

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

126th Legislative Day

May 5, 1994

Speaker Currie: "The hour of 11:00 having arrived, the House will be in Session. Members will please take their seats. Our Chaplain for the day is the Reverend Chuck Olson of the Peace Lutheran Church in Morris, Illinois. Reverend Olson is the guest of Representative Weller. The guests in the gallery are welcome to rise and join us for the invocation. Reverend Olson."

Reverend Charles Olson: "Let us pray. Our powerful God, our Legislators work hard for fairness as they seek to balance many interests. In the spirit of St. Barnabas help them to encourage each other across party, ethnic, racial and religious lines. That so encouraged they may do Your will in this place. In the name of Jesus Christ, who's death and resurrection encourage us. Amen."

Speaker Currie: "We will be led in the Pledge by Representative Mautino."

Mautino - 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 Currie: "Call for attendance. Representative Kotlarz, do you have information about Democratic excused absences?"

Kotlarz: "Madam Speaker, the following Representatives will not be here today and have excused absences: Erwin, Hicks, Morrow and Prussing."

Speaker Currie: "Thank you. The record will reflect that they are excused. Representative Walsh."

Walsh: "Thank you, Madam Speaker. Let the record reflect that all the Republicans, except for Mary Lou Cowlshaw, who is excused today, are present."

Speaker Currie: "Thank you. Representative Kotlarz."

Kotlarz: "Madam Speaker, if we could just say hello to a visiting

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alderman down here today, Alderman Patrick Lavarre from Chicago's 45th Ward, a former colleague of mine."

Speaker Currie: "Welcome Alderman Lavarre. Clerk, take the record. One hundred and nine answering the roll call, a quorum is present. Representative Homer in the chamber. Representative Homer. Agreed Resolutions."

Clerk McLennand: "House Resolution 2524, offered by Representative Ryder; House Resolution 2528, offered by Representative Johnson, Tim; House Resolution 2529, offered by Representative Johnson, Tim; House Resolution 2530, offered by Representative Zickus; House Resolution 2531, offered by Representative Black; House Resolution 2532, offered by Representative Saviano; House Resolution 2533, offered by Representative Capparelli; House Resolution 2534, offered by Representative Capparelli; House Resolution 2535, offered by Representative Daniels; House Resolution 2537, offered by Representative Martinez; House Resolution 2538, offered by Representative McGuire; House Resolution 2539, offered by Representative Hartke; House Resolution 2542, offered by Representative Morrow; House Resolution 2544, House Resolution 2545, House Resolution 2546, House Resolution 2547, House Resolution 2548, House Resolution 2549, House Resolution 2550, offered by Representative Ronen; House Resolution 2551, House Resolution 2552, House Resolution 2553, House Resolution 2254, House Resolution 2555, House Resolution 2556, House Resolution 2557, House Resolution 2558, House Resolution 2559, House Resolution 2560, House Resolution 2561, House Resolution 2562, and House Resolution 2563, offered by Representative Ronen." Senate Joint Resolution 145, offered by Representative Biggert; Senate Joint Resolution 146, offered by Representative Biggert; and

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Senate Joint Resolution 147, offered by Representative Biggert."

Speaker Currie: "Representative Giglio moves adoption of these Agreed Resolutions. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Resolutions are adopted. Death Resolutions."

Clerk McLennand: "House Resolution 2526, offered by Representative Tim Johnson, with respect to the memory of Louis Voltz. House Resolution 2527, offered by Representative Tim Johnson, with respect to the memory of Richard Squire, Jr. House Resolution 2536, offered by Representative Cowlshaw, with respect to the memory of Phoebe Dutcher.

Speaker Currie: "Representative Giglio moves the adoption of the Death Resolutions. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Resolutions are adopted. General Resolutions."

Clerk McLennand: "House Resolution 2540, offered by Representative Hoeft."

Speaker Currie: "Committee on assignment. On Page 47 of the Calendar appears House Bill 2774, Representative Edley. I believe that Bill has been read a third time. Representative Edley."

Edley: "Thank you, Madam Speaker, Ladies and Gentlemen of the General Assembly. This is the Bill that we that were debating last night and I think we have had a number of questions and responses to it. It's essentially a good government Bill that has enjoyed bipartisan support in both the House and the Senate and I would urge a favorable roll call."

Speaker Currie: "Representative Edley moves 'do pass' on House Bill 2774. And on that Motion, Representative Black."

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Black: "Yes, thank you very much, Madam Speaker. An inquiry of the Chair."

Speaker Currie: "State your inquiry."

Black: "Is this Bill now on Third Reading or is it still on Second Reading? I thought we left it on Second."

Speaker Currie: "It was on Third Reading yesterday and we were debating the Bill when the Sponsor took the Bill out of the record."

Black: "That's right."

Speaker Currie: "If it would make you happy we could read the Bill again the third time, just because this is new day. Would you like us to do that? Clerk, read the Bill."

Clerk Rossi: "House Bill 2774, a Bill for an Act concerning the state budget. Third Reading of this House Bill."

Speaker Currie: "Further discussion on the Motion? Representative Andrea Moore."

Moore, A.: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Currie: "He will."

Moore, A.: "Representative Edley, I was wondering since there has been a day passed since yesterday if you have had a chance to address those concerns of the Department of Public Aid has with this process and the concerns that IDOT might have with this process as you had pledged to the committee."

Edley: "As I stated yesterday I stand ready to address those concerns and I would suggest that you contact the Department of Public Aid and have them draft Amendments or language that...and contact me. I'm not a mind-reader. I can't develop responses to their concerns if those concerns aren't made known to me."

Moore, A.: "Well, there have been notes passed out on that information and in committee you did make a commitment to

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go ahead and follow through and do the Amendment. I'm not sure that I see that it is the department's responsibility to draft the Amendment. I believe they have to have conversation with you, but it is your responsibility to bring the Amendment to the floor. I would ask that you put it back on..."

Edley: "Well, we have a disagreement on that."

Moore, A.: "Representative, I would ask that you put this Bill back on Second Reading to allow for an Amendment that can be made to address some of those concerns."

Edley: "No. Those Amendments, if the department does have them, can be made and placed on in the Senate and I certainly would support them. But they have had ample time to contact me and they failed to do so. So I would..."

Moore, A.: "Since you did not prepare an Amendment, we have. And if you would put it back on Second Reading we would be happy to go ahead and introduce that Amendment."

Edley: "Well, my suggestion to you at this time, since there have been some hostile Amendments filed to this Bill, that you make those concerns known to the Senate Sponsor."

Moore, A.: "There are some concerns that I would like to address that are specially with the Department of Public Aid and this Bill would repeal Section 25 of the State Finance Act, which allows the Department of Public Aid to make medical payments in a fiscal year, even though the services were rendered in a prior fiscal year. This repeal of the section, which was passed by the General Assembly, in recognition of the unique billing problems associated with the health care industry would seriously hamper the department's ability to pay all the bills. The payment of claims is not entirely in the hands of the agency, the comptroller pays claims, even though the agency may process

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a claim in a timely manner, the payment is at the discretion of the comptroller. Implementation of this Bill is in direct conflict with the federal regulations at CFR Section 44, 447 which allows hospitals up to one year to submit claims for payment. In conclusion to this Bill, the gap accounting system was designed for use in business community and not in government."

