dunn: "Gentleman from DuPage, Representative Tom Johnson, on House Bill 49."

Johnson, Tom: "Yes. House Bill 49 provides in part...it amends the Criminal Code to increase the penalties for certain weapons violations including machine guns, penalties for certain weapons violations occurring on school, park, public housing grounds or within 1,000 feet of those grounds. This Bill was passed out of committee on a 15 to nothing vote, and I believe that it merits the support of all who care about protection of our school areas and safe zones in our parks and so on, and would ask for a 'do pass' vote on this."

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Speaker Dunn: "The Gentleman from Cook, Representative Dart, on the question."

Dart: "Will the Sponsor yield, please?"

Speaker Dunn: "He indicates he will."

Dart: "This Bill here is similar to some of these Bills that we had up about two or three days ago, correct?"

Speaker Dunn: "Representative Johnson."

Johnson, Tom: "The Bills that you had put on as Amendments to Mr. Laurinos'...I believe that there's one Amendment to Representative Laurinos' Bill that, yeah, came off of this Bill."

Dart: "So, this is, in fact, very similar, namely in the fact that this increases penalties, correct?"

Johnson, Tom: "Ours is more limited in scope than Representative Laurinos'."

Dart: "It's increase in penalties, correct?"

Johnson, Tom: "That's correct."

Dart: "Prison overcrowding is a problem, correct?"

Johnson, Tom: "If you take the Amendments proposed by Representative Laurino, this does not come anywhere near the impact on corrections that Representative Laurinos' Bill..."

Dart: "This, nonetheless, will have an adverse impact on corrections, correct?"

Johnson, Tom: "According to the Department of Corrections, the proposal has a minimal impact upon the Department of Corrections."

Dart: "How many different Amendments..."

Johnson, Tom: "The fiscal not that's been filed by the Department of Corrections."

Dart: "How many different offenses are you raising the penalty on?"

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Johnson, Tom: "This deals with a person who... We can go through the detail of this, if you would like. It actually... If you would like, Representative Dart, we can go through the Bill, but it increases penalties on various weapons offenses."

Dart: "These are all weapons offenses? Now, is this the one where, if you have a weapons offense in a shopping market or a retail market, you're raising the penalties? Is this that one?"

Johnson, Tom: "No, this is not within a retail zone. This deals with schools, parks and public housing grounds or within 1000 feet of those grounds."

Dart: "The retail zone, is that another one...a different Bill?"

Johnson, Tom: "That is not out of committee."

Dart: "That Bill got killed in committee, correct?"

Johnson, Tom: "No, it's under Interim Study in committee. That was Representative Pedersen's' Bill, and Representative Pedersen has been unable to attend this Session."

Dart: "Is there any safeguards or enhancements on gun...weapons violations near day-care centers or nursing homes in this?"

Johnson, Tom: "Would you repeat that, please?"

Dart: "Is there any gun enhancement penalties for violations of gun offenses in nursing homes or day care centers or anything like that in this Bill?"

Johnson, Tom.: "No. Not in...none in this Bill, no."

Dart: "So it is strictly as you said, to the school zones and the parks and the like?"

Johnson, Tom: "This is school, parks and housing grounds or within 1,00 feet of those grounds."

Dart: "Do we presently have enhanced penalties for violations within parks, or is this new?"

Johnson, Tom: "I don't believe that we do, no."

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Dart: "This is an entirely new way of enhancing a penalty if you commit a gun violation in a park."

Johnson, Tom: "The penalty increase for the weapons violations...okay, it involves machine guns, for possession and so on for certain weapons violations committed in the safe school zones. It's needed to target drive-by shootings and weapons of choice and drive-by shootings and to protect young people in the areas frequented. So really what we're talking about is increasing these types of weapons offenses within these safe zones, and that is the reason for this. And I believe it's the same reason why your side is proposing the same."

Dart: "Well, we proposed the same and you guys spoke against it if I'm not mistaken. Is the gun lobby signed off on this? 'Cause, if I'm not mistaken, some of the concerns of Representative Wennlund yesterday, dealing with guns in school zones, this same concern would apply here, would it not?"

Johnson, Tom: "The only opponent on record that I am aware of on this Bill is the Cook County Public Defender, while the proponents are the DuPage County State's Attorneys Office, Lake County, McHenry, Kendall, Winnebago, Cook, Will and Illinois State Police, all the state's attorneys that I've just mentioned as well as the state police."

Dart: "But, there's no position at all from the gun lobby at all?"

Johnson, Tom: "Not that we're aware of."

Dart: "Okay. Thank you."

Speaker Dunn: "Representative Johnson, do you wish to close?"

Johnson, Tom: "Yes, I would just ask for 'do pass' on this. I believe this is very good legislation and much needed in terms of providing safe areas in our parks and schools."

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Thank you."

Speaker Dunn: "The Gentleman moves for passage of House Bill 49.

The question is, 'Shall House Bill 49 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. Hold on. Representative...Representative Persico, how do you wish to be recorded? Representative Persico wishes to be recorded as voting 'aye'. Representative Black wishes to be recorded as voting 'aye'. Anyone else? Representative Cross, how do you wish to be recorded? Representative Cross wishes to be recorded as voting 'aye'. Mr. Clerk, please vote Representative Cross 'aye'. Representative Monique Davis, 'aye'. Any other requests? Are there other requests? Mr. Clerk, please take the record. On this question, 106 voting 'aye', 3 voting 'no', 2 voting 'present'; and House Bill 49, having received the required Constitutional Majority, is hereby declared passed. House Bill 52, Representative Daniels. Do you handle that, Representative Johnson? Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 52, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Bill."

Speaker Dunn: "Representative Tom Johnson, on the Bill."

Johnson, Tom: "Yes. House Bill 52 basically again deals with the safe zones around schools but in this particular Bill faces the issue of increased gang activity around schools and provides really for enhanced penalties for offenses when committed in a safe school zone dealing with gang membership, and what this does is deal with aggravated battery, compelling organization and...mob action around schools and increases the penalties for those particular items, and again in the safe school zone area."

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Speaker Dunn: "On the question, the Gentleman from Cook, Representative Dart."

Dart: "Will the Sponsor yield, please?"

Johnson, Tom: "Yes."

Speaker Dunn: "He indicates he will."

Dart: "Representative Johnson, this is...this Bill purely enhances numerous offenses dealing with aggravated battery, mob action and numerous offenses on school property, public parks, correct?"

Johnson, Tom: "Yes. It increases the penalties for aggravated battery, compelling gang organization membership and mob action within 1,000 feet of schools."

Dart: "I haven't had a chance to see the impact on this. Do you happen to have that, what the impact from Corrections is on this one?"

Johnson, Tom: "Yes, we do, and I read to you. 'As of this date, the Department of Corrections is unable to determine the impact of House Bill 52' and basically they...their conclusion is that it would have minimal impact upon the Department of Corrections."

Dart: "Thank you."

Speaker Dunn: "Representative Johnson, do you wish to close?"

Johnson, Tom: "Yes. Again, this relates again to the safe area around our schools and enhances penalties and hopefully will provide an additional margin of safety for our kids as they go to school. Would ask for your support of this Bill. Thank you."

Speaker Dunn: "The question is, 'Shall House Bill 52 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are...on this question,

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107 voting 'aye', 1 voting 'no', 1 voting 'present'. House Bill 52, having received the required Constitutional Majority, is hereby declared passed. Let the record indicate that Representative Flowers would like to have been recorded as voting 'aye'. House Bill 53, Representative Daniels. Representative Johnson, will you handle the Bill? Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 53, a Bill for an Act in relation to armed violence. Third Reading of the Bill."

Speaker Dunn: "Representative Johnson. Tom Johnson."

Johnson, Tom: "Yes. This Bill is...really the repeat serious offender type Bill modeled after the federal code, and as amended in committee and after working it out with committee Members, it provides that any person who violates the armed violence provisions with a firearm, when that person has been convicted of three or more offenses in any state or federal court which offenses were forcible felonies or certain violations of the Illinois Controlled Substances Act, will be sentenced to a minimum of 15 and a max of 50 years, and this is the repeat offender type Bill and would ask that this be passed."

Speaker Dunn: "Gentleman moves for passage of House Bill 53; and, on the question, the Gentleman from Cook, Representative Dart."

Dart: "Will the Sponsor yield?"

Speaker Dunn: "He indicates he will."

Dart: "The enhanced penalties deal with offenses violations of the armed violence statute, correct?"

Speaker Dunn: "What these deal with are forcible felonies. Now, in the...we had initially had in the Bill the word 'forcible felonies'. Now, I believe that Representative Homer and others raised the issue that we would like those

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defined and that came out in Amendment 2 which was passed by this House, and it spells out those crimes involved and those are treason, first degree murder, second degree murder, aggravated criminal assault, criminal sexual assault, robbery, burglary, arson, kidnapping, aggravated battery, resulting in great bodily harm or permanent disability or disfigurement. So we spelled those out at the request of your side."

Dart: "Isn't section 33(a)2, isn't that the armed violence statute?"

Johnson, Tom: "Yes, it deals with armed violence, but deals with repeat offenders where there are three prior convictions..."

Dart: "Your Bill would do that, but 33(a)2 which is referencing to is the armed violence statute, correct?"

Johnson, Tom: "That's correct."

Dart: "The armed violence statute basically is if you commit a felony while in the possession of a gun on you, correct?"

Johnson, Tom: "That's correct."

Dart: "So, if you are found with dope on you, whatever the amount of dope on you and you have a gun on you at the same time, that is armed violence, correct?"

Johnson, Tom: "Correct. But what we're dealing with here is repeat offenders. This is where there are three prior convictions of the offenses which I have just related to you within that period of time. This Bill was really a proposal of the Attorney Generals' Office in Washington to the states, that the state enact this. Initially, our Bill said two repeat offenses. After discussion in committee and with your side of the aisle, we reached the agreement really to come to three offenses and, in fact, defining the forcible felonies which would be involved as different

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states might have different criteria."

Dart: "With...with armed violence being a Class X offense now, are there not already statutes on the books for people who are convicted multiple times of Class X offenses? Habitual criminals?"

Johnson, Tom: "Yes, there are, and in some occurrences, that's correct."

Dart: "Now, this doesn't lessen the penalty, does it?"

Johnson, Tom: "No, it does not. Class X, by the way, is six to 30, and what we're doing is increasing that minimum from six to 15 years."

Dart: "No, but I was just wondering on the Habitual Criminal Act if not...if this would be treated differently if you went under that as opposed to this?"

Johnson, Tom: "No, we don't feel that this conflicts with that at all. By the way, the NRA does not oppose this and the same groups that are supporting it that I mentioned on the previous Bill."

Dart: "Thank you, and just for the record, I do want to comment on the fact that we had just gone through a long discussion about the fact about Representative McAfee having to have aides and the like around him to carry his Bill, I'd like to thank you for carrying somebody else's Bills right now with your aides."

Johnson, Tom: "You're welcome. Thank you. My pleasure, and I have very good aides."

Speaker Dunn: "On the question, the Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker. Ladies and Gentlemen, I appreciate the earlier questioning of Representative Dart. I think we should be careful in the passage of these Bills, however this Bill did receive considerable discussion and

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consideration in Judiciary II Committee and we felt that it was a reasonable Bill because what we're dealing with here are people who have been convicted of armed violence, a Class X felony, who have already been convicted twice previously within the last ten years of felonies in either federal or state court. So we're talking about people who have who have a major felony record and who have just committed armed violence while armed with a firearm. The Bill would seek to raise the minimum and maximum authorized penalties for that Bill for that situation, and I would point out that, right now if someone commits three Class X felonies within a ten year span, they are eligible to be a career criminal and sentenced as for natural life. So the difference between this Bill and what we have on the books now is this does not require three Class X's, what it requires that the last one be a Class X and the two preceding ones be felonies, and so it seems like a reasonable stair step dealing with career criminals, and I support the Bill."

Speaker Dunn: "Do you wish to close, Representative Johnson?"

Johnson, Tom: "No. I would just ask for a 'do pass' on this. Thank you."

Speaker Dunn: "The question is, 'Shall House Bill 53 pass?' All those in favor vote 'aye', and those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 109 voting 'aye', 0 voting 'no', 2 voting 'present'. House Bill 53, having received the required Constitutional Majority, is hereby declared passed. House Bill 696, Representative Wennlund. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 696, a Bill for an Act to amend the

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Criminal Code of 1961. Third Reading of this Bill."

Speaker Dunn: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 696 merely corrects an omission in the prior Bill designating what is and what is not contraband that can be taken within the Department of Corrections facilities, and one thing that was left out was a hacksaw blade, and this really includes a hacksaw blade and what is otherwise declared contraband in a Department of Corrections, and I ask for your adoption."

Speaker Dunn: "The Gentleman moves for passage of House Bill 696. The question is, 'Shall House Bill 696 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 107 voting 'aye', 0 voting 'no', 3 voting 'present'. House Bill 696, having received the required Constitutional Majority, is hereby declared passed. Gentleman from Cook, Representative Eugene Moore, for what purpose do you arise?"

Moore, Eugene: "Yes, I would like to be recorded as voting 'yes' on that Bill, please."

Speaker Dunn: "Let the record indicate that Representative Eugene Moore would have voted 'aye', on House Bill 696."

Moore, Eugene: "Thanks, Mr. Speaker."

Speaker Dunn: "Page 17 of the Calendar appears House Bill 1686, Representative Churchill. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1686, a Bill for an Act to amend the Illinois Controlled Substances Act. Second Reading of this Bill."

Speaker Dunn: "Gentleman from Lake, Representative Churchill."

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Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this Bill does is to make it a Class IV felony to manufacture controlled substances by chemically deriving those controlled substances from other controlled substances."

Speaker Dunn: "On the question, the Gentleman from Cook, Representative Dart."

Dart: "Will the Sponsor yield?"

Speaker Dunn: "Indicates he will."

Dart: "I just have a couple quick questions. For starters, why are we doing this? I mean, is there a problem I'm not aware of?"

Churchill: "Apparently it came to our attention that if...and I think it was in a crack cocaine derivation where somebody was trying to make crack cocaine out of cocaine and there was no specific penalty for deriving the controlled substance from a different controlled substance."

Dart: "See, my understanding was that a year or so ago we dealt with crack cocaine in the Legislature, specifically putting in derivatives of cocaine as something that is an illegal substance, and it was my understanding that that was taken care of, 'cause I personally had prosecuted crack cocaine cases and we did not seem to have a problem proceeding under that, and it just...that's why I'm just concerned. I'm just wondering if we're not causing a conflict with what we already have in existence, 'cause I didn't know there was a problem."

Churchill: "Well, I guess the point is, is that if some state's attorney somewhere along the line feels that they're trying to get somebody on indictment for making a controlled substance out of another controlled substance, they're looking for another avenue to be able to do that, and this

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Bill would give them that avenue."

Speaker Dunn: "Representative Churchill, do you wish to close?"

Churchill: "Just ask for an 'aye' vote."

Speaker Dunn: "The Gentleman moves for passage of House Bill 1686. The question is, 'Shall House Bill 1686 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 107 voting 'aye', 1 voting 'no', 0 voting 'present'. House Bill 1686, having received the required Constitutional Majority, is hereby declared passed. House Bill 1723, Representative Dart. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 1723, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Third Reading of this Bill."

Speaker Dunn: "May we interject and indicate that on House Bill 1686, Representative Hawkins would like the record to reflect that he would have voted 'aye'. Representative Dart."

Dart: "Thank you, Mr. Speaker. This Bill is an attempt to clarify the laws that presently exist. There is a discrepancy between how felonies and misdemeanors are commenced as far as counting the statute of limitation and the tolling of it. This language has been suggested by individuals who deal with these cases in particular, and this would clarify a hole in the law right now, and I move for its passage."

Speaker Dunn: "There being no one requesting recognition, the Gentleman moves for passage of House Bill 1723. The question is, 'Shall House Bill 1723 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open.

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 110 voting 'aye', 0 voting 'no', 4 voting 'present'. House Bill 1723, having received the required Constitutional Majority, is hereby declared passed. House Bill 2356, Representative Laurino. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2356, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Bill."

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

Laurino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill...2356 is a...a Bill that enhances the...penalties for offenses that have been committed; namely, aggravated battery with a firearm, compelling organizations as enhanced as with any Class II felony, unlawful use of weapons, ...intimidation, compelling organizational membership of persons and so on. I urge for the adoption of...or passage of House Bill 2356."

Speaker Dunn: "On the question, the Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker. May I ask the...Clerk which Amendments are on the Bill?"

Clerk McLennand: "Amendments #1, 2 and 6 have been adopted."

Homer: "Mr. Speaker, to the Bill. We debated...this Bill on Second Reading the other day, and we have now the corrections impact and fiscal notes that have been filed for the Bill. And, interestingly enough, Amendments 1 and 2 (which received, I think, quite a bit of the debate) the fiscal notes indicate that they would have minimal impact on the prison population; the reason being that, according to Department of Corrections, the people who commit these offenses are already receiving, for the most part, more

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than the max...the mandatory minimum because of the severity and the nature of the offense. So, I think that a case can be made...that we should pass the Bill with Amendments 1 and 2, which deal with organized gang activities and with serious offenses. And...I would certainly have no problem with that and...and would like to support those Amendments. The problem with this Bill is Floor Amendment #6. That Amendment would have a major impact on the prison population. Department of Corrections estimates that it would increase the prison population by over 5,000 inmates and would cost \$275 million to implement, in addition to \$80 million in an operations budget. What Amendment 6 does is it doesn't deal with gang members, it doesn't deal with any particular crime; what it does it says that 'an inmate shall not be eligible for a day-for-day good conduct credit until the inmate has served 50% of his sentence'. Now, while that may or may not sound good to you, the practical impact of that would be to throw our prison system into...into chaos and to create an untenable situation. Already with what we have on the books now, Corrections has projected that in just two years every available space within the prison walls will be double-bunked and that there will be absolutely no room for any growth and that's in spite of the fact that we have built over 14 of these new \$50 million prisons in the last...14 or 15 years. So, there is coming over from the Senate a package of Bills that is now in the House that purports to deal with this prison crowding problem. Once we've dealt with it in a responsible way by acting on those Bills from the Governor's task force, the Balukas Commission, then we may well want to look at a Bill like this. But to vote on this Bill, while we're considering

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that crisis that's facing Corrections, would be a great disservice to the taxpayers of this state, to the good men and women who work as correctional officers and put their lives on the line for us and would be, in my opinion, an irresponsible action...to take at this time. So, I would urge that Members vote 'no' or 'present' on the Bill in its present form; that we would encourage Representative Laurino if the Bill doesn't pass to back it up to Second Reading to remove this...House Amendment #6 and to re-present the Bill with just the Amendments that Corrections says would not have a significant impact and yet...yet would, I think, accomplish the Gentleman's purpose dealing sternly with repeat offenders and gang members. So, I would urge that you oppose the Bill in its present form, and vote 'present' or 'no'."

Speaker Dunn: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I hope you heard that number loud and clear. In the first year, we're talking about \$355 million. Now, let me tell you something about the department...the Department of Correction's budget: Their total budget is only \$650 million. So, you're talking about over half of the budget, half again as much as we budget annually for the Department of Corrections, which is \$600 million just to satisfy the provisions of Amendment #6 to this Bill, which is what Representative Homer referred to. And then we're talking about an annual increase of at least \$80 million a year to operate these five new prisons that would be required in the first five years of the operation of this Bill. It's fiscally irresponsible. Nowhere in the department's budget could they possibly operate and spend \$355 million; their total budget is only \$650 million. Now, until you're ready

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to fund it with a tax increase or whatever and until the task force comes out, this is an irresponsible vote if you vote 'yes'. The correct vote would be a 'present' vote. Wait for the task force to come out with its report, which will also include a package to fund and build these new prisons."

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

Dart: "Thank you, Mr. Speaker. Mr. Speaker, what's irresponsible is what goes on in the day-in, day-out life in the court system. When a victim can walk into a courtroom whose child has just been shot and murdered and the person who has been convicted of doing that serves eight-and-a-half years in the penitentiary for doing that, that's what is irresponsible. This Bill is not irresponsible. The way the system presently works now with the day-for-day good time, life in Illinois is very cheap. You murder somebody, you're gonna spend about eight-a-half, nine years in the prison. All this Bill is saying is that in situations where there's been somebody put in the penitentiary, let's have some truth involved here. When a person's sentenced to a specific time in the prison, let's have 'em spend some of it, at least, in there. What this Bill is saying is that this person does not automatically accumulate the day-for-day good time that they keep racking up just by sitting in their cell. What we're saying here is let's make 'em earn it. We've shifted the focus away from just giving good time credit to making people earn it, through education programs and good-conduct credits. All this is saying is that when somebody is sentenced for an offense, let's have the sentence, somehow, reflect what he did. Let's stop making life so cheap in the State of Illinois. When we get tough on crime, let's really do it. When you

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sentence someone for...an extended period of time, let's have 'em serve some of it, maybe."

Speaker Dunn: "Lady from Cook, Representative Davis, on the question."

Davis: "Thank you very much, Mr. Chairman. I would like to say that, after reading the task force (chaired by...Mr. Balukas), I believe that to remove the incentive for good time served will wreak havoc with the system because it will not give those inmates any real reason to behave well in prison. Guards have a tremendous job to do. The Illinois guards have done a tremendous guard...a tremendous job in keeping disturbances down. Those people who are serving a very long, long period of time look forward to some good time being offered from the day they set foot in the prison. I realize what Dart is saying, Representative Dart, when he talks about the victim, and we all know that the prison system in the State of Illinois is supposed to be one that rehabilitates. I'm not sure that that occurs. However, to continually overcrowd that system, to remove the incentives that have been put in place, after very careful study, in my opinion breathes on the..., I don't wanna call it the criminally insane, but I'll say it'll lead to the problems in Illinois that Ohio is now facing. We do not need the federal government to say to us in this department (as they have done in the Mental Health Department, as they have done in the Department of Children Health), 'you'd better to do thus-and-so'. Now, in my estimation, Legislators should be concerned with the prevention of crime, the rehabilitation of criminals and, hopefully, the...the giving people the opportunity to serve their time and to learn something while they're doing it. To remove good time until a person has served half his or

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her sentence will merely continue to crowd an extremely crowded system. The Governor's task force on prison reform asked that this Legislature continue to study the overcrowding situation and not continue to perpetuate it. They asked us to look at the electronic monitoring system for early release; they asked us to look at giving prisoners a hard time and not just a longer enhanced time. I urge a 'no' vote on this entire Bill, whether he removes any of those Amendments or not. I think that the people in the State of Illinois are fed up with spending \$16,000 and \$17,000 per year on these prisoners. We should look forward to spending those \$17,000 and \$18,000 per person in a more useful, more beneficial fashion."

Speaker Dunn: "Gentleman from Champaign, Representative Tim Johnson."