Speaker Currie: "Further discussion? Representative Black."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Gentleman's Bill and if my downstate...my downstate colleagues could pay particular attention to one thing, I would be most grateful. This in...in and of itself is not a bad idea; however, as the Sponsor yesterday indicated, these kinds of ideas need to be flushed out and very carefully considered when you are going to make a major, major change in how you account in state accounts particularly as it impacts the road fund. Now, Ladies and Gentlemen of the House, let me tell you, I don't think I need to tell you, but let me review how we handle highway projects in the State of Illinois. Your capital program and the expenditure accounts are budgeted by project. Now pay particular attention to that, they are budgeted by project. For those of you that live up north, for example, the Kennedy Expressway is budgeted by project. Down in my district Route 150 is budgeted by project. Not by fiscal year, not by fiscal year. So in other words those highway projects are multi year in scope. Now if you pass this Gentleman's Bill every highway project will sunset, if you will, at the end of that fiscal year. Now let me give you a scenario, let's say the Majority Leader of the House, who is retiring this year, has a highway project in his

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district, he won't be back here. What is to guarantee that project funding will be continued in the next fiscal year? There is no guarantee, every project will be re-examined. If the power structure were to change in Chicago you would have no guarantee that the Kennedy Expressway project would continue because it would sunset at the end of the year. What this Gentleman is trying to do is to put everything on a fiscal year basis and there are things that we do in government that are not done on a fiscal year basis and highway construction, very important to every constituent down here, is done on a project basis. And if you pass this willy-nilly you will endanger every highway project in your district. That's not to say that the Gentleman has a bad idea but we need to give it a great deal more thought, a great deal more committee hearing before we embark on something that could dramatically change the one and five year plan in your district, that you have already told your constituents you are going to try to carry out for them. For those of you that live in the northern part of the state, if this law...if this Bill becomes law and the expenditures in the medicaid account cannot be made from one fiscal year to the other, you know what is going to happen. Dramatic rate decreases or better or worse yet, just don't pay the bill. That impacts the people that you are elected to serve. Again and in closing, the idea is worthy of a great deal of study, but you cannot change historical aspect of how two important budget matters are handled in government. We're not the private sector. Oh, there are days I wish we were, but we are not. I am not prepared today, to vote for this kind of a dramatic change that could impact projects that go across fiscal years in my much needed highway construction and I'm not about to

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endanger medicaid recipients, who will find their bills not paid or their reimbursement levels dramatically reduced, because those bills are allowed to be carried over under federal law by a period of one year. A good idea, its time has not yet come, I urge you to vote 'no'."

Speaker Currie: "Further discussion? Representative Stephens."

Stephens: "Thank you, Madam Speaker. The issue of 2744 has been debated but I believe there is a greater issue before us and I hope that the Representative will yield for a question and answer it very directly. And that question, brought up by Representative Moore that you dodged is, 'Did you or did you not pledge in committee to work out an Agreed Amendment with the Department of Public Aid or not?'"

Speaker Currie: "Representative Edley."

Edley: "I indicated that I would work with them and I will still work with them but they have never come to me with any Amendment."

Stephens: "Did you or did you not?"

Edley: "I don't have any idea what to do..."

Stephens: "Did you agree or did you not, Representative? It is a simple question."

Edley: "I gave you a direct answer, I stand ready to work with them."

Stephens: "Yes or no."

Edley: "I stand ready to work with them."

Stephens: "Yes or no."

Speaker Currie: "Representative Stephens I think he has answered the question. Do you want to stick to the Bill?"

Stephens: "He has not. It is not your direction to determine whether he has answered my question. It is my determination."

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Edley: "I stand ready to work with them, as I had indicated in committee, I am not clairvoyant..."

Stephens: "Representative, answer anyway you want, it is your honor that is in question."

Edley: "...so I cannot address their concerns until they are made known to me from them."

Stephens: "Representative, if you are willing to work with the department, pull the bull up...Bill out of the record. Maybe that was a good fieudian slip. Pull the Bill out of the record or take it back to Second Reading for an Agreed Amendment. Let's work it out. If you gave your word in committee now is the time to test that word and again the question is simply 'yes' or 'no'; you either did or you didn't. It's not a 'well, I'll work with them'. It's I made a commitment and I'm going to live up to it, and now is the time for you to stand up and live up to your commitment."

Edley: "You obviously have a difficult time understanding plain english. I have said that I would work with them, they have failed and are tardy in their submission of an Amendment. You are going to have plenty of time to work with the Senate. This Bill, a very similar Bill, was Sponsored by five Republican Senators last session."

Stephens: "Well, Representative, to the Bill. Speaker to the Bill, the Gentleman has decided to answer a question. If it is a question of integrity is the question I asked and I didn't get an answer."

Speaker Currie: "Any further discussion? Representative Brady."

Brady: "Thank you, Madam Speaker. Will the Gentleman yield?"

Speaker Currie: "Representative Edley, will you respond to questions?"

Edley: "Or I think it is dilatory that this questioning and I

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don't think I have any other responses to make at this time."

Speaker Currie: "Representative Brady, do you wish to speak to the Bill?"

Brady: "Yes, Madam Speaker."

Speaker Currie: "To the Bill."

Brady: "And I'm very sorry that the Representative wouldn't respond to my question. My concerns are here and I think the Representative in his debate has indicated himself that this is not a perfect Bill. The concept is one that is way too serious, one frankly that we all need to work toward because it provides for better government, government that the people of Illinois can understand and I stand with many Members of this side of the aisle, to work toward that. I think the Representative himself admits that this is not a perfect Bill and it is not exactly the way to go and I think we all need to consider that. And this is far too serious a matter to pass in an inappropriate form and I speak therefore at this time in opposition to this particular Bill but fully support of the concept. And I would ask the Sponsor to bring it back to Second Reading as the previous Representative did, so that we could further debate this issue and come up with meaningful reform that can pass both chambers, that can be put into effect, that can, in fact, help the citizens of Illinois and everyone. And, Madam Speaker, I would request Verification Roll Call should this vote measure receive the requisite number of votes."

Speaker Currie: "Further discussion? Representative Ryder."

Ryder: "Inquiry of the Chair."

Speaker Currie: "State your inquiry."

Ryder: "Is it my understanding that the Sponsor is now refusing

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to answer questions on the Bill?"

Speaker Currie: "Representative Edley indicated that he did not wish to respond to the questions from Representative Brady."

Ryder: "Is that universal or will he respond to questions from other Representatives?"

Speaker Currie: "Do you plan to ask question?"

Ryder: "I am simply inquiring of the Chair."

Speaker Currie: "I think the answer will depend on...if you have a question we can pose to Representative Edley, the question, Will you answer Representative Ryder's question?"

Ryder: "Will the Sponsor yield?"

Speaker Currie: "Will the Sponsor yield? Representative Edley indicates no. Do you wish to speak to the Bill?"

Ryder: "Speaker, then I will address the issue before us if I may."

Speaker Currie: "To the Bill, Representative Ryder."

Ryder: "We stand here today to talk about a brand new accounting system for the state government. Accounting system that has been touted by the Sponsor as one to be open and honest and to give us truthful answers for state government finance. And yet the Sponsor of the Bill refuses to answer questions on the floor of the House. This is the same Sponsor of the Bill that indicates that he may have made a commitment to do something in committee, but whatever it was, it isn't fulfilled by the presentment of this Bill before us. I don't understand all elements of english language, but I do understand when a person in committee says, 'I will work with; I will not move the Bill'. I understand what that means. The people of this General Assembly understand what that means. And if the Sponsor of

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the Bill doesn't understand what it means then it's his loss and not ours."

Speaker Currie: "Further discussion? Representative Schoenberg."

Schoenberg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would like to rise in support of this measure. I think that many of the issues which were raised in debate in the questioning yesterday some of them were valid, some of them were antagonistic, but one thing remains clear and that is we cannot continue to proceed as if we don't have a problem. We have a \$1.9 billion accumulated debt. Our bond rating has been reduced twice and if it went any further south it would be in Tijuana. So my suggestion is that whether it is, is Bill Edley or Steve Rauschenberger Sponsoring this Bill that we do something about solving the fiscal problems of the state and I find it to be a shame that in the absence of any constructive criticism that some of the questioning is starting to become personal and hostile."