Johnson, Tim: "Well, everybody...who is writing their press releases against...incumbent Legislators, get 'em out now. You can write your press release or your direct-mail piece that Tim Johnson...isn't supporting a, supposedly tough law-and-order Bill. This is a ridiculous Bill, and it shouldn't be supported. You go down the list of the items that are contained in this Bill and really, other than to be able to say inaccurately, but try to be able to say that we're being tough on crime, this Bill is absolutely an abomination. We have contained in the Bill, among other things, ...one Bill, HB1834, incorporated in here that was beaten in the House Judiciary Committee, 13 to one, bipartisan opposition because the Bill basically made no sense. We have provisions in here now to add, rather than to limit, the number of non-probationable crimes. We've continued to make crime after crime and offense after offense non-probationable to the place where we have to

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open up three, four, five new prisons just to incorporate the...the offenses (first offenses) and, in some cases, non-violent offenses that we make non-probationable. All of us have seen what the effects have been of the...of the series of Bills that we've passed here over the years to add to the list of non-probationable crimes. So, the next one that we include now is a...non-probationable when you...take any property, in effect, from an individual who is 60 years of age or over. Well, none of us, of course, want to...to give approval to taking property from senior citizens; notwithstanding the mailings that I suppose I'm gonna get for supposedly being for that. But do we want to say that in every single case a first offense that you...you throw away the key, rather than exploring alternatives to incarceration, rather than looking at some ways to deal with our criminal justice system so that we don't just wholesale prisoners; bring 'em in, turn 'em out as worse criminals than before and add hundreds and hundreds, if not billions of dollars, to the state budget when we could be appropriately addressing the problem of criminal justice in a way that makes sense. You can go down provision after provision after provision, eliminating the number of good-time conduct, despite the fact that we're trying to encourage people to behave in prison, to become useful productive members of...society, and yet this Bill does just the opposite. We turn around and limit the opportunities that we're gonna have to be able to provide appropriate work programs and so forth in the prisons to make more useful citizens out of people that are being there. So, what we're doing with this Bill and this whole package, just like we've done for the last 18 years, is so we can send out press releases to say how tough we are on

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crime and that we wanna throw away the key, that we wanna keep the streets safe (which we all do), but along with that no one wanna...wants to fund the correctional system, no one wants to deal with education, no one wants to deal with constructive alternatives to incarceration; and, most importantly (or equally importantly), why don't we look and see what we've done to make an incomprehensible mumble-jumble out of our criminal justice system, so bad in many cases that the Supreme Court has said, 'These laws are unconstitutional because they bear no relationship to the offense'. Difficult...hard crimes, violent multiple crimes you get probation for, and non-violent first-offenses, you throw away the key. And the other thing is, and Representative Homer and others who deal in the real world of criminal justice know, that when you make laws like this what you do is you tremendously encourage plea bargaining, and all your questionnaires come back and say, 'We're against plea bargaining', but what in the heck else are you gonna do when you create such a crush on the court system and the correctional system that there's no alternative but to plea bargain? That's we wind up doing and then we make a mockery and a sham of the entire criminal justice system, that started out when Professor Beaumont wrote it in 1960 as a nationwide model, and we've made it a disgrace of the nation. This criminal code of ours is so jumbled and so incomprehensible, that it's a joke nationwide. This Bill and Bills like it, bipartisan, are an absolute..."

Speaker Dunn: "Would the Gentleman bring his remarks to a close, please?"

Johnson, Tim: "...sham and a joke, and it oughta be defeated."

Speaker Dunn: "Thank you. The Chair might indicate that...there are still others requesting to speak on this legislation,

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and the Gentleman Sponsor has three other Bills, and we need to move legislation. So, we would encourage the Members to be brief in their remarks. Gentleman from Kane, Representative Hoeft, on the...on the Bill."

Hoeft: "Thank you, Mr. Chairman. Why don't we take this money, \$350 million, and put it into prevention programs, preschool programs, work programs where it will bring the greatest benefit to this state? Let's go with prevention."

Speaker Dunn: "Representative Laurino, to close."

Laurino: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Here we go again. We're feeling sorry for the poor felon, the guy that committed the crime, the person that brought harm and pain and, sometimes, death to an innocent victim. We're feeling sorry for him. I think we got our apples and oranges mixed up here. If you're going to deal with a bad apple, deal with a bad apple; put 'em away. Keep 'em away. The average stay for a felon today in our prison...in the State of Illinois is two-and-a-half years. All these enhancements would do...firstly, it would be a truth in sentencing, and it gives the victims and the family of the victims the encouragement to know that the pain that they suffered through possibly a loss of a life or a maiming is gonna be taken care of somehow by our court system by our prison system. We've got to at least double that sentencing time that they should have served. We're letting them out way too soon, and you're worried about money? Why don't you worry about the victim and not about the poor felon. I urge an 'aye' vote on this Bill, and I think it's a damn good one."

Speaker Dunn: "The question is, 'Shall House Bill 2356 pass?' All those in favor vote 'aye'; and those opposed vote 'no'."

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Voting is open. Have all voted who wish? Have all voted who wish? Gentleman from McLean, Representative Brady, to explain his vote, one minute."

Brady: "Thank you, Mr. Speaker. To explain my vote, I'm voting 'no'. The reason is, we have got to bring some order to this House. We can't continue to spend the taxpayers money of Illinois for political purposes, and that's all this is. We all want to fight crime, but we can't fight these political games on the taxpayers' back."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Gentleman from Cook, Representative Pugh, one minute to explain your vote."

Pugh: "Yes, Sir. Mr. Speaker and Ladies and Gentlemen of the House, as a freshman Legislator, I'm totally appalled at the number of criminal enhancement Bills that we've put through this House in the last hour. Director Peters stated very clearly that if we institute all of the criminal enhancement Bills that we currently have on the books, that we would run out of prison space by the year 1994. We have just adopted ten new prison Bills that were not included in the equation that he articulated. This is a blatant disregard for the rights of individuals that live in my community. I urge my constituents to...I've urged my constituents to consider alternatives to Corrections. We cannot build our way..."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 73 voting 'aye', 37 voting 'no', 6 voting 'present'. House Bill 2356, having received the required Constitutional Majority, is hereby declared passed. Now, we have an announcement. We'd like to have the attention of all Members, if we could briefly. This is very, very

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important. Approximately 7:00 p.m., the Speaker will provide pizza for the Majority Members. At approximately the same hour, Minority Leader Daniels will provide an evening for the Minority Party, menu yet to be determined. So, 7:00 we all eat. And one further editorial comment, 'Happy birthday to my grandson, Patrick Dixon Dunn, who is one year old today. House Bill 2357, Representative Laurino. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2357, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this Bill."

Speaker Dunn: "Representative Laurino."

Laurino: "Mr. Speaker, take that Bill out of the record, please."

Speaker Dunn: "Out of the record. House Bill 2358. Do you wish to have that Bill called, Sir? You wish to have House Bill 2358 called? Mr. Clerk, please read House Bill 2358."

Clerk McLennand: "House Bill 2358, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Bill."

Speaker Dunn: "Representative Laurino, on the Bill."

Laurino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2358 seeks to establish stiffer penalties for persons convicted of unlawful use of a weapon involving machine guns, silencers or sawed-off shotguns. We considered this just not too long ago. It's almost like a companion Bill, and I urge the adoption of this Bill."

Speaker Dunn: "On the question, the Lady from Cook, Representative Shirley Jones."

Jones, S.: "Mr. Speaker, I know that the Speaker is providing pizza for us, but we, the Minority, would like to take an hour for lunch so we can go out and get a real meal. Did you hear me, Mr. Speaker?"

Speaker Dunn: "No, I did not. Please repeat your question."

Jones, S.: "Would you like me to repeat what I said? I said that

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the Minority would like to take an hour for dinner so we can get a real meal."

Speaker Dunn: "Let's confine our remarks to the substance of the legislation before us. The Lady from Cook, Representative Monique Davis."

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

Speaker Dunn: "He indicates he will."

Davis: "Representative, what are the enhanced penalties for a person who is hooded or robed who is in a safe school zone?"

Laurino: "It enhances it from a Class IV felony to a Class II felony."

Davis: "A Class IV to a Class II, and that gives us from how many years to what? I'd like this Body to be really quiet so that we can hear the answers to these very serious questions."

Laurino: "It changes it from two-to-five years to three-to-seven years."

Davis: "Now, the Sponsor of this Bill. There's a section where...and I'm talking to you, Mr. Laurino, with a question, there's a section that says if you possess a firearm and you're robed or hooded and you're in a safe school zone, the penalty is changed. Now, the Sponsor doesn't know what he changed it to. Laurino."

Laurino: "I didn't quite understand your question."

Davis: "I know. The question, Representative, is...under your Bill, it states that if a person is robed (I assumed we're talking choir robes here) or hooded, the penalty is enhanced from a Class IV to a what? I'm asking you, what is it enhanced to, and what is the change in those years?"

Laurino: "I already answered that. I said it went from a IV to a II, and it went from two-to-five to three-to-seven."

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Davis: "All right. Under this Amendment, it states that it goes to a Class II, and it's from three years to seven. Is that correct?"

Laurino: "Correct."

Davis: "Then we're talking about, if a person has a silencer, Representative, if a person has a silencer and he...I guess uses it in a safe school zone, it goes from a what to a what? Quiet, everybody."

Laurino: "It goes from a Class II to a Class X."

Davis: "No, it doesn't, Representative."

Laurino: "Yes it does, Representative."

Davis: "It says here that it goes from a Class III under the current law to a Class II. Is that what you intended?"

Laurino: "You're talking about the weapon that would be used with a silencer in a safe school zone, and I repeat: It goes from a Class II to a Class X."

Davis: "All right, so a Class X says that if you have a weapon and you possess a silencer, not necessarily use it, but if you just possess it, you're charged with a Class X felony, and the mandatory term is?"

Laurino: "Six years."

Davis: "Well, according to this, it says six to 30 years."

Laurino: "Mandatory minimum is six years, Representative."

Speaker Dunn: "I hope... The Chair hopes that the Members can avoid dialogue because we do have a lot of legislation to move along, so we would encourage the Members to be as brief as possible."

Davis: "Okay. Well, to the Bill...to the Bill Mr. Speaker. I do not believe that enhanced penalties deter or prevent crime; because, if that were the case, we would not be overburdened with so many prisoners today that the last 15 prisons that we've built in the last 15 years are still

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overcrowded. I'm very concerned that when we willy-nilly pass enhancements...enhancement sentences in order to make us look really tough on crime, that what we're really doing is harming the system. It means that judges, who might ordinarily give a person who commits a violent crime a long term, the judge can't do it because we've given a person who has carried a silencer with him six years. We're removing from the judge the opportunity to give swift, long punishment to violent criminals, which is what Mr. Anton Balukas in his report the task force has asked us to do. I know this is gonna get a whole lot of green votes, but once again, you'll be making a very injurious and expensive mistake. Thank you."

Speaker Dunn: "Representative Black, on the question."

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

Speaker Dunn: "He indicates he will."

Black: "Representative, on 3 three of the Amendment, starting at line 22, and I need to follow up on some of the other questions, if I understand this, it says, you know, it's an enhanced penalty when he is hooded, robed or masked in such a way. My question is, 'If you have a judge who's in a hurry to go on a hunting vacation, he leaves the courtroom, he's in a hurry to go up to Wisconsin and hunt pheasant, he doesn't take off his robe, his judicial robe, he gets in his car, he's driving up to go pheasant hunting someplace, he drives by a school, he gets arrested, he's in his judicial robe, his shotgun's in the trunk', is that judge guilty of a Class X felony?"

Laurino: "Representative Black, may I advise you as to your vote on, I think, it was Senate Bill 49 when you voted 'aye'?"

Black: "I'm just asking you a question. You can get into my

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voting history later. Answer the question."

Laurino: "Representative Black, this is current law, and you voted on it..."

Black: "You mean those judges are at risk?"

Laurino: "I guess they must be."

Black: "Well, let me ask you another question. Let's say I'm on my way to a Halloween party, I've got on a mask. I didn't realize it, but my son went hunting yesterday, and he left a gun in the trunk of the car; I get arrested and I'm in my happy-mask suit, am I going to be classified as a felony? A felony? II-X?"

Laurino: "It depends on if you appeared in front of a judge with a robe, I guess."

Black: "You mean with my Halloween mask on? I've got my happy-mask on. I didn't know the gun was in the trunk."

Laurino: "This is current law, Representative Black."

Black: "Well, I guess the moral is: 'Judges don't wear your robes outside of court; and, Momma, don't let your babies wear Halloween masks'"

Speaker Dunn: "Representative Laurino, to close."

Laurino: "This is just a companion Bill to the package that I presented. It was the same Bill that Representative Black voted 'aye' on a while ago. If you're soft on crime I guess you're in favor of silencers and robes and hooded masks. I still urge an 'aye' vote on this Bill."

Speaker Dunn: "The question is, 'Shall House Bill 2358 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Gentleman from Cook, Representative Morrow, to explain his vote, one minute."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, we pass all these enhanced crime Bills, and people say that they want to get tough on crime, but

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you know what? I wanna hear you all to say we're getting tough on taxes, 'cause we're going to have to raise some taxes to build the prisons in order to hold all of the people that are going to be put in jail by passing these Bills. Now, where are you all going to be when you're going to be tough on taxes? You're going to be running. You're going to run 'cause you're going to say, 'No, I can't raise taxes 'cause my district says I can't raise taxes', but yet I can vote to put people in jail. It's ridiculous. If we do raise taxes, we need to be raising taxes to open up the schools this fall. If we need to raise taxes, we need to raise taxes to help senior citizens. But what are we going to have to raise taxes for? To put somebody in jail. It's ridiculous, and I hate to oppose the colleagues on my side of the aisle on this issue. Let's be real. Go to the schools that you're talking about protecting the children, and they'll tell you."

Speaker Dunn: "Gentleman from Madison, Representative Stephens, one minute to explain your vote."

Stephens: "Well, first of all, just to thank God that I don't live in a district where I have to take a position that when I...when a criminal commits a crime, a heinous crime, that you want to say that they shouldn't be in jail; and, secondly, to congratulate Representative Laurino for the patience that he has shown here in the example of having to be verbally abused on the House floor for an idea and a concept that he believes strongly in, and I believe is correct and have to stand there and take that kind of abuse is inappropriate, and he has done an outstanding job in being very patient with those folks."

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

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Have all voted who wish? Mr. Clerk, please take the record. Representative Stephens, did you vote? Mr. Clerk, please take the record. On this question, 95 voting 'aye', 15 voting 'no', 5 voting 'present'; and House Bill 2358, having received the required Constitutional Majority, is hereby declared passed. House Bill 2359. Representative Laurino, do you wish to call that Bill? Representative Laurino, do you wish to call House Bill 2359? Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2359, a Bill for an Act in relation to corrections. Third Reading of this Bill."

Speaker Dunn: "Representative Laurino."

Laurino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. (House Bill) 2359 mandates that a court impose a sentence of boot camp or a mandatory minimum prison sentence for persons convicted of unlawful possession of a firearm by a felon or a second or subsequent violation of certain drug offenses. The court would be required to sentence them to at least the minimum authorized term of imprisonment. I ask for the adoption of House Bill 2359."

Speaker Dunn: "The Representative from Champaign, Representative Tim Johnson."

Johnson, Tim: "I didn't really hear Representative Laurino, but again I really don't need to because I can address the general conceptual issue. Representative Laurino and Representative Stephens have been friends of mine for a long time and they're going to be friends for a long time into the future, but I got to tell you, along with Representative Morrow, I kind of resent the implication that I'm soft on crime or that I in Representative Stephens words don't care about society and the victims because I'm voting against a series of Bills that really reach beyond

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any level of law and order. They reach simply to the level of causing attention to an area and reaching so far beyond that area of attention that it doesn't make any sense. Somebody suggested tongue-in-cheek but we're almost reaching that level that would be a lot easier, save a lot of time in this chamber and in committee, if we just passed a law that made everybody the 12 million people in the State of Illinois felons. Somebody'd meet some category or another, and then just spend the next few years making exceptions to the rule, 'cause we've really gotten to the place where we've created so many crimes, so much non-probationability, so much enhanced sentencing in areas that are a mish-mash, that it really doesn't make any sense anymore. There's no deterring it back to the criminal justice system anymore, because nobody knows what they've committed. You might have committed a crime by walking across the street that's Class X that you didn't realize you did. We all want to put violent criminals in jail. We all want to be law and order people and deal with multiple offenders, but for gosh sakes, let's inject some reason, some fiscal reason and social reason and humane reason into a system that is absolutely doing nothing but churning people in and out of a system, making 'em worse criminals than the way they went in, and costing society and the taxpayers billions and billions of dollars. I want to deal with the victims of crime too. I want to have a criminal justice system that works, but all we've done for the last 15 years is do something that turns precisely to the opposite. Keep in mind that while we've passed all these tough law and order Bills so we can send out all of our press releases, what's the crime rate in Illinois done? It's skyrocketed. What's happened to the people that have

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gone into the penitentiary system and come out? They've come out more hardened criminals than when they went in. What's happened to our educational system and some reasonable, humane alternatives that protect society and the victim and...and our entire system? It's all gone to hell in a handbasket. We've got to sit back, notwithstanding political rhetoric, notwithstanding press releases and direct mail-pieces, and see what we're doing for the citizens of Illinois. And what we're doin', with all due respect to my good friend and my good friends who've sponsored this Bill who I'm sure sincerely believe in it, we're doing precisely the opposite, and it's going to catch up with us."

Speaker Dunn: "Moving right along, the Lady from Cook, Representative Davis."

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

Speaker Dunn: "Indicates he will."

Davis: "Representative Laurino, this is to build a new prison where?"

Laurino: "It's undertermined at the moment."

Davis: "It's undetermined where this new prison will be?"

Laurino: "That's correct."

Davis: "So, what we're saying here is, we're giving the Capital Development Board the opportunity to build a new prison at some location whose...will be determined later, is that correct, Representative?"

Laurino: "No, it's...it authorizes the Department of Corrections to select a site with the advice of the CDB."

Davis: "To do what?"

Laurino: "Clearer. It's authorizing the Department of Corrections to pick the site with the advice and consent of

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CDB."

Davis: "Okay. And is this for the extremely violent prisoner or the...which group is this going to be for?"

Laurino: "The most violent prisoners."

Davis: "The most violent prisoners. All right. To the Bill, Mr. Speaker. I'm going to support you. I believe that we need a very good maximum security prison in the City of Chicago and, if it is determined by the Director that this is where most of those who will be in that prison come from, I hope that we will build that prison right there in the City of Chicago on the south side of Chicago...on the south side, and Representative, I also support you in this tax increase that you all support in this Body. The tax increase that we're all supporting in this Body to build these prisons, I also support, along with the authorization to build a prison in the City of Chicago, in the City of Chicago."

Speaker Dunn: "Representative Pugh. Debate timer is on."

Pugh: "Mr. Speaker and Ladies and Gentlemen of the House. Will the speaker yield? Sponsor. Mr. Laurino. Will the Sponsor yield?"

Speaker Dunn: "He indicates he will."

Pugh: "Mr. Laurino, can you tell me what the purpose of Corrections is? The purpose of the Department of Corrections."

Laurino: "I assume the Department of Corrections has many functions, but one of which would be to...enforce the laws that we generate toward the...safety of the innocent people and the felons be kept behind bars."

Pugh: "We have lost... In that response, Sir, we have lost the flavor of what the Department of Corrections was created for. The Department of Corrections was created to rehabilitate offenders. The Department of Corrections was

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not created for us to create laws to build more prisons. The Department of Corrections was not created for us to have tug-of-wars as to who's going to be the toughest on crime. The Department of Corrections was created to allow someone who has went astray to change his ways. We have, in effect, created a Department of Crime instead of a Department of Corrections. Our Department of Corrections is no more than crime schools. An individual goes into these institutions and come out a worse criminal than they went in. Enhancing...enhancing penalties has not proven to be a deterrent. If we as Legislators are serious about tackling some of the problems that we are faced with in our communities, then we need to take a pro-active, innovative approach to dealing with these kind of problems. Taking the easy way out is only going to exacerbate the problem, and you're going to eventually have on your hands a situation like you have in Ohio, but it's going to be magnified to the extent that it...that it is in Waco, Texas."

Speaker Dunn: "The Gentleman from Cook, Representative Laurino, to close."

Laurino: "All I can say is that House Bill 2359 is an alternative to an overcrowded prison system. It was an Amendment that was put on to this Bill by Representative Turner. I wholeheartedly agree with it. I think it's an enhancement that needs to be accomplished, and I urge for the passage of House Bill 2359."

Speaker Dunn: "The question is, 'Shall House Bill 2359 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 95 voting 'aye', 11 voting 'no', 6 voting

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'present'. House Bill 2359, having received the required Constitutional Majority, is hereby declared passed. Special Order of Business, Law, Second Reading, page 10 of the Calendar, appears House Bill 767, Representative Dunn. Out of the record. Page 10 of the Calendar, appears House Bill 1475, Representative Currie. Do you wish to move your Bill, Representative Currie? Out of the record. House Bill 1775, Representative Leitch. Do you wish to call your Bill? Out of the record. House Bill 1832, Representative Lopez. Mr. Clerk, what is the status of House Bill 1832?"

Clerk McLennand: "House Bill 1832 is on the Order of Second Reading. It has been read a second time previously."

Speaker Dunn: "It's been indicated to the Chair that the Bill should be on the Order of Third Reading."

Clerk McLennand: "Correction. The Bill is on the Order of Third Reading."

Speaker Dunn: "Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1832, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Bill."

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

Lopez: "Yes. What House Bill 1832 does is make it unlawful to own or sell an electronic paging device to any person under the 18 years of age without consent from a parent or legal guardian, and I move that we...for a favorable vote."

Speaker Dunn: "The Gentleman moves for passage of House Bill 1832. The question is, 'Shall House Bill 1832 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, 115 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 1832, having received the required Constitutional Majority, is hereby declared

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passed."

Speaker Giglio: "Representative Meyer, for what purpose do you arise?"

Meyer: "Thank you, Mr. Speaker. I'd like if the record could be changed to reflect a 'yes' vote for 2357 and 2358. I hit the wrong button on those."

Speaker Giglio: "Let the transcript so indicate Representative Meyers' request. On Law, Second Reading, appears House Bill 2094, Representative Walsh. Out of the record. (House Bill) 2397, Representative Dart. Read the Bill, Mr. Clerk. No, what's the status of this Bill, Mr. Clerk?"

Clerk Rossi: "House Bill 2397. 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 Dart."

Speaker Giglio: "Representative Dart."

Dart: "Thank you, Mr. Speaker. Amendment #2 has been done at the behest of some concerns from different committee Members and groups, and this would narrow the scope of the Bill, and I would move for its adoption."

Speaker Giglio: "Any discussion? Representative Wennlund."

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

Speaker Giglio: "Indicates he will."

Wennlund: "Can you tell us what change from the original Bill this Amendment makes?"

Dart: "Yes. The original Bill dealt with all instances where a juvenile was neglected, sexually or physically abused. There was a concern that by including neglected children it was going to be too expansive and too...it might clog the court system, so I agreed to pull back on that, and now it just deals with children who are physically abused or sexually abused."

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Wennlund: "And does this Amendment provide...does the Bill, as amended with this Amendment, still provide that the child welfare services or services for preservation of the family to the person responsible for a child's welfare if it appears the child has been physically or sexually abused, or has been neglected without a court order so that the child is automatically removed?"

Dart: "No, this doesn't have anything to do with removing the child. All this says is that only for physical and sexual abuse of a child, in those instances, the court will determine whether family first preservation money will be given; it has nothing to do with the removal."

Wennlund: "All right. For those two instances, what does it do?"

Dart: "It provides in those two instances that prior to the family first money being administered to this, the parent who sexually abused or physically abused the kid, they've got to come into a courtroom and basically justify to the court why we're going to be giving you this state money."

Wennlund: "Now... So as to the original Bill, have you discussed this with DCFS?"

Dart: "DCFS and I have talked about numerous things in the course of this. This Bill...I...they were not in agreement with any point whenever...any of the things I've been dealing with in DCFS, they haven't agreed with me on anything. This Bill, however, would be more agreeable than the Bill in its original form to them because one of their original concerns was it included too many cases, too many children; this cut back by 80%."

Wennlund: "Well, the Department of Children and Family Services advises me that major funding sources would be jeopardized by this Bill which includes Title 4B receipts about \$11 million a year, and Title 4E with receipts at approximately

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\$110 million a year."