Speaker Currie: "Further discussion? Representative Olson."

Olson: "Thank you, Madam Speaker. I don't hear well and I've got a little device in my ear here to help me but I believe I heard that Representative Edley didn't want to speak to a question. I can't quite...that gets me. Representative Edley, is one of the most outspoken persons I have seen on this House floor when it comes to try to tie the activities of this legislative Body to politics. I just can't hardly believe that Representative Edley has nothing to say."

Speaker Currie: "Representative Skinner."

Skinner: "Yes, I have some questions which the Representative may care to answer or if he doesn't have an answer or feels inadequate to answer them he certainly doesn't have to. Number one; since group insurance claims that we as

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Legislators and other state employees file usually don't get filed or processed within 30 days. What is going to happen to claims that we make that don't get processed on a timely basis? I hope the transcript will reflect that there is a silent period here, a long time. He doesn't seem to want to answer. Is that correct, Madam Speaker?"

Speaker Currie: "Representative Edley."

Edley: "I will answer that specific question."

Skinner: "Thank you."

Edley: "The...these claims will be, as you do in a business, you would estimate what your expenditures would be over a...within 30 days of the close of the fiscal year and they can be paid at any point in time, at any point in time. That is why you don't need a lapse period and you don't need a Section 25. It will have no impact on when these Bills can be paid, if they are properly estimated."

Skinner: "Thank you. Now with regard to pensions; I have just received information that the five plus five early retirement fund for downstate, for the downstate teachers has resulted in a unaccrued liability estimated to be \$374.1 million. How would that show up in...under your plan?"

Edley: "In my discussions with the comptroller's office that as long as we had a plan in place to address that unfunded liability that that would meet our obligations under GAAP accounting. And both the Governor and Members of this Body have in the legislature a plan to address that unfunded liability."

Skinner: "But of course that was not in place when the five plus five plan was passed. So what would have been, what would have happened two years ago when we passed five plus five and we had this multi hundred million dollar unaccrued

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liability estimated?"

Edley: "Well, I...it is difficult to respond to what would of happened a couple of years ago if this was in place. I think you would have to defer that to someone else and I would not venture an opinion on that at this time."

Skinner: "Would we just declare bankruptcy?"

Edley: "We will be no...one thing is...let me make one thing perfectly clear as some former President used to say. The accounting system is not creating these financial obligations, the underlying obligations of this state are there whether we use cash based accounting or accrual accounting. The only thing that this system does, is provide a structure by which for us to...by which we can address them and recognize these obligations."

Skinner: "I understand that Representative and that is why I'm asking...I mean I'm giving you help. Two years ago or three years ago when the five plus five plan was passed, Members of this General Assembly did not have a clue what the unaccrued liability would be. We now are at least two years into the implementation of the plan and I am telling you, that I just got a letter from the downstate teachers retirement fund saying that the unaccrued liability is now estimated to be \$374.1 million. Had we known that we were going to go into debt that much, how would it have shown up on the books?"

Edley: "Well, according...what we would have had to do is had some mechanism, some plan in place to address that unfunded liability."

Skinner: "Well, that sounds like an argument in favor of your Bill."

Edley: "Yes, I think it would be in...I think it is. With this kind of an accounting system, we would be forced to address

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this unfunded liability problem in some manner. Whether we address it over 50 years or 40 years but we would have some systemized plan in place to meet that unfunded liability."

Skinner: "I have one further line of questioning and that has to do with retiree insurance benefits. Those of us who every once in awhile dip into the financial pages have seen that GAAP has required numerous large companies to take multi-hundred million dollar charges against their earnings in order to put money aside and to pay for future retiree benefits. I assume that would be the same case for the State of Illinois, we would have to set aside several hundred million dollars to pay for the retired...retirement insurance benefits of present and currently retired state employees."

Edley: "Currently, as you know, we pay for retirees out of current revenue and ..."

Speaker Currie: "Turn Representative Edley back on. Representative Skinner, your five minutes are up. Representative Edley can answer the question and then if you would like to conclude, that would be good. Representative Edley."

Edley: "To close?"

Speaker Currie: "You were answering a question from Representative Skinner. Did you finish your answer to his, did you finish answering Representative Skinner."

Edley: "Yes, I finished."

Speaker Currie: "Okay. Representative Skinner do you wish to conclude your remarks?"

Skinner: "Well, time sure does fly when you're having fun."

Speaker Currie: "Well, if you would like to take some moments to conclude or speak to the Bill."

Skinner: "I'm not sure that answer is adequate. I know that we

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pay for retiree insurance benefits out of current revenue now but my understanding is under the GAAP program that we have to set aside money to pay for it. We have to, we have to recognize future payments that are predictable at the current times. So I don't understand his answer."

Speaker Currie: "Further discussion? Representative Hannig."

Hannig: "Yes, thank you, Madam Speaker and Members of the House. There are two basic fundamental ideas that are on this proposal. I think we need to discuss a little bit about both of them. Many of us have from time to time said that the state needs to operate more like private industry, more like a business. And every business, Ladies and Gentlemen of the House, that is listed on the stock exchange, the New York Stock Exchange, the American Stock Exchange, has to set out their books according to generally accepting accounting principles. Now all this is a system to report, it is done by Ford and GM and IBM and every business that has stock on the big boards and even some of the smaller companies. The IRS requires it of the business community when they file their taxes. So this is not a solution that is going to make all our problems go away, quite frankly, businesses that report on generally accepted accounting principles still can go bankrupt. But at least it is a system of honesty. It is system of telling it what we own, when we owe it, and how much we owe, and to who we owe. It makes us report our debts on a timely basis. It makes us report our expenditures and our obligations when they are incurred, not when they're paid. And that is the fundamental difference between a cash basis system which does not recognize an obligation until you pay it and general accepted accounting principle and accrual system which makes you recognize, recognize an obligation when you

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incur it. The other proposal is the zero based accounting system, budgeting system, that Representative Stephens proposed yesterday. And I heard a number of Members on that side of the aisle get up and speak of the great merits of that proposal and indeed I think it has been shown to be a very progressive way to do your books and your business and it has its certain advantages that I think that this state could certainly use. So I would suggest to the Members of the Republican side of the aisle, the folks that have been screaming for weeks now that they would like to get an Amendment, they would like to get a Bill. This is an idea that we have accepted on this side of the aisle. It is now part of this Bill and I would urge all Members of the House who think that we should have more truth in reporting that we should have a honest based system of accounting in this state to vote 'yes' on this proposal."

Speaker Currie: "Representative Edley, to close."

Edley: "Thank you, Madam Speaker. I know there has been some scare tactics used on this Bill some disinformation provided to the General Assembly. But there will be no adverse impact on the medicaid budget, nor the road budget whatsoever. And quite frankly what this Bill does it really will put the pressure on the Governor and the General Assembly to stop cooking the books. That is why we can't pay our Bills is because we have not budgeted or appropriated enough money to meet our financial obligations. This legislation would require us to do that over a phased in five-year period and would, I think, with some of the proposals that are currently being made by the Governor's office insure that we don't end up borrowing money like he has proposed us...supposed to do here by delaying our bond payments. Pay off these old Bills and

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then start the bad habits over and over again and so in two or three years we're back in the same kind of position that we are today. I think this is a good bipartisan legislation. We passed it out of the House before. It has been Sponsored by Senate Republicans in a very similar format and any problems that the Department of Public Aid or IDOT may have will certainly...I will support them in addressing them in the Senate chambers, so I would urge a bipartisan support for this and I would ask for a roll call, positive roll call."