Dart: "That is what they put in their fiscal note, and that's incorrect. They are opposed to this Bill because this Bill is going to tell them...see, the reason this has come about, the genesis of this was, the small child that was hung by the mother yesterday, that was a child who DCFS who mismanaged a case. Whenever we are attempting to put any type of restraints on them, they've opposed it. The fiscal note they filed on this is not accurate. It truly is not."

Wennlund: "Just today, the department handed me what the cost would be in loss of Title 4 funds to the tune of about \$122...121 million."

Dart: "Those...but as I told you, those are not accurate figures. It deals with when this violates the reasonable efforts requirements under federal mandate. This would not violate that. This is their spin on it. This would not in any way do that. This says...it requires to make reasonable efforts so the families are kept together. This in no way impinges on this. They're saying because of this Bill, we're going to be keeping families apart. This does not do this. All this says is, before we spend state money on people who physically or sexually abuse their kids, we want a court to say it's okay. DCFS wants to just throw the money around. We're saying, 'No', because when they have been throwing the money around, children have been dying, and they come up with these numbers. It's not true."

Wennlund: "So, you're saying that the Department of Children and Family Services is incorrect in their judgment on this issue?"

Dart: "Yes, I am."

Wennlund: "And, what...in the event of that a case of sexual abuse is suspected, what happens under your Bill, as

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amended?"

Dart: "Well, you see, the thing is...this in two layers here. When a child is sexually abused, there's always the criminal proceedings which will be going on, this does not affect that. There's also the Department of Children and Family Services work which will be going on as well as far as trying to take temporary custody or protective custody of the child. This does not affect that either. This just deals with the state money which we for some strange reason decide to give to people who sexually or physically abuse their children. All we're saying is, in those instances, we want a court to look into why are we giving money for chauffeur service, for housekeeping, to people who sexually abuse or physically abuse their kids."

Wennlund: "Som the court would have to make a determination to terminate any payment of funds for the Department of Children and Family Services to that...those to parents. Is that correct?"

Dart: "They would not...be terminating. In these instances, we're saying that there's going to be a 36-hour period where they will be getting funding. At that point, it has to come into the court, and in those instances where the court looks down and sees that a kid is being sexually abused and the parents...one of the parents is still in the house, that this might not be a wise time for us to be giving them state money for housekeeping and the like."

Wennlund: "So, currently the family preservation services that are being provided to these families to keep them intact and avoid placing children out of the home would essentially disappear."

Dart: "No, that's completely inaccurate. All we're saying is in those instances where a child has been raped or a child has

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been beat, we want 'em to come into court, and we're not in any way saying they still cannot get the money. We just want a judge to determine that, and the thing that you ought to understand, too, is DCFS themselves has done a study on their Family First Program, and their study says, 'It's a flop. It doesn't work. We're wasting the money'. What we're saying is, when you rape the kid, when you beat the kid, before you get the money which they say is a waste, we say a judge ought to sit up there and say maybe we shouldn't get into this situation. We're in no way terminating it. The child can still get the money...not the child, the parents can still get the money. We're saying we want some type of screening process, because in Cook County, we've had three kids, children, who have turned up dead who are on the family first program."

Wennlund: "Okay. Thank you very much."

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

Murphy, M.: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. I applaud Representative Dart in bringing this legislation to the floor. It was Joseph Wallace who was hung by his own mother, his natural mother just two days ago when we began down here. And it's come to my attention after meeting with the public guardian people, Patrick Murphys' office (no relation) that the natural mother had four bites of the apple, so to speak. On four occasions, she was in the Family First Program. Our taxpayers are fed up with \$20 million being spent to subsidize child abuse, sexual abuse, rape. How come we can subsidize rape in a child's home, when we would certainly not tolerate it after hearing all the crime Bills that were passed. Little Joseph wanted to know why he couldn't go

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home. He couldn't go home, because whether it's the federal government or this state, we have mandated that DCFS spend money to keep children in intolerable, deplorable conditions that we don't keep our prisoners in. So if you want to vote for the children and start putting the children first, you should consider voting for this. And there's a problem with DCFS. There's a problem where they cannot red flag the difference between some child being hit or some child being sexually abused and hung to his death at the hands of his own mother. Natural motherhood does not mean that that woman should ever have that child back; and to talk about the family first one more time, the relatives of that child knew that this was happening, so I cannot believe that that poor family that had taken him into their home, who loved him dearly, had to witness and stand by and our taxpayers' dollars paid for it. I urge 100% vote on this. We have to do something about subsidizing sexual..."

Speaker Giglio: "Representative Brady."

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

Speaker Giglio: "Indicates he will."

Brady: "Representative Dart, I'm not sure that if the cases you're speaking about are as serious as they are, I'm not sure that this is all that important, but I'm curious as to why you questioned the fiscal note."

Dart: "I seriously question the fiscal note, because they've made a point of talking about...this would violate the reasonable efforts requirement mandate by federal government. Under our statute under case law, reasonable efforts under the law can be no effort, because in certain situations such as the one Representative Murphy just talked about, there is no reason to put the family back

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together. There is no reason to give a child back to someone who is going to string 'em up, so that's why their numbers do not mesh. They do not take into account what is the present law and what is the present situation. That's why they don't work, and this Bill will answer a lot of the concerns so that children like that will not be just given money and DCFS said, 'Let's avoid the court system. Let's just take care of it ourself; give 'em some money and it'll go away'. The only thing that goes away is the child. The child shows up dead."

Brady: "How many court cases a year do you think this would cause?"

Dart: "Will this cause? The estimates have been it'll be an average in Cook County of maybe two extra cases a day. That would be the people most affected, the chief judge of the Cook County Harry Commerford has signed off on this Bill because he believes that it's so important that we look after the children that he's willing to give the extra court personnel necessary for it."

Brady: "And you're firmly convinced that a judge can do a better job than DCFS?"

Dart: "Well, take a look at what they've done."

Brady: "Thank you."

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

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

Speaker Giglio: "Indicates he will."

Davis: "Representative Dart, I think you mentioned Miss Amanda Wallace, the mother who strangled her only child. Did you mention the fact that this woman was mentally ill and that the Mental Health Department that she kept going to kept releasing her?"

Dart: "That is one of the things that is the most outrageous

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about how this DCFS worker could have given the children back. I have the records from that showing in eight different instances where the psychiatrist and the other personnel putting this file together, DCFS worker in that case as a matter of fact, saying that this child should never be given back to this woman because you know what? The child will get killed. It's mentioned five or six times throughout this, 'cause this is a woman who drank Drano, who stuffed numerous things into every orifice of her body, was eating glass, was eating all sorts of things. She actually lit herself on fire at one time, and this is who they gave the child back to."

Davis: "So, we have not only failed the child, we have failed this mother. A mother who has shown in every indication that she's mentally ill, and do you know today she was given, or yesterday 30 days in court because she used profanity at the judge?"

Dart: "The criminal case is altogether different, but in this situation, I guarantee you, this is probably a case where she will not be sentenced to incarceration 'cause she will be found not sane."

Davis: "So, in other words, your Bill, Representative, Steczko that if a judge makes the determination, based upon the investigation by the social worker or caseworker, that abuse and neglect has occurred, then he can either define the kinds of family preservation things that take place or he can abolish and halt all family preservation activity."

Dart: "Basically, what they're saying is that the case will come in front of the judge. The DCFS worker who is the caseworker will be there, and the caseworker will say this is what we recommend. Most often they'll probably go along with it, but in instances...in particular where the kid

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turned up dead, I doubt very seriously the judge would have said, 'Let's give them some money.' And it's just abuse cases, not neglect ones, but you're correct."

Davis: "Thank you, Representative."

Speaker Giglio: "Representative Flinn moves the previous question. All those in favor say 'aye', opposed, 'no'. The previous question has been moved. Representative Dart, to close."

Dart: "I just move for the adoption of this Amendment. It defies common sense why this goes on the way it does now, and this is the only way that we can enre that this nonsense and the children who are continuously showing up dead can maybe cease or we can help a little bit."

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

Clerk Rossi: "No further Amendments, but a fiscal note and a judicial note, as amended, have been requested on the Bill."

Speaker Giglio: "Representative Skinner."

Skinner: "I'd like to know what that bright light is."

Speaker Giglio: "I think you're seeing things, Representative Skinner. Representative Dart. Representative Dart."

Dart: "I believe the judicial note has been filed on this matter, as amended, and I move that the fiscal note does not apply in this case and is dilatory."

Speaker Giglio: "The Gentleman moves that the fiscal note is inapplicable. All those in favor say 'aye'; opposed...vote 'aye'. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Representative Black."

Black: "Mr. Speaker, I don't want to delay this process, and he

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has more than enough greens, but this is...you know, this is really an outrage. When this Bill has a fiscal impact, all the Gentleman has to do is call the department or an agency and get the fiscal note. I mean, let's not be ridiculous about it. This is going to cost money. If the Sponsor believes it's worth it, then he should be able to defend that fiscal note no matter what it is. But to continue to rule fiscal notes as being inapplicable, that's ridiculous. That's why we're \$800 million in debt down here. I...I really resent...a Sponsor of any Bill getting up and just capriciously and arbitrarily say, 'The fiscal note is inapplicable'. That's ridiculous. This cost money. If it's a good Amendment, let him defend the cost, but the fiscal note should be filed."

Speaker Giglio: "Representative Dart."

Dart: "The reason I requested this Motion is because there has a fiscal note that was...filed, and it was filed in a dilatory fashion in the first place; but more importantly, the Bill, as amended, contracts the number of people this will affect, contracts the amount of people it will affect throughout the state. So, it would only be less, if anything."

Speaker Giglio: "Have all voted who wish? Take the record, Mr. Clerk. On this question, 57 voting 'yes', 55 voting 'no', and the Gentleman's' Motion carries. Third Reading. Representative Dunn, 767. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 767. The Bill has been read a second time previously. No Committee Amendments. No Floor Amendments. A fiscal note, a state mandates note, a state debt impact note has been requested on the Bill."

Speaker Giglio: "Representative Dunn."

Dunn: "...I couldn't hear... Has there been a fiscal note request

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Speaker Giglio: "Mr. Clerk?"

Dunn: "Mr. Speaker, has there been a request for a fiscal note? If there has, it is not applicable, it is unapplicable, because it would be stamped on the front of the Bill. There's no need for a fiscal note on this Bill or any others."

Speaker Giglio: "The Gentleman moves that the fiscal note..."

Dunn: "I move... Yes, the fiscal note is inapplicable."

Speaker Giglio: "...be...is inapplicable to the Bill. All those in favor signify by voting 'aye'; opposed, 'no'. Have all voted who wish? Have all voted who wish? Representative Black."

Black: "Well, what...what about the...mandates note, the judicial note, the state debt impact note. I mean...are all the notes inapplicable? You just want to do them all in one roll call?"

Speaker Giglio: "We can do that if that's what you'd like."

Black: "Well no, I...I...I mean it...it We're...we're at that silly stage now. Let's just...let's just take each note and rule them inapplicable, if that's what we want to do."

Speaker Giglio: "What...Mr...Rep... Mr. Clerk, what note does this apply to?"

Clerk Rossi: "A correction... A corrections, budget and impact note and fiscal note, a state mandates note and a corrections balanced budget note have been filed on the Bill."

Speaker Giglio: "Take the record, Mr. Clerk. On this question, there are 64 'yes' and 45 'no', and the Gentleman's Motion carries. Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 767, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

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Speaker Giglio: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I really don't know if there's any opposition to this Bill. This is a Chicago Bar initiative which provides that a judgment becomes a lien when a citation is served and the final sentence of the Bill says, 'This amendatory Act of 1993 is a declaration of existing law'. So, I would ask for passage of this Bill. I don't know if there's any opposition."

Speaker Giglio: "Any discussion? Representative Black. Any discussion? Representative Black."

Black: "Thank you. Thank you very much. Thank you very much, Mr. Speaker. I have an inquiry of the Chair. In the official Calendar, on page 10 of the Calendar, it lists House Bill 767 on Second Reading, and he just moved it from Second to Third and didn't ask leave of the Body. Is there something I'm not seeing here as to how this can be considered immediately?"

Speaker Giglio: "Mr. Clerk, what's the status of this Bill?"

Clerk Rossi: "The Bill's on Calendar Order Third Reading."

Black: "What Calendar are you looking at? Or am I looking at an old one?"

Clerk Rossi: "The Bill was read a second time and held yesterday."

Speaker Giglio: "Further discussion?"

Black: "You're right, Mr. Speaker. I... It clearly shows on the Calendar read a second time. I apologize."

Speaker Giglio: "Would you repeat that one more time?"

Black: "It clearly shows on the Calendar..."

Speaker Giglio: "No, the statement before that."

Black: "I'm very sorry, Mr. Speaker. You are absolutely correct and I apologize. Thank you."

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Speaker Giglio: "Thank you. Thank you. Further discussion? The question is, 'Shall House Bill 767 pass?' All those in favor, signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, 111 voting 'yes',; 3 voting 'no'. House Bill 767, having received...Meyers votes 'aye'. On this question, there are now 112... Representative Mulligan? Mulligan, 'aye'. Black, 'aye'. Have all voted? Take the record. On this question, there are now 114 voting 'yes'; 2 voting 'no'; and House Bill 767, having received the required Constitutional Majority, is hereby declared passed. On Environment and Energy, Third Reading. House Bill 1249, Representative Novak. The Gentleman asks leave to take the Bill back to the Order of Second Reading for an Amendment. Representative Dunn, in this Chair."

Speaker Dunn: "Clerk, please take this Bill out of the record. Special Order of Business, Consumer Protection, Second Reading, appears page 10 of the Calendar, House Bill 793, Representative Schakowsky. Out of the record. House Bill 1645, Representative Turner. You wish to have your Bill called, Sir? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1645. 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 Turner."

Speaker Dunn: "Representative Turner, on Floor Amendment #2."

Turner: "Thank you, Mr. Speaker. Floor Amendment #2 is a technical Amendment that was an...agreed Amendment between retail merchants and the AG's Office. It merely changes...or clarifies...temperature settings on hot water tanks. And I ask for the favorable adoption of Amendment

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#2."

Speaker Dunn: "The Gent... The Gentleman moves for the adoption of Floor Amendment #2 to House Bill 1645; and, on that...Motion, Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Has the Amendment been printed and distributed?"

Speaker Dunn: "Mr. Clerk, has the Amendment been printed and distributed?"

Black: "Could we have a copy?"

Speaker Dunn: "The Clerk indicates the Amendment has been printed and distributed."

Black: "Could we get a copy from your side, maybe? No... No questions of the Amendment. I appreciate your patience in letting me get a copy. Thank you."

Speaker Dunn: "Thank you very much. The Gentleman moves for adoption of Amendment #2 to House Bill 1645. Those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. On the Order of Consumer Protection, Third Reading, appears, page 31 of the Calendar, House Bill 1017, Representative Schakowsky. Out of the record. House Bill 1928, Representative Currie. Representative Currie? Out of the record. On the Special Order of Business, Professional Regulations, Third Reading, page 25 of the Calendar, appears House Bill 213, Representative Lou Jones. Representative Lou Jones. Representative Lou Jones. Out of the record. House Bill 214, Representative Lou Jones. Out of the record. House Bill 215, Representative Lou Jones. Out of the record. House Bill 324, Representative LeFlore. Out of the record.

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House Bill 1813, Representative Hicks. You wish to call House Bill 1813? Do you wish to have your Bill called, Sir? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1813, a Bill for an Act amending the Housing Affo...Affordability Impact Note Act. Third Reading of the Bill."

Speaker Dunn: "Representative Hicks."

Hicks: "Thank you, Mr. Speaker. I believe there's been an Amendment filed. Inquiry of the Chair please, and have the Clerk check."

Speaker Dunn: "Mr. Clerk, have there been Amendments filed?"

Clerk Rossi: "Amendment #1 has been adopted to the Bill. No further Amendments have been filed."

Speaker Dunn: "Do you wish to proceed with the Bill, Representative Hicks? Please proceed."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1813 is a Bill that addresses a problem that we had in JCAR Committee, dealing with...proposed agency rules. The Act provided for increasing...decreasing the cost of construction... Basically, what we were saying was that if rules were limiting the factor of building of new construction, acase in point that we had in the committee was whereby agencies might look at rules in which...they were devising to put a catch basin in a garage, at an additional cost to home builders of some \$1500 simply in case a car might have a problem in a garage. This addresses that where they would have the housing affordability would have to go along with the making of rules. It's something we had dealt with in JCAR. I'd be happy to answer any questions."

Speaker Dunn: "There be no furth... The Gentleman from McHenry, Representative Skinner, on the question."

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Skinner: "Yeah. The example that the Representative came up with is so egregious that I cannot believe that a state agency would be dumb enough...to ask it. But then again, the more we look at state agencies, the dumber they seem to look."

Speaker Dunn: "The question is, 'Shall House Bill 1813 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? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 115 voting 'aye'; 0 voting 'no', 0 voting 'present'. House Bill 1813, having received the required Constitutional Majority, is hereby declared passed. House Bill 2114, Representative Curran. Representative Curran, do you wish your Bill called? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2114, a Bill for an Act to amend the Barber Cosmetology Esthetics and Technology Act of 1985. Third Reading of the Bill."

Speaker Dunn: "Representative Curran."

Curran: "Thank you, Mr. Speaker. I need leave to go back to Second Reading for purposes of an agreed Amendment."

Speaker Dunn: "Does the Gentleman have leave to return the Bill to the Order of Second Reading? Hearing no objection, leave is granted. The Bill shall be returned to the Order of Second Reading. Representative Curran...or are there... Mr. Clerk, are there Amendments?"

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

Speaker Dunn: "Representative Curran on Floor Amendment #1."

Curran: "This Amendment is from the Department of Professional Regulation. It sets forth the way in which we would ask for the information from cosmetologists on the subject of continuing education."

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Speaker Dunn: "The Gentleman moves for adoption of Amendment #1 to...House Bill 2114. Those in favor, signify by... Those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. Is there leave for immediate consideration? No. No leave. Special Order of Business, Professional Regulation, Second Reading, page 7 of the Calendar, appears House Bill 412, Representative Steczo. Please read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 412. 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 Steczo."

Speaker Dunn: "Representative Steczo, on Floor Amendment #2."

Steczko: "Thank you, Mr. Speaker and...Members of the House. Amendment #2 is language that has been worked on by the department and by the private detective and security people, and the...at this point, this Bill is now about 99.9% agreed to. So I would move for its adoption, Mr. Speaker."

Speaker Dunn: "The Gentleman moves for adoption of Floor Amendment #2 to House Bill 412; and, on that, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, it's... There's a notation in my files that the State Police are still very much opposed to Amendment #2. Do you know what the point of contention might be?"

Steczko: "Representative Black, right now there's...there's a stipulation in...in the Act. It says when there is a new person who's gonna be hired, that their background has to

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be checked for felonies. The law currently says that the Department of State Police may furnish all records to the department so that those...those records can be checked. There has been such a backlog and there has been such a delay where new people cannot be hired because these background investigations have not been com...completed in a timely fashion. This Amendment says the department 'shall furnish those records', rather than 'may furnish those records'. That, I believe, if there's any problem with the State Police, that's what...that's what problem is caused. However, there can't be any people hired until these backgrounds are checked."

Black: "Okay, it's our staff...indicates that they still think it is a 'shall' provision rather than a 'may' provision."

Steczo: "There is a 'may' provision in the law currently. This Amendment changes it to 'shall'."

Black: "All right. So, you...you...you're still negotiating with the State Police..."

Steczo: "At this point in time, yes. We're negotiating with everybody and almost...we're almost there, Representative Black."

Black: "All right. The Department of Professional Regulation says they're pretty sure they can get everything worked out. And then, hopefully, it will be worked out in the Senate with the State Police. Thank you very much, Representative."

Speaker Dunn: "The Gentleman moves for adoption of Amendment #2 to House Bill 412. Those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. House Bill 715, Representative

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Santiago. Representative Santiago. Out of the record. House Bill 1532, Representative Steczo. Out of the record. House Bill 1554, Representative Deering. Out of the record. House Bill 2316. House Bill 2316, Representative Lou Jones. Representative Lou Jones. Out of the record. On the Order of Insurance, Second Reading, Special Order of Business, Insurance, Second Reading, appears House Bill 1229, Representative Laurino. Representative Laurino, do you wish to call House Bill 1229 on Second Reading. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1229. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Laurino."

Speaker Dunn: "Representative Laurino, on Floor Amendment #1."

Laurino: "Withdraw Amendment #1."

Speaker Dunn: "The Gentleman withdraws Amendment #1. Are there further Amendments, Mr. Clerk?"

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

Speaker Dunn: "Representative Laurino, on Floor Amendment #2."

Laurino: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment #2 essentially becomes the Bill. What it does is...it...it... We now have in Chicago...and traffic courts are pretty...crowded. We've got a administrative adjudication system. And what this is going to do is expand that to compliance of...minor moving violations such as a broken taillight and things of that nature. And it's just to unlog the traffic court system, and I move for the adoption of Amendment #2."

Speaker Dunn: "The Gentleman moves for the adoption of Amendment #2 to House Bill 1229; and, on that question, Representative Black."

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

Speaker Dunn: "He indicates he will."

Black: "Representative, is this...does this apply to all jurisdictions in the state or only Cook?"

Laurino: "I believe it's just in the City of Chicago."

Black: "All right. And there's nothing in this Amendment that...would enhance the City of Chicago's ability to issue parking tickets that some of us downstate have gotten to know and love?"

Laurino: "No. No. No. Not at all."

Black: "Okay. It has nothing to do with that at all? This is not, as the board says, this is not the mandatory insurance rewrite?"

Laurino: "No. No. What this is is... Well, we used the same statute to put this Amendment on..."

Black: "Okay."

Laurino: "...cause it was a vehicle."

Black: "Okay. Thank you very much."

Speaker Dunn: "The Gentleman moves for adoption of Floor Amendment #2 to House Bill 1229. Those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. House Bill 1565, Representative Madigan. Out of the record. House Bill 2330, Representative Ryder. Representative Ryder. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2330. The Bill has been read a second time previously. Amendment #1 has been adopted to the Bill."

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Speaker Dunn: "Are there... Are there...Floor Amendments?"

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

Speaker Dunn: "Representative Ryder, on Floor Amendment #2."

Ryder: "Thank you, Mr. Speaker. This Amendment has been previously discussed on the floor. There was some concern Rep...by Representative Granberg at whose request I took the Bill out of the record. That concern has been satisfied; and, as a result, I believe the language addresses all of the problems, and I do not know of any opposition. I would be glad to answer any questions."

Speaker Dunn: "The Gentleman moves for the adoption of Floor Amendment #2 to House Bill 2330; and, on that question, Representative Granberg."

Granberg: "Representative Ryder, from your discussions, all of those problems have been corrected and...this will take care of that?"

Ryder: "Representative, those...those problems were solved by this Amendment, and to my knowledge, it removed the objection."

Granberg: "Thank you."

Ryder: "Otherwise, you wouldn't let me call the Bill."

Speaker Dunn: "The Gentleman moves for the adoption of Floor Amendment #2 to House Bill 2330. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. The Chair has an announcement that most of you will appreciate. There are hors d'oeuvres available for all Members in the Speaker's Conference Room immediately, the courtesy of the Illinois Retail Merchants

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Association. Hors d'oeuvres in the Speaker's Conference Room immediately. And all those who leave the room will have their Bills called. Special Order of Business, Insurance, Third Reading, page 26 of the Calendar, House Bill 362, Representative LeFlore. Out of the record. Is someone handling that Bill on behalf of Representative LeFlore? House Bill 362. Let's hold up a minute. All right. Let's hold a second. Representative Lang, will you be handling House Bill 362 for Representative LeFlore? Mr. Clerk, please read House Bill 362."

Clerk Rossi: "House Bill 362, a Bill for an Act to amend the Minority and Female Business Enterprise Act. Third Reading of the Bill."

Speaker Dunn: "Representative Lang."

Lang: "Thank you, Mr. Speaker. This is Representative LeFlores' Bill. With the Amendment, it would change current law as follows: Current law establishes that 12% of the total dollar amount of state contracts must be awarded to minority and female owned businesses. Of this... Of the 12%, 5% must be awarded to female-owned businesses and 2% must be awarded to minority and female-owned businesses that are owned and operated by at least one disabled person. As amended, this would change the numbers a little bit and would require that 15% of the total dollar amount of state contracts for insurance premiums and risk-management services be awarded to minority-owned businesses and 15 percent of the total dollar amount of those contracts be awarded to female-owned businesses, and I would move passage."

Speaker Dunn: "There being no one seeking recognition, the Gentleman moves for passage of House Bill 362; and, on that question, the Lady from Lake, Representative Andrea Moore.

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Representative Moore."

Moore, Andrea: "I would like to inquire of the Chair whether the Sponsor would yield for a question?"

Speaker Dunn: "He indicates he will."

Moore, Andrea: "Isn't it true that this decreases the proposed requirements of the amount of insurance contracts for minorities?"

Lang: "No, it does not decrease them. It... It's...a lesser amount than the original Bill, but it's now 15 and 15. The current amount is 12% for both together. This would be 15% each. And this would be a goal, not a requirement."

Moore, Andrea: "It was my understanding that that it was to decrease the amount for minorities."

Lang: "Well, again... As you know, this is Mr. LeFlores' Bill, but my understanding is that that's not the case. What I've said is the case."

Moore, Andrea: "Could you take it out... Would the Sponsor be willing to take it out of the record till Mr. LeFlore can answer?"

Lang: "Mr. LeFlore, I don't think we will expect to see very shortly, and I think on his behalf, I would like to...proceed with the Bill."

Speaker Dunn: "The Chair would indicate Representative LeFlore is seriously ill."

Moore, Andrea: "Yeah. I'm sorry. I didn't understand that."

Speaker Dunn: "Have you concluded your remarks, Representative Moore?"

Moore, Andrea: "Yes, thank you."

Speaker Dunn: "The question is, 'Shall House Bill 362 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? Have all voted who wish? Mr. Clerk, please take the

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record. On this question, there are 90 voting 'aye'; 24 voting 'no', 0 voting 'present'; and House Bill 362, having received the required Constitutional Majority, is hereby declared passed. House Bill 655, Representative Mautino. Out of the record. House Bill 1067, Representative Hicks. Representative Hicks. House Bill 1067. You wish to have the Bill called, Sir? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1067, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Dunn: "Representative Hicks. Out of the record. House Bill 1511, Representative Parcells. You wish to have your Bill called? Mr. Clerk, please read the Bill. House Bill 1511. Please read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1511, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Dunn: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill corrects a discrepancy in the code to provided a uniform penalty of 9% for late payment of individual health insurance group dental claims. Right now, some are at eight, some are at nine. This will make them all 9%. And I would ask for your positive vote."

Speaker Dunn: "There being no...no further...further discussion, the question is, 'Shall House Bill 1511 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. Wait hold on. Mr. Clerk, please take the record. On this question there are 112... Representative Moseley wishes to vote 'aye'. Representative Rutherford. Representative Rutherford. He has his light on. For what purpose do your rise, Sir? Representative... The Gentleman from Livingston,

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Representative Rutherford, are you seeking recognition? No, he's not. The Gentleman from Cook, Representative Walsh wishes to vote 'aye'. Are there any others who wish to vote 'aye' Or 'no'? Now Mr. Clerk, please take the record. Mr. Clerk, vote Representative Frias 'aye'. Are there any others? Has everyone voted a wish, now? Now Mr. Clerk, please take the record on this Bill. On this Bill, there are a 116 voting 'aye', 0 voting 'no', 0 voting 'present'; and House Bill 1511, having received the required Constitutional Majority, is hereby declared passed. House Bill 1789, Representative Laurino. Do you wish to have your Bill called, Sir. Representative Laurino? Representative Laurino. Do you wish to have your Bill called, Sir? Out of the record. House Bill 1829, Representative Hicks. Out of the record. House Bill 2353, Representative Granberg. Out of the record. Special Order of Business, Elections and State Government, Third Reading, page 27 of the Calendar, appears House Bill 476, Representative Curran. House Bill 476. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 476, a Bill for an Act amending the State Employees Group Insurance Act of 1971. Third Reading of the Bill."

Speaker Dunn: "The Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an agreed Bill with the Department of Central Management Services. Amendment on it provides a way in which state employees can drop out of the state group health insurance program voluntarily...at an obvious savings...at a savings in costs to the state. The reason this legislation is necessary is because the State pays its bills so late that some state employees need the

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opportunity to actually drop out of the state employee...the state group health insurance so that their spouses' insurance can cover them better and more readily. With the Amendment that's been put on, it allows the Department of Central Management Services to make...rules and regulations regarding how those employees might get back on state group health insurance if that other coverage ever left them. This Bill is a agreed Bill."

Speaker Dunn: "On the question, the Lady from Lake, Representative Andrea Moore."

Moore, Andrea: "Thank you, Mr. Speaker. Will the Sponsor yield for a question, please?"

Speaker Dunn: "He indicates he will."

Moore, Andrea: "Representative Curran, since the Amendment has been placed on this Bill, has CMS been consulted and are they in agreement?"

Curran: "It's their Amendment."

Moore, Andrea: "Is it the same as Senator Hasaras'?"

Curran: "The Amendment is the same as Senator Hasaras'."

Moore, Andrea: "Thank you very much."

Speaker Dunn: "The question is, 'Shall House Bill 476 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? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 100...110 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 476, having received the required Constitutional Majority, is hereby declared passed. House Bill 494, Representative Sheehy. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 494, a Bill for an Act to amend the State Fire Marshal Act. Third Reading of the Bill."

Speaker Dunn: "Representative Sheehy. Please proceed."

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Sheehy: "Mr. Speaker, House Members. House Bill 494 amends the State Fire Marshal Act to direct the State Fire Marshal to adopt standards to...the operation of private fire-fighting units. It provides that no unit of local government, fire protection district, or agency may contract with any private fire-fighting units to provide fire protection unless that unit has been certified with the standards. And I'll accept any questions."

Speaker Dunn: "On the question, the Lady from Lake, Representative Andrea Moore."

Moore, Andrea: "Thank you, Mr. Speaker. ...To the Bill. I don't have a question, but...this issue of privatization is an issue that local governments are going to have to face over and over again. This particular Bill makes it more restrictive for a private entity to provide fire-fighting services without this certification, which is a more restrictive requirement than those that are placed on units of local government fire departments. So what it does, is make privatization more difficult; and, for that reason, I would oppose this Bill."

Speaker Dunn: "Representative Sheehy, to close. The Gentleman from Cook, Representative Sheehy."

Sheehy: "What we're doing here is... We want to make sure it's a level playing field out here. We want to make sure with privatization comes to this state and across this country, that these fire-fighter units that are out there contracting for profit only are certified, and they're capable...of providing the services they say they're providing. And I ask you to vote 'yes' for this. We want to make sure that our safety is at their hands when they're out there protecting us. And again, I ask you to vote yes for this...Bill."

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Speaker Dunn: "The question is, 'Shall House Bill 494 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? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 84 voting 'aye', 29 voting 'no', 1 voting 'present'. House Bill 494, having received the required Constitutional Majority, is hereby declared passed. House Bill 712, Representative Saltsman. Out of the record. House Bill 1108, Representative Ronen. Representative Ronen. Out of the record. House Bill 1202, Representative Currie. Representative Currie. You wish to call... Out of the record. House Bill 1625, Representative Prussing. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1625, a Bill for an Act in relation to truth in budgeting notes. Third Reading of the Bill."

Speaker Dunn: "Representative Prussing."

Prussing: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1625 consolidates a number of other...fiscal note Acts into one law, and this would provide a statement of the budget effect, whether it's at the state level or local level of any law that we pass, and I think it's an excellent idea, and I recommend its passage."

Speaker Dunn: "On the question, Representative Black."

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

Speaker Dunn: "Indicates she will."

Black: "I can't hear a thing in here. Can you hear anything, Mr. Speaker?"

Speaker Dunn: "What'd you say?"

Black: "What?"

Speaker Dunn: "May we have some order in here, please? Proceed,

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Representative Black."

Black: "Thank you very much, Mr. Speaker. Representative, the only question that I have in regards to your Bill is, 'Why do we need any kind of...budget or fiscal note when we rule all of them inapplicable anyway?'"

Prussing: "That's a very good question. I think that we should...pay attention to the fiscal impact of everything that we do, and I think that this proposal by the Comptroller, Dawn Clark Netsch, would enable us to do that, and I would agree with you that we should live by this."

Black: "Would...would you be open to an Amendment in the Senate that would say that all fiscal notes...must be filed in a timely fashion and could not, under any circumstances, be ruled inapplicable by the Chair or a vote of this Body?"

Prussing: "I'm...I'm told that that would be unconstitutional."

Black: "Oh, all right. We could...we could send that to the Supreme Court and let them decide, but...but okay, I...I do appreciate your...your candor on the...on the earlier question. The only other question I have and I'll leave you alone, Representative, 'What's the fiscal note on this fiscal note Act? How much does this cost?'"

Prussing: "Twelve thousand dollars."

Black: "Twelve thousand dollars a Bill? 'Cause this...this..."

Prussing: "Twelve thousand dollars per year to implement this."

Black: "Now, this note has to be filed on every Bill. Is that...is that not what the Bill says?"

Prussing: "No, this is the fiscal effect of House Bill 1625 is... It's a question of printing, the estimate is \$20 weekly, truth and budgeting notes..."

Black: "Okay. I...I discourage the question."

Prussing: "...For \$2,000, and the services, the review of a staff person in preparation of the updates would be \$10,000, so

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the total is \$12,000."

Black: "Okay. Okay. Let me focus in on that, because I didn't ask the question in the right way. According to our notes, a truth in budgeting note shall be prepared for every Bill, with exceptions. Does your Bill outline those exceptions?"

Prussing: "It is only a Bill that increases or decreases expenditures or revenue."

Black: "Okay. I...I was a little concerned with the number of Bills we file. If we had to file a note on every one of 'em, I bet it would cost more than \$12,000, but...okay, I...I see what you're trying to do and maybe...who knows, maybe it'll even put some teeth in our fiscal note process. So, thank you very much, Representative."

Speaker Dunn: "Lady from Champaign, Representative Prussing, to close."

Prussing: "I think that we need this kind of...accountability, and I recommend that we vote 'yes' on this Bill."

Speaker Dunn: "Question is, 'Shall House Bill 1625 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this Bill, there are 113 voting 'aye', 2 voting 'no' and 0 voting 'present'; and House Bill 1625, having received... The Gentleman from McHenry, Representative Hughes or Lady, pardon me, the Lady from McHenry (I know better), wishes to be recorded as voting 'aye'. Now, Mr. Clerk, take the record. Well... Anybody else? Representative Biggins? Wish to record as voting 'aye'. Record Mr. Biggins as voting 'aye'. Any other voting requests? Now Mr. Clerk, please take the record. On this question, there are 115 voting 'aye', 0 voting 'no', 0 voting 'present'; and House Bill 1625, having received the

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required Constitutional Majority, is hereby declared passed. House Bill 1704, Representative Hicks. Out of the record. House Bill 1705, Representative Prussing. Out of the record. House Bill 1912, Representative Moseley. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1912, a Bill for an Act to amend the State Finance Act. Third Reading of the Bill."

Speaker Dunn: "Representative Moseley."

Moseley: "Thank you, Mr. Speaker. Although this Bill says it has to do with the State Bond Reform Act, it actually addresses certificate of participation, which the Central Management Services uses to acquire property over time. This Bill has had Amendments on that are now agreed to by the Department of Central Management Services. It's an initiative of the Comptrollers' Office. It simply says... It simply says that when we use COPs, we have to bid them competitively and show that they are more cost effective than acquiring the property in another manner. I ask...for your favorable...consideration."

Speaker Dunn: "The Gentleman from Vermilion, Representative Black, on the question."

Black: "Yes. Thank you very much, Mr. Speaker. This is a very timely Bill because we just passed a new Fiscal Note Act. I have an inquiry of the Chair. Is the fiscal note requested, as amended, on this Bill been filed?"

Speaker Dunn: "Mr. Clerk?"

Clerk Rossi: "A fiscal note, as amended note, has not been filed on the Bill."

Black: "It has not been filed? Well, for heavens sake. Surely, we won't rule it inapplicable. Well, how did it get to Third Reading? Very, very, very out of it. This is very strange. I am outraged, appalled, chagrined, tired, shocked. How did

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this get to Third Reading without that fiscal note being filed? And I...I'm sure I'm joined by this and Representative Prussing. This was... This was her Bill..."

Speaker Dunn: "The Chair will...will..."

Black: "You take this under advisement?"

Speaker Dunn: "The Chair will undertake your inquiry and... In the meantime, would you address the Bill, please?"

Black: "Thank you."

Speaker Dunn: "The Lady from Sangamon, Representative Moseley, to close."

Moseley: "I'd just like to address Representative Blacks' concern. We requested a fiscal note on April 12th in a hand-delivered note. We have not had a response. It's past the statutory five days, so I would say that we tried to comply with the request but weren't able to do so."

Speaker Dunn: "Thank you. The question is, 'Shall House Bill 1912 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? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 84 voting 'aye', 29 voting 'no', 2 voting 'present'; and House Bill 1912, having received the required Constitutional Majority, is hereby declared passed. House Bill 2004, Representative Dart. Representative Dart. You wish to call your Bill, Sir? Out of the record. House Bill 2097, Representative Curran. You wish to call your Bill, Sir? Representative Curran, you wish to call your Bill? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2097, a Bill for an Act to amend the Voluntary Payroll Deductions Act of 1983. Third Reading of the Bill."

Speaker Dunn: "Representative Curran."

Curran: "(House Bill) 2097, the original Bill amended the

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Voluntary Payroll Deductions Act, required that a soliciting organization disclose to state employees its receipts from all sources, rather than receipts just from state employees. Amendment #2 increased the period in which state warrants may be cashed, and increased the period in which the Comptroller may reissue voided warrants to five years from three years, provides that no person shall be entitled to get a fee for discovering a warrant until it's been voided for a year...and permits the Comptroller to issue a replacement warrant for less than \$500; the amount was \$25. I'll be glad to answer any questions. I don't know of any opposition to this Bill."

Speaker Dunn: "There being no one seeking recognition, the question is, 'Shall House Bill 2097 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? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 112 voting 'aye', 0 voting 'no', 2 voting 'present'. House Bill 2097, having received the required Constitutional Majority, is hereby declared passed. House Bill 2101, Representative LeFlore. Is someone handling House Bill 2101 for Representative LeFlore? Is anyone prepared to handle House Bill 2101 for Representative LeFlore? Well, let's take... Yeah, Representative Curran, you're hyphenated joint Sponsor, I believe. Are you...prepared to handle this Bill, Representative Curran, for Representative LeFlore? Mr. Clerk, please read House Bill 2101."

Clerk Rossi: "House Bill 2101, a Bill for an Act concerning consolidation of state agencies. Third Reading of the Bill."

Speaker Dunn: "The Gentleman from Sangamon, Representative

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Curran, on the Bill."

Curran: "This is Representative Bob LeFlores' Bill. It creates a task force within the Governor's Office to report to us and the executive and legislative agencies upon the consolidation of those agencies. ...What we're trying to do here is streamline government. I believe that Gov...Representative LeFlores' efforts are well-intended and right on the mark. What would happen is this task force would report to us...as well as the Directors of the effected agencies. I'll be glad to try and answer any questions."

Speaker Dunn: "There being no one seeking recognition, the question is, 'Shall House Bill 2101 pass?' Those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 115 voting 'aye', 0 voting 'no', 0 voting 'present'; and House Bill 2101, having received... Representative Hawkins wishes to be recorded as voting 'aye'. Are there others who wish to be recorded as voting? Now Mr. Clerk, let's finally take the record here. There... On this question, there are 116 voting 'aye', 0 voting 'no', 0 voting 'present'; and House Bill 2101, having received the required Constitutional Majority, is hereby declared passed. House Bill 2205, Representative Dart. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 2205, a Bill for an Act creating the Attorney General Contributory Trust Fund. Third Reading of the Bill."

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

Dart: "Thank you, Mr. Speaker. This Bill would provide statutory mechanism to move federal or state program dollars to the

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Attorney General's Office to pay for the enforcement component. Most other agencies have this mechanism. They don't have it presently. It went through committee with no opposition, and I move for its passage."

Speaker Dunn: "There being no one seeking recognition, the question is, 'Shall House Bill 2205 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 113 voting 'aye', 2 voting 'no', 0 voting 'present'; and House Bill 2205, having received the required Constitutional Majority, is hereby declared passed. Special Order of Business, Elections and State Government, Second Reading, page 5 of the Calendar, House Bill 103, Representative Novak. Out of the record. House Bill 140, Representative Schoenberg. Out of the record. House Bill 660, Representative Schoenberg. Out of the record. House Bill 791, Representative Edley. Representative Edley? You wish to call your Bill, Sir? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 791. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Edley."

Speaker Dunn: "The Gentleman from McDonough, Representative Edley, on Floor Amendment #1."

Edley: "Thank you, Mr. Speaker. This is kind of a technical Amendment that's...that...when it's applied, it puts the Bill in the same format that we passed it out of the House last year and...reduces the fiscal impact to zero."

Speaker Dunn: "The Gentleman moves for adoption of Floor Amendment #1 to House Bill 791. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair,

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the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. House Bill 1201, Representative Currie. Representative Currie, you wish to call your Bill? Out of the record. House Bill 1228, Representative Curran. Mr. Clerk... You wish to call your Bill, Sir? Representative Curran? You wish to call your Bill? Out of the record. House Bill 1460, Representative Edley. Representative Edley? Do you wish to call your Bill, Sir? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 1460. The Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Floor Amendments, but a fiscal note has been requested by Representative Wennlund."

Speaker Dunn: "Has the fiscal note been filed?"

Clerk Rossi: "The fiscal note has not been filed."

Speaker Dunn: "Alright, the Bill shall be held on the Order of Second Reading. Rep... The Gentleman from McDonough, Representative Edley, for what purpose do you rise?"

Edley: "It's well over a week old, I think, and I would move that it's...inapplicable."

Speaker Dunn: "The Gentleman moves that the...fiscal note is inapplicable. Representative Wennlund, on the Motion."

Wennlund: "Well, Mr. Speaker, I thought we just decided that Dawn Clark Netschs' idea of having a fiscal note on every Bill was the correct thing to do. And obviously, just by the title of this one, there's an obvious fiscal impact. ...I want a Roll Call Vote on this Motion."

Speaker Dunn: "The Gentleman requests a Roll Call Vote. On the question, the Lady from Lake, Representative Andrea Moore."

Moore, Andrea: "Mr. Speaker, point of order. You had already made

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your ruling on this fiscal note, and said that the Bill should be held on Second Reading as a fiscal note was in order."

Speaker Dunn: "The Parliamentarian... Yeah, the Parliamentarian advises me his Motion is timely. Is there further discussion on the Motion? If not...the question is, 'Is the fiscal note inapplicable?' And a Roll Call Vote has been requested. The voting is open. Have all voted who wish? Have all voted who wish? The Gentleman from Vermilion, Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker. How is Representative Prussing recorded on this Bill? Oh, I see. Okay. Thank you."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this quest... On this question, there are 65 voting 'aye', 50 voting 'no', and the Motion is adopted. Mr. Clerk, please move the Bill to the Order of Third Reading. House Bill... House Bill 1460 is on the Order of Third Reading. House Bill 1745, Representative Rotello. Out of the record. House Bill 2081, Representative Giolitto. Representative Giolitto? Out of the record. Special Order of Business, Education, Second Reading, page 12 of the Calendar, appears House Bill 1087, Representative Churchill. Representative Churchill? Out of the record. House Bill 1165, Representative Hoffman. Representative Hoffman? Out of the record. House Bill 1192, Representative Currie. Representative Currie? Out of the record. House Bill 1237, Representative Morrow. Representative Morrow. Out of the record. House Bill 2107, Representative Levin. Do you wish your Bill called, Sir? Do you wish your Bill called, Sir? Mr. Clerk, please read the Bill."

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Clerk Rossi: "House Bill 2107. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Levin."

Speaker Dunn: "Representative Levin. Representative Levin, on Floor Amendment #1."

Levin: "An inquiry of the Clerk. Is Amendment #2 printed and distributed?"

Speaker Dunn: "Mr. Clerk?"

Clerk Rossi: "Amendment #2 is printed and distributed."

Levin: "What about Amendment 3?"

Clerk Rossi: "Amendment 3 has not been printed and distributed."

Levin: "Okay, then...if you can just read it on Second and then hold it...then we'll come back to it. Okay. Take it out of the record then."

Speaker Dunn: "The Bill shall be taken out... The Bill shall be taken out of the record. Let's back up to House Bill 1237, Representative Morrow. Mr. Clerk, please read that Bill. House Bill 1237, Sir."

Clerk Rossi: "House Bill 1237. 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 Morrow."

Speaker Dunn: "Representative Morrow, on Floor Amendment #2."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 is an Amendment that was drafted at the request of AFSCME, which represents the city colleges, community colleges of Chicago. Requires that all the adult education teachers who are teaching courses at community-based organizations receive a wage that is not less than what that teacher would make at a community college. The Amendment also requires that the community-based organization pay...amounts for

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fringe...benefits, insurance and pensions. I urge to adopt Floor Amendment #2 to House Bill 1237. Be glad to answer any questions."

Speaker Dunn: "The Gentleman moves for adoption of Amendment #2 to House Bill 1237. Those in favor say 'aye; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. Education, Second Reading. House Bill 2198, Representative Hawkins. Representative Hawkins, you wish to have your Bill called? Mr. Clerk, please read the...Bill."

Clerk Rossi: "House Bill 2198. The Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions Filed. No Floor Amendments."

Speaker Dunn: "Third Reading. Special Order of Business, Education, Third Reading, page 25 of the Calendar, appears House Bill 188, Representative Edley. You wish to have your Bill called, Sir? Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 188, the Bill for an Act amending the Board of Higher Education Act. Third Reading of the Bill."

Speaker Dunn: "The Gentleman from McDonough, Representative Edley."

Edley: "Thank you, Mr. Chairman, Ladies and Gentlemen of the General Assembly. This is the line-item budgeting Bill for higher education. As Chairman of the Appropriation Committee, I...and having served on the Education Appropriation Committee over the last five years now, I've...I've been kind of frustrated by the fact that when we get the budgets for these colleges and universities, there's very little...very little detail that we have and

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discretion in their budgeting. As an example, for the University of Illinois, one line-item, one line-item for personal services is over \$400 million. I think that what we need is more accountability from our colleges and universities. I know the Governor is trying to make some governance changes, but I think the General Assembly has a responsibility to ensure that the taxpayers' money is being expended for those kinds of university functions that our taxpayers want them spent on. Over the last few months, the State Board of Higher Education has reviewed how our state-appropriated funds were used over the last decade. And even though there was a significant increase in state money flowing to our colleges and universities, the instruction function actually should, in constant FY 1990 dollars, a decrease, while money being used for research and administration showed significant increases, well over 20%. I think we need this kind of oversight, and I think we have demonstrated that we have bipartisan...support on this Bill. And I would urge an 'aye' vote."

Speaker Dunn: "On the question, the Gentleman from McLean, Representative Brady."

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

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

Brady: "Representative, can you tell me what this will do that we currently can't do right now?"