Speaker Currie: "Representative Edley moves passage of House Bill 2774, all in favor vote 'aye'; opposed vote, 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Measure, there are 54, 55 voting 'aye'; 41 voting 'no'. Representative Pugh votes 'aye'. Fifty-six voting 'aye', 41 voting 'no'. Representative Edley. All right. Representative Ackerman votes 'aye'. Fifty-seven voting 'aye', 40 voting...Representative Giles. Representative Giles votes 'aye'. Representative Edley, do you wish to explain your vote?"

Edley: "Can we poll the absentees?"

Speaker Currie: "Poll the absentees. I'm sorry, 58 voting 'yes'; 40 voting 'no'. And now will the Clerk pull the absentees?"

Clerk McLennand: "Those not voting. Representative Giglio. McAuliffe, and Phelps."

Speaker Currie: "Representatives Lopez votes 'aye'. Representative Giglio votes 'aye'. Representative Phelps votes 'aye'. Representative Meyer."

Meyer: "Madam Chairman, I would like to change my vote to 'present'."

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Speaker Currie: "Representative Meyer votes 'present'.
Representative Black, for what reason do you rise?"

Black: "Thank you very much, Madam Speaker. Just to remind the
Chair that Representative Brady had..."

Speaker Currie: "The Chair remembers."

Black: "Asked for a verification."

Speaker Currie: "The Chair remembers. Thank you. Any
further...Representative Lang. All right, lets take the
record. On this Measure there is 61 voting 'aye'; 39
voting 'no' and the Representative Brady has asked for a
verification. Representative Lang asked leave to be
verified, does he have leave? Leave is granted.
Representative Capparelli and Representative Levin both ask
leave. Leave is granted. Representative Hartke as well.
All right, the Clerk will read the affirmatives."

Clerk McLennand: "Those voting in the affirmative. Ackerman.
Balanoff. Blagojevich. Brunsvold. Bugielski. Burke.
Capparelli. Curran. Currie. Dart. Davis. Deering.
DeJaegher. Dunn. Edley. Flowers. Frias. Gash. Giglio.
Giles. Giolitto. Granberg. Hannig. Hanrahan. Hartke.
Hawkins. Homer. Lou Jones. Kaszak. Kotlarz. Lang.
Lawfer. Levin. Lopez. Martinez. Mautino. McAfee.
McGuire. Eugene Moore. Moseley. Novak. Ostenburg.
Phelan. Phelps. Pugh. Raschke-Lind. Ronen. Rotello.
Saltsman."

Speaker Currie: "Excuse me, Clerk. Representative Curran is
asking leave to be verified. May he have leave?
Representative Brady. Representative Curran would like
leave to be verified. Leave is granted. Continue, Clerk."

Clerk McLennand: "Representative Schakowsky. Schoenberg.
Sheehy. Steczo. Stephens. Stroger. Turner. von
Bergen-Wessels. Wirsing. Woolard. Younge and Mr.

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Speaker."

Speaker Currie: "Representatives Ostenburg and Sheehy would like leave to be verified. Do they have leave? Representative Brady. Representatives Ostenburg and Sheehy both have leave. Are there questions of the affirmative? Representative McAuliffe. Representative McAuliffe would like to be recorded as voting 'no'. Are there questions of the affirmative? Representative Brady."

Brady: "Yes, Madam Speaker. Representative Hoffman?"

Speaker Currie: "Representative Hoffman is not recorded as voting."

Brady: "Representative Dunn?"

Speaker Currie: "Representative Dunn was sort of in the chamber a minute ago, he was leaning out from the Speaker's gallery."

Brady: "Excuse me, Madam Speaker."

Speaker Currie: "Yes, Representative..."

Brady: "Okay, I see Representative Dunn."

Speaker Currie: "Representative Dunn, actually he must come down to the chamber...but he should come down."

Brady: "Representative Brunsvold?"

Speaker Currie: "Representative Brunsvold, he is in the back of the chamber."

Brady: "Representative Giglio?"

Speaker Currie: "Giglio. Representative Giglio. Right over here on the side aisle."

Brady: "Representative Ronen?"

Speaker Currie: "Representative Ronen, is right here in the front. Further questions, Representative Brady?"

Brady: "Representative Hawkins?"

Speaker Currie: "Representative Hawkins, is in his chair."

Brady: "I'm sorry, he was...I just didn't see him."

Speaker Currie: "Representative Dunn has returned to the

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chamber."

Brady: "Representative Phelan?"

Speaker Currie: "Representative Phelan. Representative Phelan. Representative Phelan, are you in the chamber? Representative Phelan, is not in the chamber. Remove him."

Brady: "Representative Laurino?"

Speaker Currie: "Representative Laurino is voting 'no'."

Brady: "Oh, that is a good point."

Speaker Currie: "Further questions, Representative?"

Brady: "Yes, is Representative Currie here?"

Speaker Currie: "Hi."

Brady: "Oh, okay. Representative Ackerman?"

Speaker Currie: "Representative Ackerman. Is Representative Ackerman in the chamber? Yes, he changed his vote, he voted orally, I think you have to count him as a vote. The record...you can't verify somebody off who voted verbally."

Brady: "How did he vote verbally? I didn't know we could vote verbally."

Speaker Currie: "He changed...he wanted to add his vote after the roll call was over."

Brady: "I would ask for a ruling from the Parliamentarian on that issue."

Speaker Currie: "Representative Ackerman is in the chamber, we are still seeking guidance on the question whether we might have been left on the roll call, but in any case, the question is now moot. Do you have further questions, Representative Brady?"

Brady: "Yes."

Speaker Currie: "Representative Ackerman, for what reason do you rise?"

Ackerman: "Please change my vote to 'present'."

Speaker Currie: "Please change Representative Ackerman to

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'present'. Representative Black, for what reason do you rise?"

Black: "Well, thank you very much, Madam Speaker. I...I'm flabbergasted by this oral vote, I don't find that in the rules."

Speaker Currie: "Representative..."

Black: "An oral vote can't be verified off. Could you tell me what rule that's in?"

Speaker Currie: "As I say we're still checking that question, but the issue is moot at this point."

Black: "I thought so. Yes."

Speaker Currie: "Because Representative Ackerman has returned to the chamber."

Black: "Yes. But we didn't need to take ten minutes to make it moot."

Speaker Currie: "Representative Brady."

Black: "That is a dilatory reading, Madam Speaker."

Speaker Currie: "Representative Brady, do you have further questions of the affirmative?"

Brady: "Yes, I would like a ruling for the Chair. But also, Representative Rotello?"

Speaker Currie: "Representative who?"

Brady: "Rotello."

Speaker Currie: "Representative Rotello. Representative Rotello is standing right in front of us here."

Brady: "Representative Bugielski?"

Speaker Currie: "Representative Bugielski. Representative Bugielski. Is Representative Bugielski... Is Representative Bugielski..."

Brady: "He has lost a lot of weight. He's lost a lot of weight."

Speaker Currie: "There, Representative Bugielski is back on your side of the aisle, Representative."

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Brady: "He's on the right side of the aisle, okay."

Speaker Currie: "Further questions."

Brady: "Representative Lopez?"

Speaker Currie: "Representative Lopez is right in his chair."

Brady: "Representative Lou Jones?"

Speaker Currie: "Representative Lou Jones, in the center aisle.

Representative Wirsing, for what reason do you rise?"

Wirsing: "Would you change my vote, to 'no'?"

Speaker Currie: "Let the record show, Representative Wirsing voting 'no'. Do you have further questions, Representative Brady?"

Brady: "Representative Edley."

Speaker Currie: "Representative Edley, did you ask for? Possibly dilatory, do you think?"

Brady: "No further questions."

Speaker Currie: "No further questions. Representative. Representative Phelan is returned, restore him to the roll call voting 'yes'. Representative Shirley Jones, votes 'aye'. On this Motion, Representative Shirley Jones voting 'aye'. And did we restore Representative Phelan? There are 60 voting 'aye'; 41 voting 'no'. Representative Lawfer."

Lawfer: "I change my vote to 'present'."

Speaker Currie: "Show that Representative Lawfer is voting 'present'. Representative Santiago. Representative Santiago votes 'aye'. On this Motion, there are 60 voting 'aye'; 41 voting 'no'. And this Bill, having received the required Constitutional Majority, is hereby declared passed. On page 35 of the Calendar appears House Bill 3840. That Bill is held on Second Reading. Clerk, are there any Amendments or Motions filed?"

Clerk McLennand: "No Motions filed. Floor Amendment #1 offered

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by Representative Daniels, Hoeft."

Speaker Currie: "Representative Hoeft. Withdraw. Withdraw Amendment #1. Are there further Amendments?"

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

Speaker Currie: "Representative Cowlshaw. Withdraw Amendment #2. Further Amendments?"

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

Speaker Currie: "Representative Weller on Amendment #3."

Weller: "Thank you, Madam Speaker. Amendment #3 is designed to address a very serious problem. Many counties around the State of Illinois..."

Speaker Currie: "Representative Granberg. Excuse me a minute, Representative Weller. Representative Granberg, for what reason do you rise?"

Granberg: "Thank you, Madam Speaker. Can we have a ruling on whether this Amendment is germane? The underlying Bill allows bonding for the School Technology and Improvement Act. The Amendment does GEO bonding for the Juvenile Detention Act."

Speaker Currie: "The Parliamentarian informs the Chair that the Amendment is not germane, for this reason; the underlying Bill deals with school technology and the subject of Amendment #3 is county juvenile detention centers. So, the Amendment is not germane. Representative Weller, for what reason do you rise?"

Weller: "Madam Speaker. I am joined by five of my colleagues and I want to make a Motion to overrule the Chair. This is bonding legislation and it is amending a Bill that is bonding legislation. I recognize it's an important anti-crime initiative, but it deserves to be heard and I

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move to overrule the Chair."

Speaker Currie: "Representative Weller moves to appeal the ruling of the Chair. And on that Motion, Representative Black."

Black: "No not on the Motion, Madam Speaker. I will get back to you on an inquiry at a later time."

Speaker Currie: "All in favor of the Motion to appeal the ruling of the Chair, vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Chair reminds the Members it takes 71 votes to adopt this Motion. 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 49 voting 'aye', and 58 voting 'no'. The Motion fails. Are there further Amendments?"

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

Speaker Currie: "Representative Hoeft, did you say? Representative Hoeft, on Amendment #4. Withdraw, did you say or did you want to pursue? Withdraw, withdraw the Amendment. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Currie: "Third Reading. Clerk, read the Bill. Representative Schoenberg, there is a fiscal note request on the Bill. That fiscal note has not yet been filed. Are you prepared to file it?"

Schoenberg: "Madam Speaker, when was that fiscal note filed?"

Speaker Currie: "Clerk, can you inform the Chair of when the request was filed?"

Clerk McLennand: "April, April 25th."

Speaker Currie: "April 25th."

Schoenberg: "Madam Speaker, I would like to move that the fiscal note is inapplicable."

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Speaker Currie: "Representative Schoenberg moves that the fiscal note request is inapplicable to House Bill 3840. And on that Motion, Representative Black."

Black: "Now this has to be the most asinine request for inapplicability we have heard this year. Now if he would have said May 5th, that it was filed today, I could have understood the Gentleman's objection. This goes back two weeks that they have not made one attempt to get a fiscal note filed on this Bill. Now if you uphold this ruling, then this whole process is even a bigger joke than I think it is already. This is the most asinine request, I don't know by what authority Mr. Schoenberg can get up and look anybody in the eye and say a fiscal note filed two weeks ago is inapplicable. If the Sponsor of the Bill couldn't get the fiscal note that's too bad. That's the responsibility we all have in this chamber. If you uphold this, then hell let's just go home. This whole thing has turned into a circus and a joke and I will respect a verification if this passes and God help anybody who votes for this; you make a mockery of the whole process."

Speaker Currie: "Further discussion on the Motion? Representative Schoenberg."

Schoenberg: "Madam Speaker, Ladies and Gentlemen of the House, Members of the gallery. It would appear to me that the...on the first page of the Bill it is rather clear that this amends the General Obligation Bond Act, to increase the states bonding authority by \$1 billion. That is just on the very face of it and its on that basis that it is so clearly articulated on the front of House Bill 3840, that I am moving to rule that the note is inapplicable."

Speaker Currie: "Further discussion on the Motion? On Representative Schoenberg's Motion upon which we all will

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vote. Representative Ryder."

Ryder: "Speaker, I don't even understand what point the Sponsor of the Bill made as far as what the Bill says. There are other costs that deal with the issuance of bonds, like interest perhaps, or maybe issuing costs. He being a person that has been decrying pinstripe patronage and other evils, is now suggesting that there is no additional costs? Well, that comes as news to us and perhaps, perhaps, in the situation when he says there is a cost to now indicate that a fiscal note is inapplicable. Why it defies on its face the assertion of the Gentleman. He is indicating that by his very own comment that it is applicable. He is suggesting that his own Motion is inappropriate. He is telling us that there is a cost and perhaps we want someone other than the Sponsor of the Bill or at least the person that's handling it to suggest what that cost may be. To suggest at this point that the Note Act is inapplicable is the grossest of the miscarriages of justice that this legislature has seen yet today."

Speaker Currie: "Further discussion? Representative Cross."

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

Speaker Currie: "He indicates he will."

Cross: "Representative Schoenberg, are you suggesting when you take into account the interest and the issuing fees and the attorney's fees that this Bill will not cost the State of Illinois any more money."

Schoenberg: "Mr. Cross, I don't recall that I've said that."

Cross: "What. Considering..."

Schoenberg: "Pardon me, Sir. What I am saying is, the basis for asking whether...the basis for a fiscal note, the costs will not be determined until the bonds are sold, until the projects are assigned. A fiscal note is merely to

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determine what the cost will be for the upcoming year. And since the bonds have not yet been sold and since the projects, in this case being computers, technology, and other technology for schools, since those projects have not be allocated, therefore, that is the basis of my suggestion that the Note Act is inapplicable."

Cross: "Representative, you're not in a position then to say that this Bill will not cost the State of Illinois any more money, are you?"

Schoenberg: "Mr. Cross, what I am saying and that is to the Motion as to whether or not the Note Act is inapplicable, is that until the bonds are sold and until the projects are assigned that, in this particular case, this Motion is very much in order."

Cross: "Representative, you frankly just don't have any idea what this is going to cost the State of Illinois, do you? You have no idea, as you stand there today, what this is going to cost us."

Schoenberg: "Sir, all I'm telling you is that I move to suggest that the Note Act was inapplicable, because we do not know until the bonds are sold and until the projects are indeed assigned."

Cross: "Madam Speaker, to this Amendment we don't know..."

Speaker Currie: "To, to the Motion, yes, Representative."

Cross: "To the Motion on the Amendment, excuse me. We have no idea what this Bill or Amendment is going to cost the people of the State of Illinois, no idea whatsoever. He is suggesting that its going to cost us something, we just don't know what. To rule or suggest that this is inapplicable, our Motion is highly irregular and I would urge the appropriate vote. Thank you very much."

Speaker Currie: "Further discussion? Representative Murphy."

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Maureen Murphy."