Edley: "Excuse me. I couldn't hear you."

Brady: "Will you tell me what this will do that we can't currently do right now?"

Edley: "What this will do is... The universities report their budgets...to the Board of Higher Education using a ramp classification. And what we would be doing would be...budgeting...along six...different functions of

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the...the university."

Brady "Can't we do that right now?"

Edley: "The problem is that we really...we don't have the staff...support here necessary to...to go through these budgets and break them out ourselves. What this legislation would do...require that those budgets be submitted...by the universities...through the Board of Higher Education to the Legislature in aff...in a more detailed format."

Brady: "If we require this of those universities..because we don't have the staff to do it, wouldn't this cause them to have to spend more money on staffing so that they could do it, and then reduce the dollars that could actually go into the classroom?"

Edley: "They are presently doing it now in their submission to the...BHE, and we require other state agencies to do similar kind of breakouts, so I... You know, there's one thing I..."

Brady: "They're presently doing this in exactly that format, Representative?"

Edley: "Let me... Let me just finish the point that I was going to make. ...I don't think there's any state agency or department that compiles more financial data than our colleges and universities. They have the data in minute detail, already. The problem is we don't have that in their budgeting; consequently, they aren't constrained by our...our directions. We are budgeting in buckets to these colleges and universities and the historical data demonstrates that instead of putting the money into instruction, into the classroom so that our college students can graduate in...a normal four-year cycle, much of this money has been diverted into research and administrative bloat."

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Brady: "Mr. Speaker, to the Bill. This...piece of legislation, although it sounds like good government, in my estimation and in my opinion, it is more of a harassment Bill to the universities. We ask them to budget and they provide us with the information, but this doesn't guarantee that the way they'll provide it to us is the way we want anyway. We may choose next year to want it a different way. I think we've got adequate information. It's up to us to work with that information and then appropriate accordingly. And I speak in opposition."

Speaker Dunn: "On the question, the Gentleman from Cook, Repre... Coles, Representative Weaver."

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

Speaker Dunn: "Indicates he'll yield."

Weaver: "Representative, I...I think I agree in principal with what you're attempting to do, but to help me better understand what this is gonna require, will this essentially require each of the universities to change their accounting system so that they can represent this...this...these figures in the categories that you've identified?"

Edley: "I don't think so because like I said earlier, they're already reporting this data...to the BHE in...along these ramp...classifications."

Weaver: "Now the classifications that you're asking for, say to divide between research and instruction, administration, and so forth, a couple of other categories..."

Edley: "Right. Support, institutional support."

Weaver: "Public Service. If... Just as an example, say the University of Illinois, which has a medical school, and SIU which has one right here in town, if one of their teaching

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positions...conducts an operation, how would that fall into the classification? Would that be research? Would that be instruction? Or would that be public service?"

Edley: "Well, I think we... They...they certainly have certified public accountants that could probably make those kind...minute kind of details, Representative I...I...I'm not a CPA, so I don't know how that would actually flow through. I'm certainly willing to...work with...the colleges and universities when this Bill gets over to the Senate. If they have any...suggestions. I...I...I...requested...suggestions from them...and...and they have not come forward as yet with them. So, I...I'm certainly willing to make some changes to this...down the road, but as of right now, I think this Bill is in the kind of format that...that...sends a clear message that...the Legislature needs more oversight."

Weaver: "Thank you. Mr. Speaker, to the Bill. Ladies and Gentlemen, I...I have absolutely no quarrel. As a matter of fact, I think I probably endorse the Gentleman's' approach, or at least his intent to try and get a better handle on how the money is spent at our university systems. We have been really trying to dig and find out exactly where this money goes for quite sometime, and have not been all that successful. I...I think maybe the form of the Bill is still in its infancy, and we still need to work on it a little bit. I hope that the Sponsor is correct that the message has been sent that perhaps we could sit down with the university people and at least the Board of Higher Education and get some more meaningful figures from them. But I think at this point, it's a little bit early yet and maybe premature in the way the Bill is drafted. But I agree with the intent."

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Speaker Dunn: "The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. I see this as an issue of accountability and priorities. Now, who's...who's to set the priorities for the universities? Should it be the elected people of the state, the people that are elected by the citizens of the State of Illinois, the Governor and the General Assembly, or should it be the bureaucracies in the various institutions that have their own agenda and have their own people that they want to protect? Now, it seems to me that if we ask every other state agency to come in here and to show us line item by line item how they expect to spend their money, then we should expect the same thing from our universities. It's... It's just a question of asking them to tell us what they want this money to be spent on. Now, I would say that we in this Legislature would want to see the money spent on classrooms and not on administration. But as Representative Edley has said, that because of the system that they have in place now, these people that run the universities have been able to spend more and more money on administration and less and less money on classrooms for our kids. So, the priorities are wrong over there. We, as elected officials, have to take hold of this situation. We have an obligation to see that the priorities are met and, in my opinion, the only way we're gonna get this done, is if we make these universities line item these appropriations when they come to us. Then we can look 'em over, and if we don't like those priorities, if we say there's too much money being spent in administration, we can change those priorities and redirect the money towards the classrooms. So, let's take control of the universities here in Springfield to make

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sure that they spend the money in the right priority and that they're accountable to us and to the people of this state. This is the kind of Bill that we need to make government work better. I know that I-SEARCH, which is a student group, has endorsed this program because they feel frustrated as well as we do. And I think we should all get behind this approach and send this Bill over to the Senate. Thank you."

Speaker Dunn: "The Gentleman from DeKalb, Representative Wirsing."

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

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

Wirsing: "Representative, I'm wondering if... Can't we take the existing system that we have...have and massage it a little bit...and draw out of it what you're...what you're asking for here?"

Edley: "Well, we...we're not changing...their system...that they report to the BHE. They report under these ramp classifications currently. What we're doing is when they present their budget, that they have to present their budget using what is their own accepted accounting system. Instead of appropriating in buckets... Like I said earlier, for the U of I, we appropriate one line item for over \$400 million from...for...personal services, and that can be spent on a plumber, on a teacher, on a lab technician, or on a secretary. And...And I think...that we need more oversight given the fact that over the last decade, much of the money has been diverted away from instruction into other functions of the universities."

Wirsing: "But can't we...take the current system, because I think that the line item process is there, and...like I say, massage it, rather than rewriting the whole...the whole

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system, to..."

Edley: "Let me say..."

Wirsing: "To...to...to get us so that we don't end up with reams and reams of paper that takes hours and staff time in order to go through."

Edley: "Well, we certainly can make the changes through the appropriation process ourselves. I would rather not do that. I would rather have the universities have their financial...staff make their...budget requests in the format that we...that we think is proper. And...I know voters in...have for years been saying that they want state government more accountable. I know I come from a university community and I get it all the time from my constituents that they think there's a lot of waste out there. ...And unless we have...the structure in the budgeting process, there's no way that we can...make the changes that may be necessary."

Wirsing: "To the Bill, Mr. Speaker. My concern is the disruption and the cost in gathering what you're asking for, and that the Bill itself, for me at least, is not...is not definitive enough to give a good direction when we're asking the very system, as you're suggesting, the universities to come forth with a...with a better reporting system. I think that the direction needs to come from here as to what we really want, and then that gives policy to the universities to develop that so that they can fulfill what the request is from...from this Body. And that's the problem I have with the Bill as it now exists. Thank you."

Speaker Dunn: "The Lady from St. Clair, Representative Younge."

Younge: "Thank you very much, Mr. Speaker. I just wanted to quickly and briefly say that I think that Representative Edley has an excellent Bill, and I think that we ought to

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all be supporting it. I think that the...what the intent is is clear, and that is, to have a line-item budget in which you know how exactly how the money is gonna be spent. There is no question but that in this system, the system of higher education, ...there is a tendency to have a...just a...lopsided over high paid, top administrative type of structure. And the other employees are left out of the raises. They're left out of the fair treatment of a equitable raise. And I think that we need to take more control over deciding what the functions are. Generally the functions are instruction, research and public service. And I think that we ought to...hold them more accountable by having a line-item budget."

Speaker Dunn: "Representative Ryder."

Ryder: "Thank you. Would the Sponsor yield?"

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

Ryder: "Representative, you're familiar with the ISL forms that we get that from universities, or for that matter, departments or other agencies? Are you familiar with the ISLs?"

Edley: "They are... They aren't bound by those. They're only bound by what we pass out of here, and..."

Ryder: "Well, I'm not arguing yet? I'll tell you when I'm arguing..."

Edley: "What... What we get from them...isn't something that they have to live with. What they have to live with is what we vote for on the floor."

Ryder: "I take it then you are familiar with the ISL forms that all agencies, including state universities, complete so that our staffs can review what it is they are requesting. It's in far greater detail than the budget books provide. Are you familiar with those ISLs?"

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Edley: "Well, let me say that...that the process by...by the BHE's own...own review, I don't think if we are familiar with them, that we have the kind of input that is necessary to ensure that what they're putting in these ISLs is what they're...what they're actually expending. The history has been...I know that there's a number of people here that voted for a surtax that they thought was gonna go to fund classroom instruction, when...when what happened was, instead of putting the money in the instruction function, the put it in the Administrative and Research."

Ryder: "Ron, he doesn't know what it is. Excuse me, to the Bill, if I may. ISL is a document (Illinois State Legislature) it's a combined document that is used by our staffs to obtain information from departments, agencies, or in this case, universities. It gives to our staffs, and they're available, we look at them all the time, a line-by-line breakdown of how it is the universities are going to spend their money. Now, we are the folks that appropriate the dollars. If we choose to appropriate dollars in a single lump sum, then that's our fault, and we can change it next week when we pass the budget for education or when we pass the budget for any other agency. But to suggest somehow that we are victims of the universities because they give us information...and their budget Bill... We're the controllers of the budget. We're the ones that decide those issues. The ISL forms break down line-by-line, dollar-by-dollar. That is the information that the universities, in this case, give to us as to how they're spending their money. Now, I would suggest that...if the Sponsor of this Amendment wishes to sugg...indicate that we should pass a budget that is not a lump sum, but we should have line-by-line, that's fine. We can do that. The problem

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that we run into... For example, with the University of Illinois, split campuses. We have to divide campus by campus. Split personnel. Perhaps a secretary is shared by one department or one agency within the university with another. In addition to that, you have federal funds. You have state funds, you have contractual funds; all of which have to be accounted for. And if we wish to be accomplishing what is indicated here, then let's get serious about that. But don't blame the university for not giving us the information, because they are. They answer, and the ISLs, which is our questionnaire that the university fills out. After we review it, they are in committee and we have the opportunity to get the commitment in committee or on the floor when we do a line-by-line budget. We're the ones, in the Legislature, that have the control over that. To suggest that the university is somehow not doing their job here or that we're not getting the information, just not understanding the system. Thank you, Mr. Speaker."

Speaker Dunn: "The Gentleman from St. Clair, Representative Flinn."

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

Speaker Dunn: "Gentleman moves the previous question. The question is, 'Shall the main question be put?' Those in favor of the Motion signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. The Motion carries. Representative Edley, to close."

Edley: "Of course we can break out the ISLs and put 'em in our budget, and we very well may do that when we get 'em over from the Senate. What I'm saying is that when they submit the budget, it should be in a more detailed format, and for them to say, 'Well, this is how we plan to spend it', and

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for us to vote a gross amount of money for them to expend that money on it, they are not held accountable...only for what we vote on in the budget, and they can change those line-items any which way they want to. I don't think it was the intent of the Legislature that over the last decade that even though we increase the state-appropriated funds for our colleges and universities by over 11%, that the funds flowing into instruction was actually reduced, reduced by tens of millions of dollars. I don't think that was the intent of the Membership, and to what I'm saying is that we should have a more detailed account by the functions of instruction, research and et cetera, so that we can ensure that the university spend within those parameters. I would ask for an 'aye' vote."

Speaker Dunn: "The question is, 'Shall House Bill 188 pass?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Gentleman from Will, Representative Meyer, to explain his vote. One minute. Representative Meyer. Let's turn Representative Meyer on at Representative Wojcik's desk, please."

Meyer: "Thank you, Mr. Speaker. To explain my vote. First of all, I want to say that I agree with the Representative here on this Bill. I think it's high time that we do send the message that we want better information and better presented information. For all the freshmen here, I want to tell you that I come from local government, and if I sit down with a Bill...with a budget and I don't have a line-by-line notation of how that money is going to be spent, I'm not going to pass on it, and probably one of the most frustrating times of my life was when I sat through the Education Appropriation Committee meetings and I heard nothing but pure bolderdash. Extremely frustrating. I

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would work with you on this Bill, and I vote 'aye'."

Speaker Dunn: "The Lady from Sangamon, Representative Moseley, to explain her vote. One minute. The timer's on. Representative Moseley."

Moseley: "Thank you, Mr. Speaker. To explain my vote. I think the... Although I had many good reasons to vote for this Bill to begin with, the most telling reason that made me vote for this Bill was when I talked to a legislative liaison from one of the major universities who asked me, who did I think should determine how the money was being spent at our universities, the academics or the Illinois General Assembly? A vote 'yes' on this Bill is a vote for the Illinois General Assembly to determine how our money is being spent on our universities. Thank you."

Speaker Dunn: "The Lady from Champaign, Representative Prussing. One minute to explain your vote."

Prussing: "Mr. Speaker and Ladies and Gentlemen of the House. To explain my vote, I represent the district that has the Urbana-Champaign campus of the University of Illinois. I am not interested in micro-managing the university, but coming from local government, I think it is quite reasonable that we have a budget by major categories so we know, for example, what administrative costs are."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 85 voting 'aye', 27 voting 'no', 4 voting 'present'; and House Bill 188, having received the required Constitutional Majority, is hereby declared passed. House Bill 593, Representative Monique Davis. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 593, a Bill for an Act to amend the School Code. Third Reading of this Bill."

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Speaker Dunn: "Representative Davis."

Davis: "Thank you, Mr. Speaker. House Bill 593 is a Bill that comprises a group of a committee to deliver services in reference to adult education. The State Superintendent of Education would serve as the chairperson on that committee. There will be a representative from city college, Chicago Board of Education, community-based organizations, Department of Public Aid, someone from the Mayor's Office, civic groups and the city colleges, and the purpose of this legislation is that this group report to the General Assembly on what the needs are, what the oversight should be, and how to assess and recommend for the adult education program."

Speaker Dunn: "The question is, 'Shall House Bill 593 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 112 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 593, having received the required Constitutional Majority, is hereby declared passed. Now, we have an announcement of some significance for Democrats, and I hope no one is trampled in the stampede, but the pizza is here. House Bill 658, Representative Currie. Out of the record. House Bill 730, Representative Steczo. Out of the record. House Bill 1089, Representative Churchill. Representative Churchill. House Bill 1089. Out of the record. House Bill 1195, Representative John Dunn. Out of the record. House Bill 1932, Representative Phelan. Do you wish to call your Bill, Sir? Out of the record. House Bill 2027, Representative Turner. Representative Turner. Out of the record. House Bill 2105, Representative Levin.

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Representative Levin. Out of the record. House Bill 2249, Representative Mary Flowers. Representative Flowers. Out of the record. House Bill 2274, Representative Brunsvold. (House Bill) 2274. Out of the record. Let's go back to Representative Turners' Bill, House Bill 2027. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 2027, a Bill for an Act to amend the School Code. Third Reading of this Bill."

Speaker Dunn: "Gentleman from Cook, Representative Turner, on the Bill."

Turner: "Thank you, Mr. Speaker. This is a proposal that was given to me by the Chicago Board of Education, and what it does is it authorizes the use of free textbook taxes levied by the board to be able to...it allows them to use this textbook tax for other purposes than are authorized by the board, and I move for the favorable adoption of House Bill 2027."

Speaker Dunn: "Gentleman asks leave to return the Bill to the Order of Second Reading for the purposes of an Amendment. Is there objection? Hearing none, leave is granted. The Bill shall be placed on the Order of Second Reading. Mr. Clerk, are there Motions or Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Turner."

Speaker Dunn: "Representative Turner, on Floor Amendment #1 to House Bill 2027."

Turner: "Thank you, Mr. Speaker. Amendment #1 helped clarify what I was trying to say earlier. What it does is it allows the use of the taxes that's collected for textbooks to also be used to purchase school supplies, for the the Chicago board, and I move for the favorable adoption of Amendment #1 to House Bill 2027."

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Speaker Dunn: "Gentleman moves for adoption of Amendment #1 to House Bill 2027. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Dunn: "Third Reading. Special Order of Business, Housing and Economic Development, Second Reading, page 21 of the Calendar, appears House Bill 2142, Representative Moseley. Is Representative Moseley within earshot? Representative Moseley? Out of the record. Housing and Economic Development, Third Reading. House Bill 539, Representative Pedersen. Representative Pedersen? Out of the record. House Bill 648, Representative Pugh. You wish to call your Bill, Sir? Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 648, a Bill for an Act to amend the Illinois Housing Development Act. Third Reading of this Bill."

Speaker Dunn: "Gentleman from Cook, Representative Pugh."

Pugh: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 648 allows the Chicago Housing Authority to exclude certain types of earned income for the purpose of determining rent. Generally, the Housing Authority bases rent on 30% of the gross family income. Under this formula, as soon as the families' income increases, their rent also goes up. This serves as a clear disincentive to residents to earning income and remaining on public welfare. Under this Bill, residents who work with the authority or anti-drug or anti-crime programs or who become gainfully employed after six months or more of unemployment would for a period not have this amount calculated as part of their rent. I'm prepared to answer any questions, and I

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humbly request an 'aye' vote."

Speaker Dunn: "The Gentleman from McHenry, Representative Skinner, on the Bill."

Skinner: "Mr. Speaker, I rise in support. It's obviously a good idea to keep those people who are the most productive members of society in the Chicago Housing Authority longer than they would stay if this Bill doesn't pass. I'm going to vote 'yes'."

Speaker Dunn: "The question is, 'Shall House Bill 648 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. Hold it, Mr. Clerk. Mr. Clerk, please vote Representative Schoenberg 'aye'. Other requests? Mr. Clerk, please take the record. On this question, there are 114 voting 'aye', 0 voting 'no', 1 voting 'present'. House Bill 648, having received the required Constitutional Majority, is hereby declared passed. Let's back up now... Let's back up to House Bill 539, Representative Pedersen's' Bill. Representative Skinner will handle the Bill for Representative Pedersen. Mr. Clerk, please read House Bill 539."

Clerk McLennand: "House Bill 539, a Bill for an Act concerning the scientific evaluation of job training programs for disadvantaged persons. Third Reading of this Bill."

Speaker Dunn: "Gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker, I'm sure the first thing that Representative Pedersen would say were he here is Mr. Speaker, it's Pedersen, not Patterson."

Speaker Dunn: "Thank you, Mr. Skinner."

Skinner: "I wish to report first that I've been in touch with Bernie several times in the last couple of weeks. He is

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recovering from his operation. He says he is walking 30 minutes two times a day. I said, 'Bernie, that's more than you ever walked in your life. You must be getting really healthy'. He hopes to be able to return to Illinois in the near future and continue his recovery at home, and I'm hopeful that we'll see him before the end of the...before the end of May. This Bill is a Bill which Bernie...was brought to Bernie's attention by the Heritage Foundation in Washington, and what they're trying to do is to figure out...they want us to try to figure out whether job training works or not; that is if you go through job training that the Department of Public Aid sponsors, are you any better off than if you had not gone through Public Aid...a Public Aid training program? So, this Bill calls for a scientific evaluation of job training programs. The Department of Public Aid is opposed to the Bill, and that may be indeed, the best reason for voting for the Bill. I remember that the Director came before the Health Care Committee on which I serve, and testified that we could not have a worse welfare system if we had intended to design a worse health care...welfare system. What this Bill is an attempt to do is to find out what works and what doesn't work. I would ask for your support for this Bill."

Speaker Dunn: "On the question, the Gentleman from Cook, Representative Dart."

Dart: "Will the Sponsor yield, please?"

Speaker Dunn: "Indicates he will."

Dart: "Why is the department opposed to this Bill in particular?"

Skinner: "Well, I would prefer they speak for themselves. My interpretation of why they're in favor of it is because they don't want anybody looking at their empire."

Dart: "How is this scientific...why is this going to be more

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scientific study then?"

Skinner: "Because there will be a control. A control group."

Dart: "And who's going to give...who's going to be in charge of the Department of Public Aid?"

Skinner: "No, we're not going to let the Department of Public Aid study itself. I know from..."

Dart: "Who's going to be doing it, then?"

Skinner: "They will...somebody on the outside will be doing it. I'm at the present time trying to convince the Illinois Economic and Fiscal Commission that they might want to try to look at this."

Dart: "But as of right now, we don't even know who's going to do this study?"

Skinner: "Well, we just know who it's not going to be done by."

Dart: "And we're going to break these people down into random samples, different control groups, is that it?"

Skinner: "I'm sorry, I can't hear you."

Dart: "How is...you have in the Bill how this testing is gonna be conducted. Can you explain to me how this...you plan on having this done?"

Skinner: "Well, according to Robert Rector of the Heritage Foundation, there isn't enough money to train everyone, so some people will receive training, some people will be followed to find out whether they are able to get jobs any better if they don't have training."

Dart: "So, certain people from the study were going to determine...it's better off not even putting them in job training programs?"

Skinner: "Well, we want to find out whether that's the case."

Dart: "And this is a proposal of the Heritage Foundation?"

Skinner: "Yes, and it has been...it has been implemented in several states."

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Dart: "And the implementation of the other states, have they found a positive result as a result of it?"

Skinner: "You know, I just got the facts yesterday, so I haven't had a chance to get an answer back."

Dart: "This Bill was up in committee last year on two separate occasions and was defeated, correct?"

Skinner: "I'm sorry. I wasn't here last year."

Dart: "Okay. No further questions."

Speaker Dunn: "Representative Skinner, to close."

Skinner: "This Bill came to the Housing Committee and received virtually unanimous support, and for that committee, that's pretty impressive. I would ask for your support."

Speaker Dunn: "The question is, 'Shall House Bill 539 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Representative Younger, one minute to explain her vote."

Younger: "Thank you very much, Mr. Speaker and Members of the House."

Speaker Dunn: "Representative Morrow, one minute to explain your vote."

Morrow: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Yes, this Bill did come from the Housing and Economic Development Committee. It didn't fly out of my committee. There was some concerns on House Bill 539 that were raised as to who was going to run the research, which clients of Public Aid were going to be in this research, and those who weren't going to be in this research. I am rising to vote 'no' against House Bill 539, but it looks like it's flying, so I guess I'll just sit down and shut up."

Speaker Dunn: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the

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record. On this question, there are 102 voting 'aye', 8 voting 'no', 6 voting 'present'. House Bill 539, having received the required Constitutional Majority, is hereby declared passed. On the Order of Local Government, Third Reading, page 26 of the Calendar, appears House Bill 344, Representative Black. Do you wish to call your Bill, Sir? Out of the record. House Bill 609, Representative Saltsman. Do you wish to call your Bill, Sir? (House Bill) 609. House Bill 609. I'm sorry. Mr. Clerk, please read House Bill 609."

Clerk McLennand: "House Bill 609, a Bill for an Act to amend the Illinois Municipal Budget Law. Third Reading of this Bill."

Speaker Dunn: "Representative Saltsman."

Saltsman: "Yes. Thank you, Mr. Speaker. Due to the request of the Department of Revenue, they asked that I put a technical Amendment on this Bill, and I'd like to move it back to Second Reading to satisfy their needs."

Speaker Dunn: "The Gentleman moves for passage of House Bill 609..."

Saltsman: "Hold it. I'd like to move it back...leave of the House to move it back to put an Amendment on with the request of the Department of Revenue."