Murphy, M.: "Thank you, Madam Speaker. To the Motion regarding cost, having served on the Elementary and Secondary Education Committee, it is important to point out that the Sponsor of this legislation came before our committee and the questions all centered around the \$1 billion request for GEO bond money. The vote was 13-5-2, seven people where not in favor. None of the...it wasn't about the concept, it was about the money. The Chairman of that committee and others from the prevailing side of the aisle on the 13 vote, suggested that it would be a little more responsible if we would look at the money scenario. For 45 minutes we talked in Education Committee about how expensive this would be. So, the suggestion by a Sponsor, who stands on the floor who was not part of that discussion, would hardly be the one that we count on to go with a inapplicable ruling by the Chair. A fiscal note is not only applicable, why don't we put our votes where our mouth is. If you really want to spend a billion dollars on the computerization of classrooms when we have 50% of the kids failing in Chicago and we can't do accountability, you know, we better start saying, 'what is it costing us?' It is a nice idea but it costs a lot of money."

Speaker Currie: "Further discussion? Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. What, does everybody here live under a rock? I mean, have you been around long enough to know that at least it cost 10% out of GRF to pay back the interest and principle on a bond issue for \$1 billion. So there's a the \$100 million hit a year, at least. Does anybody really believe that we're not here just wasting time? Spending \$15 thousand a day, of the taxpayers money, to debate an issue like this when a \$1

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billion in bonds are to be issued. That the annual cost which is, at least, \$100 million. If there was ever a case for applicability of the Fiscal Note Act, this is it. We have got to quit wasting the taxpayers money, adjourn this General Assembly, wait for the Senate Bills to come over and go home."

Speaker Currie: "Further discussion? Representative Biggins."

Biggins: "Thank you, Madam Speaker. To the Motion, we all know that this has to cost money, anybody that says it's not going to cost more or does not want to research it, is not being honest. What this chamber needs is more honesty. We need an honest person, maybe from outside this chamber to come here and set this place right and I think that is going to happen. Now this combination of crafts political power and crafts political stupidity shows this is the danger of government right here. It is obviously going to cost more money. Tell the truth and tell us how much it is going to cost."

Speaker Currie: "Representative Tom Johnson."

Johnson, Tom: "Yes, will the Sponsor of this Motion yield?"

Speaker Currie: "Representative Schoenberg, will you yield? He will."

Johnson, Tom: "Representative Schoenberg, we just heard quite a lecture from one of your colleagues, Representative Edley, concerning GAAP accounting and we ought to know what things are going to cost and what the true cost is. Well, you tell me how this is consistent with the lecture that we just heard from your colleague over there."

Schoenberg: "First of all Sir, I wish to commend you for being the first out of a series of speakers to ask question, to ask your question in a civil tone."

Johnson, Tom: "You're welcome. I'm just warming up"

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Schoenberg: "I can see the beads of sweat forming on your forehead. You can call me a lot of things but don't call me stupid, Tom. Anyway, as I said, getting back to your question...getting back to your question, this is the wrong Bill. As I indicated in my response to Mr. Cross, I believe it was, that to...for a fiscal note, the way the Fiscal Note Act is currently defined that because the bonds are not sold...it won't be until the bonds are sold or the projects assigned for next year that we will indeed be able to determine this."

Jonsson, Tom: "It's precisely what flies in the face of the argument."

Schoenberg: "Besides he is my seatmate. Sir, besides he is my seatmate, not my wife; I don't speak for him."

Johnson, Tom: "Thank you."

Speaker Currie: "Further discussion? If not, Representative Schoenberg moves...Representative Edley."

Edley: "I rise in...on a point of personal privilege. I think that they have requested the wrong note. It should be a state debt impact note. And on that reason alone it should be ruled inapplicable."

Speaker Currie: "Representative Schoenberg has moved that the Fiscal Note Act is inapplicable to House Bill 3840 and the State Mandates Act Note. All in favor of the Motion, vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Representative. Have all voted who wish? Have all voted who wish? Yes. Right. Have all voted who wish? The Clerk. Have all voted who wish? The Clerk, will take the record. On this Motion, there 47 voting 'aye', 59 voting 'no'. And the Motion fails. The Bill will remain on the Order of Second Reading. Representative Biggins, for what reason do you

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rise?"

Biggins: "Madam Speaker, thank you for recognizing me. Yesterday I got up in the middle of a debate on a Bill and made a point, raised a point of personal privilege and the Speaker at the time suggested to me that I violated the rules of the House and I was subsequently given a book of rules. I might suggest that Representative Edley and the other side of the aisle recently rose on a point of personal privilege during the debate on a Bill. Maybe we could send him a book of rules as you sent me yesterday so kindly. Because, surely if I was in violation he was in violation."

Speaker Currie: "Representative Brady, for what reason do you rise?"

Brady: "Thank you, Madam Speaker. While we are on the issue of rules, did the Parliamentarian rule yet on verbal voting?"

Speaker Currie: "The Chair will get back to you on that. House Bill 3332, out of the record. On page 27 of the Calendar appears House Bill 3488, on Second Reading, Representative Flowers. Clerk, are there any Amendments or Motions filed on the Bill?"

Clerk Rossi: "House Bill 3488, the Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Hoeft."

Speaker Currie: "Representative Hoeft, on Amendment 2. Withdraw. Further Amendments?"

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

Speaker Currie: "Withdraw. Further Amendments?"

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

Speaker Currie: "Withdraw. Further Amendments?"

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Clerk Rossi: "No further Amendments."

Speaker Currie: "No further Amendments. Any Motions filed?
Third Reading. Clerk, read the Bill."

Clerk Rossi: "House Bill 3488, a Bill for an Act relating to day
care centers in high schools. Third Reading of this House
Bill."

Speaker Currie: "Representative Flowers."

Flowers: "Madam Speaker, Ladies and Gentlemen of the House.
House Bill 3488, would merely make it permissive for those
schools that handle grades 9 through 12 could have day care
in the schools. And I would urge for the passage of House
Bill 3488."

Speaker Currie: "Representative Flowers moves for the passage of
House Bill 3488. All in favor signify by voting 'aye'; all
opposed vote 'no'. Voting is open. Representative Black,
one minute to explain your vote. Representative Black."

Black: "Actually, Madam Speaker, I have an inquiry of the Chair.
You have Floor Amendment #4 on the board and I think there
are some people confused as to what we are voting on here."

Speaker Currie: "Sorry, we did read the Bill on Third. The Chair
didn't check the board, we appreciate your ever vigilant
guardianship of this chamber."

Black: "Thank you, Madam Speaker. I'm here to serve and
protect."

Speaker Currie: "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 97 voting 'aye'; 9
voting 'no'. This Bill, having received the required
Constitutional Majority, is hereby declared passed. On
page 37 of the Calendar appears House Bill 3911,
Representative Frias, and that Bill is on the Order of
Second Reading. Are there any Amendments or Motions filed

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to the Bill?"

Clerk Rossi: "House Bill 3911. No Committee Amendments. Floor Amendment #1, offered by Representative Frias."

Speaker Currie: "Representative Frias."

Frias: "Thank you, Madam Speaker. Amendment 1 simply cleans up the language to the Bill. What it does is it removes the requirement of having a doctor present when tattoos are being applied above the jawline. This was a...the problem that the tattoo artists were having, this was a controversy on the Bill. The language in Amendment 1 takes away the controversial part of the Bill and I ask for its adoption."

Speaker Currie: "Representative Frias moves adoption of Amendment 1 to House Bill 3911, and on that Motion, Representative Black."

Black: "Thank you very much, Madam Speaker. An inquiry of the Chair, first. We are dealing currently with Floor Amendment #1, is that correct?"

Speaker Currie: "Floor Amendment 1, to House Bill 3911."

Black: "Will the Sponsor yield?"

Speaker Currie: "He indicates he will."

Black: "Now, Representative, Floor Amendment #1, I'm trying to follow along here, says that you cannot tattoo anyone's face unless you are a physician?"

Frias: "No, Representative, what the Amendment says is it removes a requirement for having to have a doctor present while having a tattoo above the jawline. That was in the initial Bill. This Amendment removes that requirement so you no longer have to have a doctor present."