Speaker Dunn: "The Chair was distracted. The Gentleman requests leave to return the Bill to the Order of Second Reading for the purpose of an Amendment. Is there leave? Hearing no objection, leave is granted. The Bill shall be placed on the Order of Second Reading. Mr. Clerk, are there Motions or Floor Amendments?"

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

Speaker Dunn: "Representative Saltsman, on Floor Amendment #2."

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Saltsman: "Yes, thank you, Mr. Speaker. What this Bill does it takes the Retail Occupational Tax and it puts it in the same cycle when this Bill passes. It'll be filed for in October, start collecting in January and then the payments come, on a regular cycle as other taxes are done throughout the State of Illinois. So all this does is the Department of Revenue wants this to take and put this tax reception into the same cycle as other municipalities."

Speaker Dunn: "The Gentleman moves for adoption of Floor Amendment #2 to House Bill 609. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Dunn: "Third Reading. House Bill 703, Representative Ryder. Out of the record. House Bill 911, Representative Steczo. Out of the record. House Bill 1236, Representative Steczo. Out of the record. House Bill 1266, Representative Dart. Representative Dart. Out of the record. House Bill 1724. House Bill 1724, Representative Turner. Representative Turner. Out of the record. House Bill 1922, Representative Steczo. Out of the record. House Bill 2003, Representative Dart. Out of the record. House Bill 2311, Representative Mautino. Do you wish to call your Bill, Sir? Out of the record. Special Order of Business, Local Government, Second Reading. Local Government, Second Reading, page 5 of the Calendar, appears House Bill 109. House Bill 109. Representative McAfee. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 109, a Bill for an Act to amend the Mobile Home Landlord and Tenant Rights Act. The Bill has been read a second time previously. Amendment #1 was

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adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative McAfee."

Speaker Dunn: "Representative McAfee on Floor Amendment #2."

McAfee: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #2 provides for the mobile home ombudsman and the authority created in the Illinois Housing Authority. It provides that he will be the individual appointed by the authority to provide referral information. There are no investigative authorities, and this has been developed with the other Members on the Amendment. I ask for your support."

Speaker Dunn: "Gentleman moves for adoption of Floor Amendment #2 to House Bill 109. All those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair... Pardon me. Representative Black, on the... All those in favor of the Amendment say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Dunn: "Third Reading. House Bill 168, Representative Lang. Representative Lang? Out of the record. House Bill 175, Representative Capparelli. Representative Capparelli. Out of the record. House Bill 550, Representative Lang. Out of the record. House Bill 611, Representative Balanoff. Do you wish to call your Bill, Sir? What's your pleasure? Out of the record. House Bill 630, Representative Wojcik. Kay Wojcik. Do you wish to call your Bill? Mr. Clerk, please read House Bill 630 "

Clerk McLennand: "House Bill 630, a Bill for an Act to amend the Township Law of 1874. Second Reading of the Bill. Bill has been read a second time previously. Amendment #2 was adopted previously. Floor Amendment #3, offered by

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Representative Wojcik."

Speaker Dunn: "Lady from Cook, Representative Wojcik, on Floor Amendment #3."

Wojcik: "Yes, Mr. Speaker and Members of the House. Amendment #3 deletes 'or an independent public accountant', and reinstates 'certified public accountant'."

Speaker Dunn: "Lady moves for adoption of Amendment #3 to House Bill 630, and Representative Black, for what purpose do you arise?"

Black: "It's much too noisy in here, Mr. Speaker. I could not hear my friend and colleague tell me what Amendment is on this Bill. Is 1 on this Bill and 2's withdrawn and 3 goes on or 3 comes off and 2 goes on? Who's on first here?"

Speaker Dunn: "You missed an outstanding performance by Representative Wojcik, I'll tell you that. Mr. Clerk, what is the status of this...or the Amendments on this Bill, so we can clear this up?"

Clerk McLennand: "Amendment #2 has been adopted previously, and we are on House Amendment #3."

Speaker Dunn: "Representative Wojcik has proceeded on... Does that answer your question, Representative Black? Are we ready to adopt the Amendment then? Hearing no further discussion, the Lady moves for adoption of Amendment #3 to House Bill 630. Those in favor of the Amendment say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Dunn: "Lady from Cook, Representative Wojcik."

Wojcik: "Mr. Speaker, since we have been waiting for the Amendment to appear, I would ask now for leave to hear it on Third Reading."

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Speaker Dunn: "I'm sorry, we can't do that. We've adopted the Amendment. We can't do that tonight."

Wojcik: "All right. We will get at it tomorrow."

Speaker Dunn: "We'll try our best and..."

Wojcik: "Okay. Thank you."

Speaker Dunn: "...the Bill shall be moved to the Order of Third Reading. Mr. Clerk, House Bill 630 shall be moved to the Order of Third Reading. House Bill 1279, Representative Santiago. House Bill 1279. Out of the record. House Bill 128...well, pardon me. Let's back up. Do you wish to call House Bill... Mr. Clerk, please read House Bill 1279."

Clerk McLennand: "House Bill 1279, a Bill for an Act to amend the Downstate Forest Preserve District Act. The Bill has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Dunn: "Third Reading. House Bill 1282. Mr. Clerk, please read House Bill 1282."

Clerk McLennand: "House Bill 1282, a Bill for an Act to amend the County Jail Act. The Bill has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Dunn: "Third Reading. House Bill 2240, Representative Erwin. Please read the Bill, Mr. Clerk. (House Bill) 2240."

Clerk McLennand: "House Bill 2240, a Bill for an Act to amend the Illinois Library System Act. The Bill has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Dunn: "Third Reading. House Bill 2307, Representative Steczo. Out of the record. Special Order of...Special Order of Business, Business and Job Development, Third Reading...Business and Job Development, Third Reading,

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House Bill 2272, Representative Novak. Mr. Clerk, please read House Bill 2272."

Clerk McLennand: "House Bill 2272, a Bill for an Act in relation to service industry development. Third Reading of this Bill."

Speaker Dunn: "Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. For the purposes of the explanation of the Amendment that was added on this Bill, I wish to defer my...yield my time to Representative Granberg."

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

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2272, as amended, prohibits the Department of Financial Institutions from going back over an eight-year period using statistical estimation techniques in determining the amount to be reported by a holder of unclaimed property. We're trying to establish a time limit so that the department cannot go back longer than eight years to ask for audits. In the past they've gone back, they can go back up to 30 years and ask business people for audits. This...it's prepared by the Illinois Retail Merchants Association. I'd be happy to answer any questions."

Speaker Dunn: "Representative Black."

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

Speaker Dunn: "Indicates he'll yield."

Black: "Representative, I won't take much of your time. I recognize when an Amendment's pretty well been put on the tracks. If this Amendment in fact becomes law, what...what fund of Illinois state government could be the most

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adversely affected?"

Granberg: "Representative Black, it's my understanding that no fund will be adversely affected."

Black: "Where does the unclaimed moneys...disposition of unclaimed property any money in that account now, where does it go?"

Granberg: "The money currently would go to the state pension systems, but no money would be taken out of the pension systems by this legislation."

Black: "It looks to me in Amendment #2 that you are...that you are setting a date certain at which this property will not roll over and be disposed of as it currently is by the department."

Granberg: "Representative, we spoke with the representatives of the pension systems. They indicated that this was not...this had no fiscal impact."

Black: "That's not what they told me, Representative, but I respect your opinion. Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House. I would urge you to take a good look at this Amendment that basically now is the Bill. If you're going to change the Unclaimed Properties Act, you will have an adverse effect on the pension fund, because that's where these moneys now go. It's my understanding that this Amendment makes substantial changes in how unclaimed properties would revert to the pension fund, and when we are facing a \$12 billion unfunded liability in the pension system, to divert \$1 from the pension system doesn't make any sense to me, and I intend to vote 'no'."

Speaker Dunn: "Gentleman from Madison, Representative Stephens, on the question."

Stephens: "No. Mr. Speaker, we were on the Order of Second

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Reading earlier and we went to Third Reading."

Speaker Dunn: "We are on the Order of Business and Job Development, Third Reading."

Stephens: "Were we on the Order of Second Reading previous to this?"

Speaker Dunn: "Yes, we have done Second Readings off and on all afternoon."

Stephens: "Tradition in the House if not the rule, is that the bell ring when we go to Third Reading to gather everyone's attention rather than overlooking, we'd appreciate a more diligent observation of that rule. I am so happy. Thank you very much."

Speaker Dunn: "Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker and Ladies and Gentlemen. I am concerned about this Amendment, even though I am a Co-Sponsor on the Amendment. In discussions with a number of people now looking at this Amendment, I have concerns that there might be a significant impact on the pension funding systems which ultimately we are seriously considering as a problem within this Body. I hope that when this Bill goes over to the Senate, that our Senate colleagues will give it a close scrutiny and perhaps some modifications to the Amendment might be made over there so that, in fact, we can make sure that the teachers and other state employees who count on that pension system are not going to be impacted. I want to make sure that, in fact, Representative Granberg is correct that in fact this will have little or no impact, but I am nervous that with the new information perhaps that may not be and that we should be a little bit more deliberative in the Senate on this Amendment, and I want the Body to know that they ought to be watching this very carefully."

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people after a certain period of time. This is a good Bill, and I would ask your support."

Speaker McPike: "Representative McPike, in the Chair. The question is, 'Shall House Bill 2272 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Ryder, to explain his vote."

Ryder: "Thank you, Mr. Speaker, for the opportunity to explain my vote. I join with Representative Granberg in indicating to you that the purpose of this legislation is to work out the implementation of laws we've already passed. It is to try to meet with some understanding with the Department. It is in no consideration to hurt the pension system, and if it were, I would have withdrawn from the Amendment, and I'm sure that Representative Granberg would have done the same. Thank you."

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

Curran: "Thank you, Mr. Speaker. I had my light on earlier. I appreciate you giving me a chance to talk now. I talked to somebody from the Teacher's Retirement System and somebody from the Illinois Education Association. They were concerned that at the very least, the Sponsors of this Bill would agree in the Senate to deal with their concerns, so both the Teacher's Retirement System and the Illinois Education Association want to be sure that this good Sponsor makes certain that in the Senate words like 'intangible' which have not been adequately defined for either one of them or 'reasonable' which were not defined for them as they are trying to get an understanding in this legislation, were defined in such a way that it would not hurt the pension systems, and they have been concerned as late as about an hour-and-a-half ago, but I'm sure the Gentleman has spoke to those same representatives earlier

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Speaker Dunn: "Representative Granberg, to close."

Granberg: "Mr. Speaker and Ladies and Gentlemen of the House.

Let me clarify, so we can take some concerns from this. I respect Representative Black, as I always do, but this does nothing that can impact the pension funds. We shortened the reporting period for report...for holders of unclaimed property from seven to five years ago in 1992. We're not changing that. We're not changing that at all, so we're not changing that provision. We're not affecting the revenue stream. The only thing we're saying is, the department should not be able to go to a small business person after 25 years and ask them for an audit. This would prohibit the department from doing that. That's all.

We don't want the department going out to the private citizens and asking them for audits after 25 years. This merely puts a statute of limitations on how long they can do that. We're not changing the reporting time. We're not changing the revenue. I've talked to the pension people. They've indicated no change in revenue. This does not do that. This merely stops the department from going back and telling business people who operate in good faith that they can't get the department audits, they can't request audits after a certain period of time. This is very reasonable. This is the retail merchants who are doing this. It's not going to affect the pension systems. I certainly would act as Representative Parke not to do anything that would deprive the pension systems of any revenue. We have sponsored legislation together to increase the pension system funding. In 1992, we sponsored legislation to change the period for unclaimed property to raise \$50 million for the pension system. This does not impact that. This merely stops the department from harassing business

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when they were not concerned. I can tell you that what we need to be sure, is that we need to get a promise from this Sponsor that these matters will be dealt with in the Senate satisfactorily."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you. In explaining my vote, there is no question...if they have concerns, we will address them. They indicated to me this has no fiscal impact on the pension systems; but, as a matter of course, if they have concerns, we will address 'em, because the last thing any of us want to do, is to adversely affect the pension systems. That is the last thing in the world we want to do. We're trying to protect our businesses from being asked by departments to go back 30 years and come up with an audit, and so to my good friends on the other side of the aisle who are always concerned about business, this would merely put a statute of limitations. It has no impact on the pension systems, but we will work with those concerns to alleviate them. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 80 'ayes' and 26 'noes' and House Bill 2272, having received the Constitutional Majority, is hereby declared passed. Personal Health, Second Reading. House Bill 1300. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1300, a Bill for an Act concerning parental notice of abortion. Second Reading of the Bill. Amendment #1 was adopted in committee. The Bill's been read a second time previously. No Motions filed. Floor Amendment #2, offered by Representative Parke."

Speaker McPike: "Mr. Clerk, has the Bill been read?"

Clerk McLennand: "The Bill's been read a second time previously."

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Speaker McPike: "All right. Are there any Amendments?"

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

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. On...this...Bill, I am putting under Amendment 2, I am putting this Bill in language that I think is more acceptable to the Body. The language which was eliminated was not directly relevant to the problem of protecting minors. That is the Bill's primary focus; and, therefore, I have removed some of the language in the legislation, and I would ask the Body to...to...vote 'yes' on Amendment #."

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

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

Speaker McPike: "Representative Krause."

Krause: "...Amendment, Mr. Speaker, could be withdrawn, #3

Speaker McPike: "The Lady withdraws Amendment #3. Further Amendments?"

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

Speaker McPike: "Representative Krause."

Krause: "Mr. Speaker, Ladies and Gentlemen of the House. At this time, I would like to present, on behalf of the 23 Co-Sponsors, Amendment #4 to House Bill 1300. Amendment #4 is the Bill itself. Very briefly, Ladies and Gentlemen, the Amendment does provide that a young woman who is a minor shall give 24 hours advance notice before an abortion and that notice shall be given by her to a...an adult family

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member, which is defined in the Act; or further, that the notice shall be given to six classifications of professionals in the health care field. The underlining Bill, House Bill 1300, provides that the physician is to give 48 hours advance notice to a parent, to a legal guardian, or if neither are available, then within a reasonable time or manner, notice is to be given to an adult person in loco parentis. This Amendment recognizes the reality of today, and it is the intent and the concern of all of the Co-Sponsors that the effort be made to encourage all young women to come forward and work with an adult if they seek to have an abortion. It is the firm belief of the Sponsors of the Bill that the Amendment, in fact, would reach out for all young minor women and to have them work with an adult. The underlining House Bill 1300, in fact, mandates a requirement first that notice be given to a parent. And we believe that it has been well-established that, even without a parental notification Bill, that about two-thirds of young women do seek out a parent. But, in fact, it is the one-third that addresses the concern of the Amendment because it is the one-third of young women who do not seek out a parent, and that if they are required to do so, that they turn to an illegal abortion or a self-induced abortion. In addition, if I may also point out in the Amendment, the Amendment #4 does not seek in any way to criminalize conduct which is not a crime. It is not the intent of Amendment #4 to look for criminals because no crime has been committed. In the underlining House Bill 1300, the penalty clause does provide that if a parent alleges that notice has not been given by the physician, that a prima facie case is made in a court of law and that a punitive damages may be levied

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against the physician. This same language was found in the previous 1983 Parental Notification Act that had been adopted by this House. That case went to court in a class-action suit and that language was enjoined by the court. It was unconstitutional then, and it is unconstitutional today. That court case says, 'Our research to closes...discloses no abortion statute that provides for punitive damages in any civil action, let alone a criminal statute that attempts to create a tort whose boundaries are vague and ill-defined'. That court case clearly when it enjoined that Act, also affected that part of the penalty and very clearly, that section cannot apply. Ladies and Gentlemen of the House, the 23 Co-Sponsors that have put forth before the Amendment #4 worked extensively on a number of meetings in supporting and working on this Amendment. The goal and the effort of the workers was that this Bill was not brought to them by any special-interest group. It was not brought to them by any PAC. It was, in effect, worked on by them to reach out for the concerns for the young women who have no voice, and it is the intent of this Amendment to encourage, and we believe that all young minor women would then step forward to an adult whom they trust to work on this matter. At this time, Mr. Chairman, be willing to answer any questions."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' And on that, Representative Salvi."

Salvi: "Thank you, Mr. Speaker. Will the Sponsor yield for a few questions?"

Speaker McPike: "Yes, she will."

Salvi: "Representative Krause, I...I support Terry Parke's 1300 with an Amendment. As... As you know, almost 90% of the American public supports...something along that line. The

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view is among a vast majority of American people that it is...it is appropriate to have the parent involved when a minor wants to have an abortion. We've heard the argument before, but I think it...it really requires repeating; that if we require that a minor have the...the approval of a parent for having a mole removed or a minor surgery, certainly a very serious surgery such as an abortion should require parental notification, and I think Terry Parkes' Bill, with his Amendment, accomplishes that. Not parental consent, but simple basic parental notification. Now, my question to you is, 'Looking at your...your Amendment, is...is your Amendment designed to gut that simple basic 90% approv...parental notification Bill?'"

Krause: "Mr. Salvi, let me answer that question at this time. If there is something that is gutted, it is House Bill 1300. The reason for that is that language in that Bill substantially has already been through the court case that I referred to earlier. The court case in the northern district of Illinois has already ruled on major parts of that legislation and has struck down everything as it relates to the penalty against physicians. Because what has occurred here, Representative, is that it turned not into a notification Bill but, in fact, into a anti-physician Bill. That language has already been tested, and it has been enjoined."

Salvi: "Okay..."

Krause: "No. Let me continue, if I may. In addition, I point out to you that further language in House Bill 1300 has also been tested and that is the language as it relates to the part that if neither parent nor legal guardian is available, that notice can be given to a person within a reasonable time or manner, notice to any adult person

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standing in loco parentis shall be sufficient. And again, that language has also been stricken out."

Salvi: "If...if I could..."

Krause: "I understand..."

Salvi: "You've answered my question. I appreciate it."

Krause: "Let me finish and then I will answer. What I am pointing out is is that the Bill that is before us as the underlining Bill has been tested...and a major part of it has been gutted."

Salvi: "I understand that, Representative Krause. It..it..."

Krause: "Now let me address your main part of the Bill...your main part of the question, which is, that it is well-established that about one-third of the minor women, if there is a mandated parental notice, will not go to the parents. It is established that there will be illegal abortions. It is established that there will be self-induced abortions, and we all received the letter from the family in Indiana which pointed this out that the young woman would not respond; and, therefore, died. The intent, Sir, of all of the Sponsors of this Bill is to recognize that issue out there and to recognize that over one-third of the young women will not respond, and the Amendment is to encourage 100% response to this type of a situation."

Salvi: "Okay, thank you, Representative. To the Bill, I...I...I strongly support Representative Parkes' Bill with...with his Amendment and not with this Amendment. This is a very bad Amendment. Casey, the decision in Pennsylvania, came after the the decision that Carolyn Krause points to. Casey found that the Bill...the simple Bill...the simple Bill that 90% of American people support, basic simple parental notification without all of these...these complicated issues about bringing in the nurse and the candlestick

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maker and the baker, simple basic parental notice is supported by a vast majority of Americans. There aren't many issues, Ladies and Gentlemen of this...Assembly, there are very few issues where that many American people agree. And to gut this basic simple Bill with the...Terry Parkes' Amendment, I think reveals that it's impossible to oppose the basic simple parental notification Bill. So, I rise in opposition to this Amendment #4. This complicated, convoluted, clearly unconstitutional and almost impossible to understand Amendment #4. First, no... I can't understand it. I can't read it. Let me just go through what I can understand. First, the minor... 'No person may knowingly perform an abortion upon a pregnant, unemancipated minor unless (1) the minor has given notice to at least one parent, legal guardian, adult family member within 24 hours'. Is that or, or and? That's a mistake. Within 24 hours. What does that mean? Is one minute before the abortion... Is that within 24 hours? It doesn't say outside of 24 hours or at least 24 hours; it says within 24 hours. Or after the abortion. Is 12 hours after the abortion within 24 hours of the abortion? Yes, it is. Poorly drafted, purposely convoluted, purposely...distorted, purposely unconstitutional, purposely illegal; (2) 'The minor has given notice to a psychiatrist, licensed psychologist, ordained member of the clergy, physician's assistant' (and I'd like to know what a physician's assistant is. Is that, how broad is that?), 'nurse practitioner, registered nurse' They took out the baker; they took out the candlestick maker. I don't consider that a concession. Let's get back to the basic 90% approved parental notification that was approved by the U.S. Supreme Court. The last thing I want to talk about is the last part

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of this so-called Amendment, non-severability. This is really the key part of this Bill. It says the provisions of this Act are inseverable. It is...it is the intent of the General Assembly that if any portion of this Act is held invalid, the entire Act shall be invalid. The writers of this Amendment know this thing is invalid. They put inside of this Amendment several things that were purposely invalid and then they put a non-severability clause at the end that says if anything, no matter how insignificant, is invalid, then this Amendment, this Bill is invalid. They're giving you something that they want to die. And I say, follow the vast majority of American people and support the simple basic parental notification Bill with Terry Parkes' Amendment. Thank you very much."

Speaker McPike: "All right. The Chair is not going to cut off debate at this time, but we have 25 lights flashing and the Chair does not intend to recognize 25 people. Representative Flowers."

Flowers: "Madam Speaker. Mr. Speaker, Ladies and Gentlemen of the House. Amendment #4 is what you call palatable because House Bill 1300 is, number one, unconstitutional. When you talk about parental notice, I'm reminded of a case of two young girls who were impregnated by their father and put out of the house by their mother. I wonder which one of the notices...which one should those young girls have given notice to that they were getting an abortion? Unfortunately..."

Speaker McPike: "The rules of the Illinois House do not allow demonstrations from the balcony; and, if there are further demonstrations, the balconies will be cleared. Proceed, Representative Flowers."

Flowers: "Thank you. Ladies and Gentlemen, you know, again I'm

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reminded of the horror stories that we've been reading about in the newspapers here lately in regards to parent abuse to children. I ask you, the Members of this House, 'Where are those kids' rights? What right do they have to be abused? What right does a teen-ager, who may be living in pure...hell and have to go out and violate her privacy...me...merely because the state law says that we implemented, that says she is not 18; and, therefore she's not an adult and therefore, she must go out and tell a parent that she's having an abortion?' I'm, also, reminded of another case in another state whereas a young girl informed her father that she was pregnant. You know what the end result of that was? He merely took a shotgun and blew her head off. Is that what we want, Ladies and Gentlemen? If that is the case, we should continue on and vote for Representative Parkes' Bill. This Amendment that Representative Krause has is not what I would like to see, but it's a compromise; and, unfortunately, that's what we must do tonight. Let us compromise. I would urge the adoption of Amendment #4 to House Bill 1300. Thank you very much."

Speaker McPike: "Representative...Representative Murphy."

Murphy, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. It is a compromise, Amendment 4, but a compromise in the wrong direction. In an effort to try please oh-so-ever-many people, we have gutted the Bill, as originally amended by Representative Parke. Rather than debate the pro-life and the pro-choice stand, I think the Body should examine the common sense approach. I cannot as a parent, the authority to sign a permission slip to send my kindergarten twins to the zoo and have the PTA president sign for them to go on a simple trip to Brookfield Zoo. As

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a mother, and I know that there are parents in here, we have to get back to the responsibility of the parents looking out for their children. We are not talking about a trip to the zoo. We're talking about our children, minors, signing up for a life-threatening procedure that doesn't end at the abortion table. It is something that they will carry with them, that decision, for the rest of their lives. We've all seen children, teenagers, that turn to their peers, that turn to others for direction, and often they are misled and misguided. This Amen... (House Bill) 1300 has also provided three exceptions to giving notice. We would have medical emergency. We would have, if the minor declares in writing that she is the victim of sexual abuse or incest, and we would have the parent having waived their right for notice of an abortion. Surveys have shown in my own district 82% of the people, whether they were pro-life or pro-choice, agree simple parental notification. That is what is at issue here. Notifying a parent. And many times after a parent has been notified, they have walked into a clinic with their daughter to have a procedure. So, it is not about the pro-life or the pro-choice. It's about the rights of the child to have their parent looking out on their behalf. I would urge a roll call on this, since it is so important, and I applaud my colleague for standing, sitting at attention, and this is something we should grapple with and take seriously. We are talking about rights of the child and putting the responsibility back on the parents' shoulders for their minor children. You cannot simply abdicate to the doctor or nurse who stands to benefit by having these procedures, by having abortion clinics. It's not a one-time thing. This is a decision that should be grappled with and spoken about in the family

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situation. I recognize not all people have family situations, but there are provisions for exceptions. I urge you to think of your voters, think of your districts, and think of the children. Thank you."