Black: "So, a doctor does not have to be present."

Frias: "Correct."

Black: "If you are tattooing someone's face."

Frias: "Correct."

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Black: "And a doctor doesn't have to be present if your executing someone, but that isn't in here."

Frias: "That's not in here, Representative."

Black: "I see. Can you give me the genesis of this Bill? I've been to two or three county fairs; I've been to a state fair, and I don't know that I've ever run across a face tattoo parlor."

Frias: "Well, they're called permanent cosmetic artists and what they do is permanently...this Bill doesn't necessarily specifically deal with just tattooing of the face. Actually what the Bill does is it sets certain standards for tattoo artists. It calls for the licensing of the tattoo artists, calls for the standards in sterilization, single use needles and the like. But that is not being dealt with in the Amendment. The Amendment just removes the requirement for having the doctor there."

Black: "All right. I appreciate your patience but to the Amendment. All the Amendment does is to say that a medical doctor does not have to be present at a tattoo parlor, if you go in there for a tattoo. That is all the Amendment does?"

Frias: "Yes."

Black: "All right. Thank you."

Speaker Currie: "Further discussion on the Motion to adoption the Amendment? Representative Brady."

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

Speaker Currie: "He will."

Brady: "Representative, this Amendment also says that tattooists must maintain records."

Frias: "Correct."

Brady: "What must be maintained in those records?"

Frias: "Well, that's not in the Amendment, that is the underlying

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Bill, Representative."

Speaker Currie: "We are on the Amendment now, Representative Brady. So do you want to confine your questions to the Amendment?"

Brady: "Yes, I'm trying to and our analysis indicates that that is in the Amendment. If it's not, I'll defer my question to the Bill."

Speaker Currie: "Representative Frias."

Frias: "I apologize, Representative. You're correct, the Amendment does speak to keeping records for a period of ten years."

Brady: "What kind of records would it require?"

Frias: "Individual's names and any kind of reactions, if any. And just for the purpose..."

Brady: "No picture or description of the tattoo?"

Frias: "No. No. No."

Brady: "Is there a reason you excluded that kind of record?"

Frias: "It just wasn't put in, Representative. But if you would like to we will work with you."

Speaker Currie: "Further discussion? Representative Weaver."

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

Speaker Currie: "He will."

Weaver: "This may deal as much with the underlying Bill as it does with the Amendment but I don't see anywhere in our analysis that indicates that this specially deals with human tattoo artist. As you may or may not understand instead of branding animals downstate years ago we switched to lip tattooing cattle, for identification purposes. Does this deal at all with those type of tattoo artists? Or does it specifically deal with the human tattoo artist?"

Frias: "I'm glad you brought that up, Representative. No, it doesn't specially deal with the tattooing of cows lips, as

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a matter of fact, because of this Amendment we now remove the requirement of having to have a doctor present while the cow is having his lip tattooed."

Weaver: "But this in no way..."

Frias: "So it requires, removes the requirement."

Weaver: "But this in no way could be misconstrued to require the licensing of cattle tattooers. How about pig tattooers? How about ratites, do we, if someone wanted to tattoo ratites, would they have to be licensed under this Amendment?"

Frias: "No I believe this does refer to humans. That is the legislative intent of the Bill. But we can amend it to include ratites, if that is your...so desire."

Weaver: "I don't know...I don't begin to know where you would put the tattoo to begin with, but I appreciate you answer, thank you."

Speaker Currie: "Representative Frias, moves 'do adopt' on Amendment 1 to House Bill 3911. All in favor say 'aye'; opposed say, 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. Clerk, read the Bill."

Clerk Rossi: "House Bill 3911, a Bill for an Act to create the Tattoo Artist License Act. Third Reading of this House Bill."

Speaker Currie: "Representative Frias."

Frias: "Thank you, Madam Speaker. What this Bill does is it creates a Tattoo Artist Licensing Act, provides that the licensing of a tattoo artist by the Department of Professional Regulations, prohibits tattooing without a license, defines terms, requires the department to

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establish rules regarding sanitation, sterilization, and hygiene, to administer tests to collect licensor fees, and I move for the adoption of this Bill."

Speaker Currie: "Representative Frias moves passage of House Bill 3911, and on that Motion, Representative Black."

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

Speaker Currie: "He will."

Black: "Representative, I'm trying to hold my emotions in check here. You know how I love Licensing Bills but let me try to focus in on this one. Your Bill creates the Tattoo Artist License Act, correct?"

Frias: "Yes."

Black: "What, what do I have to do to become a licensed tattoo artist?"

Frias: "Well, you will have to pass an exam, then you will have to pay a fee of \$200, first time fee..."

Black: "I have to pay...I'm sorry I didn't hear you, a fee of 200?"

Frias: "Yes, one time fee of \$200, twenty dollars every two years thereafter. Upon passing the exam then you will be a tattoo artist."

Black: "Do I have to take an exam?"

Frias: "Yes, you must take an exam."

Black: "Is anybody grandfathered? You know if I had been a...if I had been in the tattoo business for 40 years, am I automatically grandfathered under your..."

Frias: "No."

Black: "So, even if I learn how to tattoo in the Navy back in 1938 in the Phillipines I can't be...I have to be attested and licensed and all that?"

Frias: "Correct."

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Black: "What about...what about if I go to a cosmetology center and I want a cosmetologist, a licensed beautician and cosmetologist to see if she could tattoo these bags out from under my eyes. Let's not have any cruel comments over there."

Frias: "She..."

Black: "But be that as it may, could the cosmetologist put permanent eyeliner or do something to take these bags out?"

Frias: "Yes, actually they can?"

Black: "They can't or can."

Frias: "They can once they are properly licensed under the Tattoo Licensing Act."

Black: "All right, that is the key. The cosmetologist would have to go back and also get a tattoo artist license, right?"

Frias: "Correct."

Black: "That could be an interesting business, you know. I could see it now, Mr. Larry's Hair Parlor and Tattoo Shop. It would be an interesting business. There is another section of the Bill that I...I'm a little concerned about. It says that it requires used needles and infectious waste to be stored, treated and disposed of in compliance with the EPA. Is there infectious waste involved in tattooing?"

Frias: "Well, there have been documented cases of the transmittal of hepatitis B through the use of...the repeated use of needles. And what this Bill calls for is single-use needles to prevent that from happening again. It also sets certain standards for sterilization, so this is to insure everyone's safety, anyone who decides to get a tattoo, this is to insure their safety."

Black: "Well, okay."

Frias: "So I would imagine that it is potentially hazardous and potentially infectious and should be treated that way."

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Black: "Well, I think probably that makes imminent good sense. The only other thing that I'm not sure of, what penalty...it says that you cannot tattoo any person who appears to be under the influence of drugs or alcohol, now how is the tattoo...licensed tattoo artist suppose to know, I mean, what kind of risks are we exposing the artist to, if he or she mistakenly tattoos somebody under the influence of alcohol or drugs?"

Frias: "I guess we would just have to...put them through the reasonable person's standard of whether they would think that somebody was under the influence of or had been drinking. It doesn't really set..."

Black: "Okay."

Frias: "...stringent records for that."

Black: "All right. Then, is there anything in the language that would require a licensed tattoo artist to carry liability insurance?"

Frias: "No. Not in this Bill."

Black: "They wouldn't have to carry dram shop insurance or anything like that?"

Frias: "No."

Black: "No. Okay, well thank you very much for your patience."

Speaker Currie: "Further discussion? Representative Walsh."

Walsh: "Thank you, Madam Speaker. I just wanted to clarify, Representative, that with the Amendment on this Bill you no longer need to have a physician to do something such as put a permanent eyebrow."

Frias: "This is correct and the reason we did this is because of the cosmetologists and their opposition to the Bill, because that is the very nature of their business, so it does remove that requirement."