Speaker McPike: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in full support of this Amendment. I think it is an excellent Amendment. If you're really concerned about the lives and the care of those young ladies that we're talking about. Not every family is the Brady Bunch, unfortunately. Many of you who think a parent has to be notified assume every family is the Brady Bunch. That's not true. Many young children do have a home that is a place of caring and love and support, a place of safety; and those young women (more often than not) do inform their parents. They do ask a mother, a father, or both and talk to them about this decision. But many of these homes are not like that. Many of these homes... The reason may be parents that are alcohol abusers. This could be an incestuous pregnancy. There's lots of bad things that can be going on in a young lady's' home; and she, therefore, is not going to tell those parents. So, she will run away; she'll attain a back-alley abortion or she'll resort to a self-abortion. None of those things are satisfactory. They should all be avoided. You've all received a letter about the Becky Bell case. That's the case... That was a loving family, but Becky felt she couldn't tell them because she would disappoint them. If she could have told her doctor or a nurse or a older brother or sister, Becky's life may have been saved, but she went into the back alley and she died as a result. You have all had a letter from the American Medical Association. They say that mandated parental

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involvement puts the lives of certain teenagers at risk. While, teens should be urged to seek the guidance of someone they trust when considering an abortion, we must not attempt to enforce this through legislation. They feel... They've studied this for years, and that's the way they feel about it. You've, also, received a letter from the University of Minnesota, and I find this extremely interesting. You'd think by putting it into the law, that these young ladies are gonna go tell a mother or a father. Wrong. They don't. This study at the University of Minnesota proved by studying the two states of Minnesota, where parental notification is mandatory, and Wisconsin that just as many girls did not tell their mothers in a state where they were suppose to, as they did in another state where they didn't have to. So, there... You all received that letter, and I wish you'd read it closely because it proves in there that the...by demanding this, it isn't gonna happen. If you really care about these young ladies, I think that you should accept this Bill. It will have...each young lady will have someone to counsel her and it will be somebody of respect, somebody who is over 18. She will have 24 hours to talk to this person about it, but it need not be a family member, a mother or a father who, perhaps, had...she has had a very bad relationship with, and no family has ever improved when this young lady feels that she has a bad relationship and the parent is told. You've heard some of the results from Representative Flowers. It can be disastrous. I encourage you, I urge you to vote for Floor Amendment #4 to House Bill 1300."

Speaker McPike: "Representative Flinn moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye'; opposed, 'no'. The 'ayes'

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have it. The previous question is put. The Chair will recognize everyone with their light on to explain their vote. Representative Krause, to close."

Krause: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I think we have all agreed that this is a most significant vote, but let me go back on the Amendment #4 and to reiterate what all of the Co-Sponsors have done here. The idea on the goal of the 23 Co-Sponsors and the work that was placed into the Bill and the review of it was to very specifically address the concern that all of us have for the young woman when she is faced in this situation. The meetings that were held, the contacts that were made with attorneys in drafting the legislation was done with the intent, and very clearly with the intent, to bring forward all young women, so that there is not any more the types of situations where the women do not go to their parent; but which, in fact, go to an illegal abortion or a self-induced abortion. The language in House Bill (sic - Amendment) 4 was worked on very carefully. It was approached with the idea of the concern for the young women who really have no voice and are to be represented here. The language in that Bill, we firmly believe, will at this time reach out to the young women and bring them in. There was no intent in the Amendment to have any criminal conduct because no crime has been...occurred in this case. The underlining Bill is probably the only Bill where you see an anti-physician view and which provides for the punitive damages against physicians. That is not the goal here. The goal here is to meet the needs of the young woman who has committed no crime. On behalf of all of the Co-Sponsors, we respectfully request your support for the Amendment #4. We ask...for a Roll Call Vote; and, at this time, make a

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Motion to adopt the Amendment."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All those in favor vote 'aye'; opposed vote 'no'. Representative Parke, one minute to explain your vote."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, do not be kidded. This is a hostile Amendment. It deletes the intent of this Bill entirely. This Bill is not restrictive and encourages parents' involvement. Do not forget. Do not let this smoke screen take away that underlying concept. Parents have a right to understand what is going on with a surgical procedure, a serious surgical procedure. To allow someone else to stand in their place is an absolute travesty on what makes America what it is today. This is not a good Amendment; it is a bad Amendment. I would ask that this Amendment not be allowed to go on. And I would ask, furthermore, that remind you that the moment that my daughters were born and handed to me, I promised myself that I would do everything I could to protect and to care for my daughters. If this Amendment goes on, you are taking away the ability of me and hundreds of thousands of other parents to have a direct input on what is important in the lives of their daughters. I beg you; I implore you do not allow..."

Speaker McPike: "Representative von Bergen-Wessels, to explain your vote."

von Bergen-Wessels: "Thank you, Mr. Speaker. I believe strongly that an adult needs to be notified, but I believe that a young woman's emotional and physical well-being may be better safeguarded if she is allowed to choose which adult she wants to notify. I had a friend in high school who got pregnant. Then you had to tell your parents. Abortion was illegal. She called me right before she reached for the

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bottle of pills. My mother and I went with her to tell her parents. She was emotionally abused after that point. Please...please consider the well-being of our young girls. The only purpose that we have here is to protect their physical and emotional well-being, and we do that best by allowing her a choice of adult for her confidant. Please vote 'yes' for this Amendment."

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

Biggins: "Well, I voted 'no', Mr. Speaker and Ladies and Gentlemen of the House. Parents can best provide protection for the child after the abortion. If the parent does not know the child had an abortion, how can they help the young girl? In most cases, we're using the term 'women', but these are oftentimes young girls who have made this decision on their own without parental involvement. Also, the Members of this chamber that pushed all those red buttons...green buttons up there had the same buttons on this afternoon... Yesterday on House Bill 1832, there were...the Amendment was passed to a Bill making it a parental consent Bill. This...is parental consent. This Bill, 1300, is about parental notification, not consent. A...a Bill was passed yester...today at 5:00, 5:50, it was passed. Everyone in the chamber voted for it. Both parents have to give consent before their child can purchase an electronic pager. Pagers, yes. Parents, no. And that's the way I view this vote."

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

Giolitto: "Thank you, Mr. Speaker and Members of the House. Ever since I got here to Springfield, all I've heard is mandates managing. We can't vote for any more mandates. We don't want more mandates on business. We don't want more mandates on schools. Well, let me tell you something. The Sponsor of

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this Bill is on the Energy and Environment Committee with me, and one day, he was spouting off about Big Brother. We've got too much Big Brother in our government. Well, let me tell you, Mr. Sponsor, if this isn't Big Brother telling our families what they have to do, I don't know what is. This is a mandate to the ultimate. You cannot mandate good family communications. We can only hope that our children will come to us in time of need, but not every family has good parents in 'em, and we have to watch out for those young women who do have those kind of parents that are abusive. And I think this Amendment is excellent because it's a compromise and says, 'Yes, there should be a responsible adult'. It does not have to..."

Speaker McPike: "Representative Roskam."

Roskam: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think it's important to realize that under Floor Amendment #4 there is absolutely nothing that would prohibit Planned Parenthood or other abortion-providing organizations from placing a counselor in the front lobby of an abortion clinic. A young woman walks in the door, she confides to one of these people...in Section 15 of the Amendment, and she's patted on the head and said, 'Young lady, you can go right in there and have your Amendment...or...you can have your abortion'. Now, I appreciate the sincerity of Representative Krause and others, but I think we need to be faithful to our constituencies. We all know that the polling data overwhelmingly supports parental notification, and the notion is, that it's notification. It's not consent. This is not a prohibition against abortion. This is a reasonable approach to this issue, and I would urge some more red lights."

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Speaker McPike: "Representative Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker. I, too, support this Amendment and I want to remind everyone that really the underlying emotional issue here is that some of us think that abortion should be legal and some of us think that it shouldn't. The fact is, we are state Legislators, and it's important for us to understand that we are trying to legislate issues that are appropriate for us. It is legal. This...this Amendment was put together with respect in mind for that process. We had only state Legislators working on this initially. We had people that are pro-life that thought this Bill was bad. We had people that were pro-choice that thought this Bill was bad, and everyone made a strong effort to do one thing. That one thing was to provide a notification process that would work. Lord knows, we have passed so many Bills in the last two weeks that we know are going nowhere. They're never going to work in the real world, and so they're going to just die like the rest of the things. What we need is a notification Bill that will work in the real world, and that's exactly what this is..."

Speaker McPike: "Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. I have a lot of respect for my seatmate, although we don't agree on everything. I thought she did an excellent job in presenting the Bill, but several previous speakers have mentioned that is this the right of the General Assembly to make this kind of decision? Well, we in this great Body have decided a great number of things for children under the age of 18, such as whether or not they can drive a car, whether or not they can get a root canal, whether or not they can get a...a credit card or join a record club or

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vote or drink alcohol or even buy a pack of cigarettes. All we're asking is that parents be accorded the same legal qualifications and responsibility as it takes for a child under 18 to buy a pack of cigarettes."

Speaker McPike: "Representative Kaszak."

Kaszak: "Speaker, I have a nine-year old daughter, and I react to some of this as a parent, and certainly if my daughter later on becomes pregnant, I'd really want her to come to me and I want to be able to provide her information and counseling and suggestions as to what can be done. But there's something more important than what I want and that is her health and her safety, and that comes first. And I want her, if she cannot come to me, then I want her to be able to go someone else because the most important thing to me is her health and her safety and her well-being."

Speaker McPike: "Representative Moseley."

Moseley: "Thank you, Mr. Speaker. I stand in opposition to this Amendment, and I do so for a number of reasons. But most importantly, because when you look at the people that this Amendment addresses, that this young girl is going to confide in, how many of these people might possibly have an economic interest in her continuing with her decision to have an abortion? I would suggest that any abortion clinic that doesn't have a nurse practitioner, a physician's assistant or a registered nurse probably isn't much of an abortion clinic. So right off the bat, we have three people with an economic interest in that abortion, sitting there receiving notification. I think that's a major problem with this Amendment. But in addition to that, there are other problems as well. When you look at the fact that oftentimes you have young girls that have complications for abortions and their parents don't know what is wrong. They don't know

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where to send their child. They don't know why they are having problems, whether it be depression or medical. Please vote against it."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. Just to explain my vote. I just want to point out some of life's ironies that...that we see presented here tonight. That in the... On the...on the board, as I look at it now, of the 47 people voting 'no', I noticed that most of the people voting 'no' are the men in this House. The people who oppose this Amendment are the men in this House. There are approx... There are 30 women Members, Mr. Speaker, of the...of this House of Representatives. Twenty-three are voting for this Amendment. The ones who know the most about child-rearing, about the prospect of abortion and various other things, the ones who know best are the ones that are voting to support this Amendment, and I think we should follow their lead because they do know what they are talking about. They...they...they...have provided us with the...with the right measure here, and I believe that they are doing the right thing. So, I would encourage everybody to vote 'yes'."

Speaker McPike: "Representative Erwin. Ms. Erwin."

Erwin: "Representative across the aisle mentioned that this is a simple little notification Bill and that, in fact, Representative Krauses' Amendment complicated this. Let's not be under any delusion here. This original Bill is punitive. It is onerous. The original Bill punishes young women who find themselves in very tragic situations who...many of whom have parents who are the abusers. The original Bill requires for judicial bypass that both parents have to of abused the child; as if one is not

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enough. So, I plead with you that Representative Krause has crafted here, as she explained, a workable...in the real world, not in an Ozzie and Harriet or Brady Bunch world, in the real world, how a young girl can seek and get good sound advice on her health care. We implore..."

Speaker McPike: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker. I really hadn't planned to say anything here tonight. I wanted my vote to speak for myself, but I have to take exception with the Representative on the other side of the aisle, and his comment that those who know best how to parent. That is revolting to me. I feel that I am very good parent and that I take just as much interest in my daughter's life and how she was raised as my wife does; and, fortunately, I have an outstanding wife, and I think I'm an outstanding parent, too. And I would just want to say one thing to you: I have gone through this with my daughter, and thank God, she made what I consider to be the right decision, but she made what she considered to be the right decision, too. And now I have a beautiful three-year old grandson that I love dearly and I couldn't do without. And all I can say to you is that when..."

Speaker McPike: "Representative Gash. Sir, your minute is up just like everyone else's minute was up. Mrs. Gash."

Gash: "I just wanted to say that I am a mother and I have a daughter, and I believe that it's my responsibility as a Member of this Legis...Legislature to protect our children, and that is why I am asking for this Amendment."

Speaker McPike: "Representative Jones."

Jones, S.: "Right, just like Mrs. Gash and the other Members on the other side of the aisle, I am a mother, too. And this Amendment is for the good mothers and the bad mothers. If

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they cannot reach me, you mean to tell me that that doctor or that whoever can give...that minister can give my daughter the right to have an abortion. Suppose my daughter die (sic-died). Who has the right to tell me that she die (sic-died)? I'm pro-choice, too, but if that child die (sic-died), who's responsible for that child dyin'?"

Speaker McPike: "Representative Mull..."

Jones, S.: "This is crazy."

Speaker McPike: "I'm sorry to interrupt you. Representative Mulligan."

Mulligan: "Yes, I'd like to explain my vote. I will cut to the quick of this. Basically, one Bill does give...parents an opportunity for their children to come to them, and no one who is pro-choice has ever not asked for parents to be involved. No one has ever asked that a girl not carry the baby to term. Bottom line is the first Bill, and the reason many of the women here are against it, is punitive to physicians. It discourages physicians from performing abortions, it puts criminal penalties on them, and that is the underlying reason of this Bill. Parental notification, in that case, is a sham. In our case, we worked very hard, many of the women on this Bill do not even believe that there should be any Bill, but we have come together feeling that maybe the constituents and the people on both sides of the aisle would like a parental notification Bill. We worked very hard. I urge you to vote for this. We think it's a good Amendment that we can live with. The other Bill is not a good Bill."

Speaker McPike: "Representative Hassert."

Hassert: "Mr. Speaker, Members of the House. I stand in support of this. It's a tough call, I know, for all of us to make this decision. I'm not totally in favor of the Amendment,

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but I do believe, as Representative Steczko says, I am a male. I've never will ever have to make this decision. I think that's something that we should take a look at, who is supporting this Bill. I think it is a tough call, but to allow somebody that does not have the ideal family life to not be able to go...find somebody else to talk to, I think is wrong, and I will support this Bill. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Yes, Representative Currie, just a minute. On this Motion, there are 56 'ayes' and 56...and 58 'noes'. Representative Currie."

Currie: "I'd like to verify the Roll Call of the Negatives, please."

Speaker McPike: "Has any... The Representative asks for a poll of those not voting."

Clerk McLennand: "There are no Members not voting."

Speaker McPike: "Thank you. Then proceed to read the Affirmative Vote... I'm sorry, the Negative Vote, Mr. Clerk."

Clerk McLennand: "Those voting in the negative. Representatives Ackerman. Balthis."

Speaker McPike: "Just a minute. Representative Martinez votes 'aye'. Change his from 'present' to 'aye'. Proceed."

Clerk McLennand: "Biggins. Black. Brady. Brunsvold. Bugielski. Capparelli. Churchill. Curran. Daniels. Deering. DeJaegher. Dunn. Flinn. Giorgi. Granberg. Hannig. Hartke. Hoeft. Hoffman. Homer. Johnson, Tim. Johnson, Tom. Jones, Shirley. Kubik. Lawfer. Lopez. McAuliffe. McGuire. Meyer. Moffitt. Moseley. Murphy, M. Noland. Olson. Pankau. Parke. Phelps. Roskam. Rutherford. Ryder. Saltsman. Salvi. Santiago. Sheehy."

Speaker McPike: "Representative Currie, Mr. Black would like to

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be verified. He's in the rear. Yes, that's all right. Now we're gonna write down the names of the ones that are seeking recognition... Just a minute. Representative Flinn would like to be verified, also. Yes, and Mr. Wennlund. All right, proceed, Mr. Clerk."

Clerk McLennand: "Skinner. Stephens. Tenhouse. Walsh. Weaver. Weller. Wennlund. Wirsing. Wojcik. Woolard. Zickus, and Mr. Speaker."

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

Parke: "If...if by chance, the verification proves to change it, I would like to verify the affirmative."

Speaker McPike: "All right. Representative Currie, questions of the negative."

Currie: "Representative McAuliffe?"

Speaker McPike: "He's here."

Currie: "Representative Tim Johnson?"

Speaker Currie: "Mr. Johnson is here."

Currie: "Representative Ryder?"

Speaker McPike: "Representative Ryder. He's here."

Currie: "Representative Weaver?"

Speaker McPike: "Representative Weaver is here."

Currie: "Representative Stephens?"

Speaker McPike: "Mr. Stephens is here."

Currie: "Roskam?"

Speaker McPike: "Representative Roskam is here."

Currie: "Deering?"

Speaker McPike: "Representative Deering is here."

Currie: "Representative Brunsvold?"

Speaker McPike: "Representative Brunsvold. The Gentleman's here."

Currie: "No further questions."

Speaker McPike: "On this Motion, there are 57 'ayes' and... Yes,

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Representative Granberg, for what reason do you rise?"

Granberg: "Change me to 'present'."

Speaker McPike: "Mr. Granberg votes 'present'. Well, the Chair was concerned that some people might want to switch their vote. Representative Davis."

Davis: "...recorded."

Speaker McPike: "Representative Davis, you're recorded as 'aye'."

Davis: "Represent... Mr. Speaker, would you leave that 'aye'? Leave that 'aye'."

Speaker McPike: "Yes. Yes. Mr. Hawkins."

Hawkins: "How am I recorded?"

Speaker McPike: "Mr. Clerk, how is Mr. Hawkins recorded?"

Clerk McLennand: "Mr. Hawkins is recorded voting in the affirmative."

Speaker McPike: "So, you're voting 'aye'."

Hawkins: "Thank you."

Speaker McPike: "All right, on this...on this Motion, there are 57 'ayes' and 57 'noes'. Mr. Black, for what reason do you rise?"

Black: "Mr. Speaker, in all due respect to the Chair and all due respect to the Members in this Body, I think it's time to take the record."

Speaker McPike: "Yes, that's what I was attempting to do. On this Motion, there are 57 'ayes' and 57 'noes', and the Amendment is defeated. Further Amendments?"

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

Speaker McPike: "Representative Parke, Amendment #5."

Parke: "Thank you, Mr. Speaker. Amendment #5 further defines the Bill and makes it in the intent in which I wish it to be passed, and I would ask for an acceptance of Amendment 5."

Speaker McPike: "The question is, 'Shall Amendment #5 be

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adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker McPike: "Representative Parke, on Amendment #6."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #6 clarifies another part of the Bill and puts it in the content that I intend on passing on final reading. I would ask for acceptance of Amendment #6."

Speaker McPike: "The question is, 'Shall Amendment 6 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment... Representative Parcells, for what reason do you rise?"

Parcells: "Thank you, Mr. Speaker. I was just gonna ask the Sponsor what the Amendment does. To tell me it's in the form he wants it, I'm not quite sure what that means. On the...on the last two Amendments, I'm not quite sure. You mean you're taking it back to the original Bill or you've actually changed it with these Amendments?"

Speaker McPike: "Mr. Parke."

Parke: "Thank you, Representative. That is a fair question. It is a technical Amendment. Both 5 and 6 were somewhat technical. Number 6 simply said that, as amended, Section 25 by replacing Subsection C with the following: (c) 'any person not authorized to receive notice under this Act who signs a waiver of notice under Subsection B of Section 20 is guilty of a Class A misdemeanor'. That is, in fact, the way the Bill is at this point, but it's a clarification of the intent of what a Class A misdemeanor means."

Parcells: "That was #5, did you say?"

Parke: "No, that's #6."

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Parcells: "Okay, and #5?"

Parke: "No, I'm addressing #6, Representative."

Parcells: "Okay, and #5...was also a technical Amendment, did you say?"

Parke: "Well, to some degree, it was technical. It further defines a number of things..."

Speaker McPike: "Excuse me, Mr. Clerk, the question is, 'Has this Amendment been printed?'

Clerk McLennand: "The Amendment has not been printed."

Speaker McPike: "All right, Mr. Parke, this Amendment's not printed."

Parke: "Well, Mr. Speaker, then can I have Amendment #6... Can I... I'd like to withdraw Amendment #6."

Speaker McPike: "The Gentleman withdraws Amendment #6. Yes, he withdraws Amendment #6. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 1300, a Bill for an Act concerning parental notice of abortion. Third Reading of the Bill."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill, House Bill 1300, should be judged on its merits, not solely on the tragic ser...stories that we heard told by both sides. That is a smoke screen. It has nothing to do with what the underlying Bill is and that is parental notification. This Bill is not restrictive. It encourages parental involvement in the minors' health decisions. This Bill is not punitive. It protects the parents' right to know. It does not place an undue burden on physicians to notify parents. Very simple; just notify the parents. This Bill is common sense, common ground, sound protective policy, which a majority of American

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cities...citizens support in poll after poll. The Chicago Tribune Poll of 1989, 75% support parental notification; CBS-News York Times Poll, September 1989, 83% for parental notification; April 1, 1992, Washington Post, 80%; January, '92, the Wirthlin Poll, 80%; and, January of '92, the Gallup Poll, 70%. Abortion is the only surgical, surgical procedure where a minor does not have to involve her parents. It's time we changed that in this state and begin to recognize the traditional rights of a loving parent to seek and protect involvement for dependent children. This Bill cannot possibly answer every question or concern that was brought up. I'm here to ask your vote to pass this Bill out to the Senate for continued work. As the Tribune editorial today states, 'With the right changes, this Bill can be impor...can be an important contribution to Illinois law'. One migh...must ask ourselves, 'Should a child in Illinois, 17, 16, 15, even 14, 13, or 12 years of age, be allowed to have this kind of serious surgical procedure without the knowledge and support of at least one of her parents on...or the primary caregiver?' I would ask that you join with the majority of the people of Illinois and pass this Bill so that we can have basic parental notification in Illinois."

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

Schakowsky: "Thank you, Speaker. Ladies and Gentlemen of the House. There's been a lot of talk about how young women must be notifying their parents for something as minor as going to Brookfield Zoo. But I'd like to point out that the majority of states now allow a minor to consent to any care for herself during pregnancy, including surgical interventions and cesarean sections. Minors are already

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treated for sexually-transmitted diseases in 49 states, alcohol and drug-related abuse in 46 states, mental health services in 28 states, without any parental notification because of the necessity of confidentiality in these very personal issues. Let's remember, if we're saying that teens don't have the right to choose an abortion, we may be saying then they have a right...they...they should be mothers, which is a life-long decision. We are saying that teenaged girls are more equipped to be mothers than to seek a very safe and legal abortion. The Medical Society is in favor of...is against this legislation, and I want to read to you from the Medical Society that says their Council on Ethics and Judicial Affairs says, 'Minors should not be required to involve their parents before deciding whether to undergo an abortion'. I had lunch with the parents of Becky Bell, a minor who died of an illegal abortion. This was a girl who could not tell her loving parents, so she sought a back-alley abortion and died. If we pass this Bill, mark my words, young women in Illinois will die. I plead with you to oppose this legislation on behalf of the lives of Illinois' young women."

Speaker McPike: "Representative Tom Johnson."

Johnson, Tom: "Fellow Members of the Legislature, I just rise in support of this Bill tonight on the basis that laws should not be made to lower itself to the worse case scenario in society, but laws should be made to set forth what we believe to be the heart of good public policy. In my opinion, public policy should not be made to deal with the worse case scenario but should uphold the policy which we wish to affirm in this state. And I submit that it is the will of the people of this state, and it is certainly my will, to reaffirm the role of the traditional family in

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this state and the rights of parents and children. Granted, we are not a Brady Bunch of families in this state, but we must elevate the family to the stature that it needs to be, and we must then work at those problems underneath all of this to where, hopefully, we can once again strengthen our basic family unit, and I believe this law goes that direction, and we should move in this direction as opposed to bringing it down to a lower denominator and giving up and saying the family has no viable role in Illinois anymore. I urge your support."

Speaker McPike: "Representative Tim Johnson moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the previous question is put. Representative Parke, to close. Everyone will be recognized to explain their vote."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Many of us have been blessed with children. But basic to the relationships between parents and their children is the love and guidance and protection that we give them. House Bill 1300, as amended, is parental notice of abortion. It is sound public policy recognizing supporting the rights of parents to protect their minor children, to protect their minor children. This Bill seeks to support the family structure by recognizing that parents have responsibilities and rights when it comes to medical decisions involving their children. Abortion is a surgical procedure; and, as such, it is only common sense that it be treated as any other medical procedure where minors - minors, children 12, 13, 14-years old - are involved. This Bill, as amended, seeks to re..require the person performing the abortion to give 48 now...hours notice to

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one parent - one parent - before the abortion. It provides exceptions in cases of abuse, exceptions in case of abuse and medical emergencies, where the abortion is authorized in writing by the person who is entitled to notice. Repeals the Parental Notice of Abortion Act of 1983 and provides that violation of this Act is a Class A misdemeanor. I would ask this Body to pass this Bill on for what is basic in America, the right of parents to determine what is right for their children. I implore you, please pass this Bill."

Speaker McPike: "The question is, 'Shall House Bill 1300 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Shirley Jones, to explain her vote."

Jones, S.: "Yes, Mr. Speaker. On this Bill, it says '48 hours of notice' before you... Suppose I'm out of town and you can't get me within '48 hours'? Then, you mean to tell me my child still can have a...an abortion? Supposin' my child have this abortion, again, suppose that child die (sic - dies). Then what happens then? All these Bills are bad, an' I'm votin' 'no' on every last one of 'em."

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

Parcels: "Thank you, Mr. Speaker. The Sponsor of this legislation said in his remarks about the Bill that this would encourage parents. It doesn't encourage parents; it demands parents. He talked about loving parents. Yes, we know about loving families. But there are millions, literally millions, of cases per year of physical abuse, incest and neglect. What about those poor girls? You're more concerned here about the rights of parents than you are about the health and safety of those young girls. You have stiff penalties on doctors. You are sending these girls into the back alley as surely as we're standing here. I encourage a 'no' vote."

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Speaker McPike: "Representative Persico."

Persico: "Thank you, Mr. Speaker. To explain my vote. I was convinced a few years ago by my wife, who happens to be a social worker and deals with this problem on a daily basis, that there is some sort of need for parental notification; and the reason being that many times when a child...when a girl becomes pregnant is that they go around the school and they collect \$5 here and \$10 here to go have an abortion. I felt it was wrong. There had to be some sort of notification process. Unfortunately, I think that Representative Parkes' Bill is too straight, too stringent and that Representative Krauses' Amendment was a much better compromise, and this is why I'm voting 'present'."

Speaker McPike: "Rep...Representative Krause."

Krause: "Thank you, Mr. Speaker, to explain my 'no' vote. Again, to stress, first of all, on the underlining House Bill 1300, as I said earlier, putting aside now that parental notification is legal in this country, the other provisions of the Bill which were...in...a court case filed in 1984, and all declared unconstitutional, will be once again. Those are those punitive members...measures that are against the physicians in the Bill will, obviously, be struck down once again. In addition, the strength of the Amendment was to protect the young women and to give them a voice and most of all, to remember the one-third of the young women who do not go to a parent under a notification Bill; and now if this does pass, would be again forced into a illegal abortion. Again, to urge that House Bill 1300 be defeated. Thank you."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To explain my vote. We've heard a lot tonight

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about... Sixty-five percent of the families could work through this, but 35% couldn't, and it isn't Ozzie and Harriet anymore, and it isn't the Brady Bunch anymore, and somebody even referred to Big Brotherism. What we should do, perhaps, on this very emotional and very divisive issue is to step back and ask ourselves some questions. What happened to Ozzie and Harriet? What happened to the Brady Bunch? What's happened to the American family? When we gather for coffee, we say 'the breakdown of the American family'. When we talk about... When we talk about legislation on...on criminals, we talk about the breakdown of the American family. Have you ever stopped to think maybe we're responsible for the breakdown of the family by constantly giving family rights to people outside the family units? Just step back and look. The American family is a strong and resilient institution if we'd help it stay together and work together and pray together and live together, instead of always giving family rights..."

Speaker McPike: "Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. I would just like to inform the last speaker that Ozzie and Harriet, that was a lie. It was never true in the first place. This is reality. That's what happened. People found out that Ozzie and Harriet was a lie. Please vote 'no'. Thank you."

Speaker McPike: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. I would rise to explain my 'no' vote. I am for parental notification but do not feel that this Bill accomplishes that. We have been talking all along about relationships between parents and children, about encouraging responsible social conduct among young people. Having a physician notify the parents does not achieve this

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goal, and it puts too much onerous burden on the physician."

Speaker McPike: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I'd like to explain my vote. I voted 'no' because we offered a good solution to parental consent. Unfortunately, when the speaker was up talking to the Bill, my light was not recognized, because I would have questioned him to a legislative intent. The legislative intent in this Bill goes beyond just notification, because we will find there are many punitive damages in the Bill and that...where the questions would have gone. Because I would have liked to established legislative intent before this Bill could have been passed. There are many things in this Bill that ensure that we will spend our tax dollars going to the Supreme Court and defending it. I feel that's a mistake. I feel it's a mistake for the people of my district to have to pay for someone else who go for glory and get something that he's going to put on his record so that he can show that he supported something that is not a really good Bill for parental notification. I urge you to stay with this for the good of women. Young women are not chattel property of their parents."

Speaker McPike: "Representative Hawkins."

Hawkins: "Mr. Chairman, Members of the House. I, too, believe in parental consent, and I voted for it, but this has not...not gone too far. This is too restrictive. I believe that this is not in the best interest of the children that we're trying to protect. We don't live...in...in a world of Ozzie and Harriet. We live in a world of reality where there are children that...don...can't even find their parents. There are children that their parents abuse 'em. There's cases of incest and everything else and...this here

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will cause children to go to the back alley or go to other states. This is not in the best interest of...the people. This is something that...that doctors oppose, physicians oppose because of the health problems that this can cause, the dangerous procedures that this could cause; therefore, I'm voting 'no'."

Speaker McPike: "Representative Salvi."

Salvi: "I just want to make very clear that when there are problems in the family, this Bill does contain exceptions to notice when abuse is involved. I don't want... I don't want anybody to think otherwise. This is one of the most...of... The majority of the states in the union that have this notice Bill, this is among the most gentle. This is not a harsh notice Bill. It's not a consent Bill. It's a notice Bill, and it provides for exceptions."

Speaker McPike: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. In my campaign, I..I campaigned on parental notification. I went with our womens' caucus on the last vote. I gave that Amendment a chance. I have to stick to my pledge; therefore, I'm voting 'yes'."

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 63 'ayes' and 46 'noes'. Representative Currie."

Currie: "Can we verify the roll call, please?"

Speaker McPike: "Yes, the Lady will verify the Affirmative Roll. Mr. Clerk, read the affirmative."

Clerk McFannand: "Those voting in the affirmative. Representatives Ackerman. Balthis. Biggins. Black. Brady. Brunsvold. Bugielski. Capparelli. Churchill. Cowlshaw. Curran. Daniels. Deering. DeJaegher. Edley. Flinn. Giorgi. Granberg. Hannig. Hartke. Hassert.

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Hoefl. Hoffman. Homer. Johnson, Tim. Johnson, Tom.
Kubik. Lawler. Leitch. Lopez. McAuliffe. McGuire.
Meyer. Moffitt. Moseley. Murphy, M. Noland. Novak.
Olson. Pankau. Parke. Phelps. Roskam. Rutherford.
Ryder. Saltsman. Salvi. Santiago. Saviano. Sheehy.
Skinner. Stephens. Tenhouse. Walsh. Weaver. Weller.
Wenlund. Wirsing. Wojcik. Woolard. Zickus, and Mr.
Speaker."

Speaker McPike: "Mr. Flinn is right here and would like to be verified, and Mr. Wenlund is right here and would like to be verified. And Representative Currie, Mr. Black had to leave for the nurses station and asked me to verify him and I did without interrupting the roll call, so those three have been verified. Proceed."

Currie: "Representative Roskam?"

Speaker McPike: "Mr. Roskam is here."

Currie: "Okay. Representative Brunsvold?"

Speaker McPike: "Mr. Brunsvold. He's here."

Currie: "Nothing further."

Speaker McPike: "Representative Cross."

Cross: "Can I be recorded as 'no', please?"

Speaker McPike: "Yes. Switch Representative Cross from 'present' to 'no'. Representative Martinez. Representative Martinez changes from 'present' to... Mr. Martinez."

Martinez: "Yes."

Speaker McPike: "From 'present' to 'aye'. On this Motion, there are 64 'ayes' and 47 'noes'. On this Motion, there are 64 'ayes' and 47 'noes'. House Bill 1300, having received the Constitutional Majority, is hereby declared passed. House Bill 57. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 57, a Bill for an Act to amend the Criminal Code of 1961. The Bill's been read a second time

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previously. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Roskam."

Speaker McPike: "Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative Schoenberg, do you accept this Amendment?"

Schoenberg: "Mr. Speaker, Ladies and Gentlemen of the House. This...Amendment is a hostile Amendment. It takes away the civil cause of action, and its implications are as follows: The very people..."

Speaker McPike: "Representative Lang, for what reason are you seeking recognition?"

Lang: "Thank you, Mr. Speaker. I would ask the Chair to rule that the Amendment is not germane."

Speaker McPike: "Thank you. Mr. Clerk, give us the Amendment. Mr. Lang."

Lang: "I've reread the Amendment. I withdraw my request."

Speaker McPike: "Yes, the Amendment is germane. All right, Mr...Roskam has moved for the adoption of Amendment #2; and, on that Motion, Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I began indicating earlier, Amendment #2 is a hostile Amendment. It removes the civil cause of action, and the implications are as follows: The very people who we are trying to protect from physical harm and threats to their life and safety would not be included under Amendment #2. Amendment #2 is hostile because it's disingenuous in seeking to broaden the context of this legislation, but in doing so, its (sic-it) fails to provide protection for the very people who we are seeking to protect."

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Speaker McPike: "Well, sometimes I get distracted. Representative Roskam, I apologize. Mr. Schoenberg, the Gentleman has not even had a chance to explain his Amendment yet. Mr. Roskam, on Amendment #2."

Roskam: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. We have, tonight, in Floor Amendment #2 an opportunity to frame the debate in the State of Illinois. We have an opportunity to frame how we approach public protest. We have an opportunity, and I respect Representative Schoenberg's intent, and that is to protect what is a legal activity. Amendment #2 says what's good...what's good for the goose is good for the gander. And simply put, the same woman that Representative Schoenberg is attempting to protect in his Bill enjoys an even greater umbrella of protections under Amendment #2. Specifically, if that woman elects to walk into an abortion clinic and out of an abortion clinic on Monday, this Amendment protects her. If on Tuesday, she elects to walk into a fur store and buy a fur coat and walk out of that, it protects her and enables her to do that. If on Wednesday, she wants to walk into Commonwealth Edison and out of Commonwealth Edison without getting hassled by anti-nuclear protesters, that same woman is protected. If she wants to walk next to a meat packing plant without having a hassle by animal rights activists, she is protected under Amendment #2. And I would ask for its favorable consideration. I would ask for an 'aye' vote, and I will ask for a roll call. Thank you."

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

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

Speaker McPike: "Amendment #3, Representative Skinner. Mr. Schoenberg."

Schoenberg: "Can I..."

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

Schoenberg: "Mr. Speaker, I'd like to ask a ruling of the Chair at the appropriate time."

Speaker McPike: "Right now is the appropriate time."

Schoenberg: "I would like to ask the ruling of the Chair if Amendment #3 is out of order."

Speaker McPike: "(Amendment) #3 is out of order. Further Amendments?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Salvi."

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

Schoenberg: "Mr. Speaker, I'd like to request a ruling of the Chair as to whether or not Amendment #4 is in order."

Speaker McPike: "All right. The Amendment is out of order. Further Amendments?"

Clerk Rossi: "Floor Amendment #5, offered by Representative Skinner."

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

Schoenberg: "Mr. Speaker, I request a ruling of the Chair as to whether or not Amendment #5 is in order."

Speaker McPike: "Amendment #5 is out of order. Further Amendments?"

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

Speaker McPike: "Representative Schoenberg."

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

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House. Amendment #6 bec...becomes the Bill. Amendment... Amendment #6... The Safe... The creation of the Safe Choice Zone Act would amend the Criminal Code to create the offense of unlawful interference with access to or egress from a medical facility. It provides that a person who violates this offense would be committing a Class B misdemeanor and would be enjoined from picketing or demonstrating, would provide for injunctive relief. This Amendment, which has become the Bill, is...is a result of months of discussions between parties from all sides where we're seeking to create consensus so that we can protect the physical well-being and the physical safety of individuals who are seeking to exercise their right to choice under the fundamental constitutional rights, as articulated by the United States Supreme Court in its 1973 Roe v. Wade Amendment (sic - decision). Increasingly, we have seen across the country, not just in Illinois, but across the country that actions which are designed to impede, intimidate and stop women from exercising their fundamental constitutional rights are not non-violent in either their intent or their action. This legislation becomes necessary as a result of the Supreme Court's action on a nine...on a 1871 Anti-Klan Act. In short, many individuals who are on both sides of what is normally a polarizing issue are in agreement that this is a very necessary Bill, and I ask for its adoption and your support."

Speaker McPike: "On the Gentleman's, 'do adopt' Motion, Representative Tim Johnson."

Johnson, Tim: "If we could had... Mr. Speaker, if we'd just have had a little bit of order. I can't..."

Speaker McPike: "Give the Gentleman a little order."

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Johnson, Tim: "...a little or a lot, either way."

Speaker McPike: "Give the Gentleman some order, please. Give 'em your... Please give him your attention."

Johnson, Tim: "Here's my question, Representative Schoenberg. Representative Roskam offered Amendment...I don't know, 2 or 3 or whatever...that addressed making the Bill applicable to more than one limited segment. If your Floor Amendment #6 is adopted, does that eliminate Representative Roskam's Amendment 2?"

Speaker McPike: "Mr. Schoenberg."

Schoenberg: "Yes, it does."

Johnson, Tim: "Well, does... Is there an Amendment #7 or 8 offered?"

Speaker McPike: "No, it's the last Amendment."

Johnson, Tim: "Well, you know, in all fairness, Representative Schoenberg... Let me ask you this, if your Amendment is adopted, are you willing to hold the Bill and allow, in courtesy to your colleague, Representative Roskam, an opportunity to reintroduce the Bill...the Amendment that was already...that was already adopted, so that we'll have a chance to look at the whole issue, rather than just to play...parliamentary gamesmanship and...and try to decide who offers the last Amendment? You're a fair person; I've always found you fair. Are you willing to do that?"

Schoenberg: "The Amendment #2, as I indicated on...in my remarks, is a hostile Amendment. Precisely for the reason that it...upon examination of Amendment #2, it takes away the civil cause of action for the individual and for the medical facilities. So, therefore..."

Johnson, Tim: "A simple 'yes' or 'no'. Are you willing to let Representative Roskam have an opportunity to have a vote, up or down, from this chamber on the substance of his

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Amendment?"

Schoenberg: "My intention, Sir, is to proceed."

Johnson, Tim: "To...to the Amendment, then. This is not a pro-life or a pro-choice issue. This is simply, at this point, a matter of fairness to a Member. Some people, like myself, have a lot of sympathy with House Bill 57. We believe we oughta be addressing some of the problems that are created by blocking access to facilities and that sort of thing. But many of us, including myself, believe that we shouldn't simply single out one area; that we ought to include in...in the discussion, blocking public or private facilities...churches, access to churches for people who disagree with the doctrine of those churches, military bases, furriers for animal-rights activists. In other words, what's good for the goose is good for the gander. I agree largely with the substance of what Representative Schoenberg's doing. But in all fairness to Representative Roskam, who spent extensive time drafting and preparing for the arguments on a Bill that made...made the Bill broader and fairer, I don't think it's fair that we adopt this Amendment, gutting an Amendment that was already adopted and then proceed to vote on it so that some of us who have a lot of sympathy with the concept never have a chance to really address the issue in its broadest sense of the word. I also agree with you, Representative Schoenberg, that I'd like to keep the civil cause of action in. I'd offer an Amendment #8 that would keep the civil cause of action in but simply extend the prohibition on...on h'o...blocking facilities, physically detaining or threatening others with death or bodily harm, to more than simply one class. So, if you'd be willing to do that, I'd be willing to sponsor an Amendment, whatever number it would be, that would do that

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sort of thing. But in the absence of your agreement to do it, and I know you're a fair person, I don't think it's fair that we adopt this Amendment and negate the opportunity of a Member who has spent a long time preparing an Amendment to get an up or down vote on his particular concept."

Speaker McPike: "Representative Deering."

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

Speaker McPike: "Yes."

Deering: "Mr. Schoenberg, reading the Amendment, in the language it said nothing about picketing. In your remarks, you alluded to picketing. Does this...make picketing these facilities illegal? If you're not obstructing anybody, does it make picketing illegal?"

Schoenberg: "No, it does not."

Deering: "Thank you."

Schoenberg: "Anything which is covered by the First Amendment would not be illegal."

Speaker McPike: "Representative Roskam."

Roskam: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To Amendment #6. I rise in opposition to Amendment #6 for three fundamental reasons: Number one is, it's overly broad, in a different way than I was speaking to when I was arguing on behalf of Amendment #2. It's overly broad in that it attempts to apply to anyone who attempts to prevent someone from entering a clinic, and it has vague language like 'hindering', and the notion there...that my great concern is, is that it could include someone who legitimately opposes an activity and hands someone a leaflet, and it's ambiguous on that. In the un...Supreme Court case NAACP vs. Claiborne Hardware (1982 case), the Supreme Court said that 'the government must respond with

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precision of regulation in these matters'. And I would...I would argue that Amendment #6 is far from precise. And my third and, probably the strongest objection, is that it singles out protest based on the content of the speech. I think it has huge constitutional problems. In other words, under Amendment #6, if you're going to...if you're going to walk in front of an abortion clinic as an employee of that abortion clinic, and you're going to protest that abortion clinic and it's a labor dispute, then it's okay. But if you're doing the same activity and you're opposed to abortion, then under Amendment #6, it's illegal; and in closing, I'd like to...I would like to quote from a...a piece in the Wall Street Journal, Wednesday, March 31, 1993, quoting Professor...Michael McConnell, who reveals himself to be a pro-choice professor at the University of Chicago Law School, and I quote (and he's speaking to the same effort on the federal level), 'The clinic protection Bill is subject to...is subject to criticism. It criminalizes speech that is intended to discourage abortion. It applies to no other speech. Other protesters who commit acts of trespass or violence, animal-rights activists, anti-nuclear protesters, opponents of racism or sexism, are not covered by the Bill, even if their protests are equally violent. Congress and I would argue in this case to Representative, had selected a single point of view, that is, opposition to abortion, and subjected it to penalties applied to no other point of view.' And for that reason, I would ask you to oppose Amendment #6. Thank you for your consideration."

Speaker McPike: "Representative McAuliffe."

McAuliffe: "Move the previous question."

Speaker McPike: "You're the last one with the light on. Mr."

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Schoenberg, to close."

Schoenberg: "Thank you. Contrary to those who have spoken in opposition, this does not take away from free speech. It's only when the line is crossed between peaceful expression of...of thought and actual violence, threaten to harm physically or threaten to kill, do we apply to this legislation. I'd just like to close in saying that this is in order to protect the fundamental right of privacy. And Justice Louis Brandeis said that 'the right to be left alone is the most comprehensive right and the right most valued by civilized people'. Many of you, pro-choice and pro-life, have indicated your willingness to do something about the escalating trend of violence which we are seeing in medical facilities across the country and here in Illinois. I urge your 'aye' votes."

Speaker McPike: "The question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Rossi: "No further Amendments, but a correctional budgeting impact note has been requested on the Bill."

Speaker McPike: "Representative Schoenberg moves that that note is not applicable. All those in favor of the Gentleman's Motion 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 68 'ayes and 31 'noes'. The Motion prevails. Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 57. a Bill for an Act amending the Criminal Code of 1961. Third Reading of the Bill."

Speaker McPike: "Representative Schoenberg."

Schoenberg: "Ladies and Gentlemen, we've discussed this at length. I urge your favorable vote."

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

Brady: "Thank you, Mr. Speaker and Ladies and Gentlemen. I am placing a 'present' vote. I believe that one of the most important responsibilities we have here is to protect the liberty of all people. If the Amendment were to have passed, I would have believed that I would have been abiding by that philosophical belief. Because the Amendment was not allowed, Mr. Roskam... Representative Roskam's Amendment, I am voting 'present'."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I move the previous vote explanation."

Speaker McPike: "Thank you. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 79 'ayes' and 29 'noes'. House Bill 57, having received the Constitutional Majority, is hereby declared passed. House Bill 1249, Mr. Clerk. The Gentleman asks leave to return this to Second Reading for purposes of an Amendment. Leave is granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "All right. Representative Novak moves the adoption of Amendment #2. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments? Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. All right, I've been informed that there's a technical Amendment on this Bill yet, so House Bill 1249; the Gentleman asks leave to return it to Second Reading, leave it on Second Reading. Leave is

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granted. The Bill is on Second Reading. It's been read a second time Mr. Novak, and it can be amended and passed tomorrow. Amendment #2 was adopted, and Amendment #3 is not out of the Reference Bureau yet. House Bill 565. Mr. Clerk, that Bill's on Second Reading, and it's been read previously. Are there any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Representative Daniels and Phelps."

Speaker McPike: "Who's the Amendments' Sponsor? Mr. Daniels. Who would like to handle this? Representative Krause."

Krause: "If I could, Mr. Speaker, this came out of the Health Care Committee and the Amendment, the Amendment, Ladies and Gentlemen, merely provides that both the Department of Mental Health and the Developmental Disabilities must receive the approval of recipients or their parents or guardians before removing them from state institutions to community settings is the basics for the Amendment, and I'd ask for approval."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Representative Granberg moves that the House stands adjourned until tomorrow at the... That Bill was moved to Third Reading. Third Reading on 565, Third Reading. Mr. Granberg moves that the House stands adjourned until tomorrow at the hour of 9:00 a.m. All in favor of the Gentleman's Motion say 'aye'; opposed, 'no'. The 'ayes' have it. The House stands adjourned."

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