Walsh: "Does it remove the requirement for a tattoo artist to

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have a physician present to put a tattoo any place else?"

Frias: "Yes."

Walsh: "So you no longer have to have a physician present if you're..."

Frias: "Correct."

Walsh: "Okay. Thank you."

Speaker Currie: "Further, further discussion. Representative Lawfer."

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

Speaker Currie: "He will."

Lawfer: "Representative, where in your Bill does it specifically exempt anybody that is tattooing livestock? Is that exempted in that?"

Frias: "I'm sorry I couldn't hear you."

Lawfer: "Where in the Bill does it specifically exempt anybody that is tattooing hogs or cattle in production agriculture? Are they exempted?"

Frias: "I'm sorry, Representative, I simply can't hear, I can't hear the question."

Speaker Currie: "Could we have a little order in the chamber? Representative Frias was unable to hear the question, a little quiet please. Representative, would you restate the question for Representative Frias?"

Lawfer: "Yes, I will be glad to. Where in the Bill and how does it exempt...specifically exempt tattooing people that tattoo livestock? Does this...how is that explained in there?"

Frias: "It doesn't have that exemption in this, Representative, because it doesn't...it doesn't speak to people who tattoo or mark livestock."

Lawfer: "So, for the record then, that you would say that that

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specifically exempts anybody that is tattooing any animals in the process of agriculture production?"

Frias: "Yes."

Lawfer: "Thank you very much."

Speaker Currie: "Further discussion? Representative Wirsing."

Wirsing: "Thank you, Madam Speaker. Question for the Sponsor."

Speaker Currie: "Ask your question."

Wirsing: "Okay. In my district in the last two years there has been a...quite a bit of debate, discussion and some local ordinances put into place dealing with tattoo...the whole area of tattoo artists. And we have some local and county ordinances that in essence prevent tattooing being done. If this became law, would this supersede any municipality or county...?"

Frias: "No. No."

Wirsing: "It would not?"

Frias: "No. No."

Wirsing: "What about home rule municipalities?"

Frias: "It simply sets standards for those who are willing to go or desiring to go into the business of tattooing. It does not supersede or overrule home rule. It doesn't supersede local or county ordinances, it wouldn't effect your local ordinances."

Wirsing: "Thank you."

Speaker Currie: "Representative Lindner."

Lindner: "Madam Chairman, will the Sponsor yield?"

Speaker Currie: "He will."

Lindner: "Yes, I assume this is a health and safety measure do you have any statistics on if there have been any cases of hepatitis or AIDS now due to use of bad needles in tattoo parlors?"

Frias: "I don't have any specific statistics to quote you but I

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have been informed by the doctors who testified in committee that there have been documented cases of the spread of hepatitis B, through the use of needles that weren't discarded after initially being used."

Lindner: "But none of AIDS?"

Frias: "No, not at this point."

Lindner: "Thank you."

Speaker Currie: "Representative Cross."

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

Speaker Currie: "He will."

Cross: "Representative, this looks like a fine fine Bill. Do you personally have any tattoos?"

Frias: "Representative, I believe that is a personal question and..."

Speaker Currie: "Absolutely, out of order. Representative Cross, do you want to speak to the Bill?"

Cross: "Not now with that answer. It looks like a good Bill, Representative."

Speaker Currie: "Representative Curran."

Curran: "Thank you, Madam Chairman, Madam Speaker. Representative Frias, I have a question. I heard you say that you didn't need...a cosmetologist didn't need to work under the supervision of a doctor for eyebrows. I realized when you said that that my sister-in-law does this largely for her practice. Does that also include blush and all those other things, that that person who would do eyebrows would do? You mentioned eyebrows..."

Frias: "No. Representative, that's cosmetologists who engage in permanent tattooing of the face. In mean, if they are permanently tattooing eyebrows or permanently tattooing liner then they would be subject to the provisions of this Bill, but not the surface application of any cosmetic

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makeup. No, that wouldn't fall under the provisions of this Bill."

Curran: "Okay. So, what do they have to do to fall under the application of this Bill? Do they have to take some courses? It's only when you mentioned cosmetologist and then I realized that my sister-in-law is in this business, has been doing it for a long time..."

Frias: "Does she tattoo permanent eyeliner?"

Curran: "Yes."

Frias: "Well, then this would apply to her."

Curran: "Okay. Then my question to you is, what does she have to do?"

Frias: "She would have to take the exam, pass the exam, pay a one-time \$200 fee, an initial fee, \$20 every other year thereafter and that's it."

Curran: "Twenty dollars?"

Frias: "Twenty dollars every two years, after the initial \$200 fee."

Curran: "All right. Well I think...do you have any idea how many people are already out there doing this? Are these people grandmothers or grandfathers in?"

Frias: "No. No, this Bill does not grandfather anyone. And what we are trying to do is set safety standards, sterilization standards. This Bill calls for single-use needles, which I think we would all agree is important, and there are very many, a great deal of reputable tattoo artists who are being harmed by the few who do not set standards or adhere to the standards set by their profession, so therefore we are attempting to do that with them."

Curran: "Are you...besides the single, the single use of a needle, what else does the Bill do? For example, it seems to me that you could have just asked for a single use of

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the needle without all the other gingerbread that is on this Bill."

Frias: "Let me turn to it...page on the Bill and I will read to you what other requirements aside from single-use needles. Hold on."

Speaker Currie: "I believe..."

Frias: "It also calls here, Representative, the use of sterilizing equipment to a certain degree for a certain amount of time, passing certain knowledges, knowledges that the person should have and the application of tattoos. There isn't really...there isn't anything hidden in this Bill. It is pretty straight forward, pretty simple and it just sets certain health and safety standards, that's all...there is nothing hidden in the Bill."

Curran: "And then a...a whole licensing process in addition to that."

Frias: "Correct."

Curran: "And then a renewal every other year? Two hundred dollar fee and a test?"

Frias: "Twenty dollars fee every other year. I think we would agree that is reasonable."

Curran: "All right. Thank you, Madam Speaker, no further questions."

Speaker Currie: "Representative Shirley Jones."

Jones, Shirley: "Can I have a little quiet in the House, please?"

Speaker Currie: "A little order, please."

Jones, Shirley: "Madam Speaker, we have a distinguished guest in the House. A former mayor of Chicago, Eugene Sawyer."

Speaker Currie: "We welcome him. Mayor Sawyer. Representative Martinez."

Martinez: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in support of the Gentleman's Amendment. I

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believe the Gentleman is sincere in his efforts and I think he is..."

Speaker Currie: "Further discussion? Representative Pedersen."

Pedersen: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Currie: "He will."

Pedersen: "Representative, what is the...what is this licensing suppose to accomplish?"

Frias: "Again, it's attempting to set certain standards, healthy standards, health standards, sterilization standards to protect the consumers with the potentially dangerous infectious diseases that we have today. I think, this Bill is necessary. It is a common sense Bill. It is a common sense approach to attempt to provide a certain level of safety for those who are attempting or whatever reason considering to have a personal tattoo and that's what this Bill is attempting to do."

Pedersen: "Well now, Representative, if you were in the business of tattooing, wouldn't it be to your own self interest, to do all those things on your own because you are a good businessman and you want more business in the future? You don't want a bad reputation because the word gets around that you do a sloppy job and people are getting ill?"

Frias: "Absolutely, Representative, and as I stated earlier, there are a great many reputable tattoo artists, tattoo parlors that adhere to standards, that are set by their own profession. Unfortunately, like in everything else, you have an unscrupulous group of individuals who are doing this type of work out of basements, garages, swap meets and who don't adhere to any standards of health or safety whatsoever. And this is the reason this Bill is being brought about to address those individuals who are not

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adhering to their standards set by their own profession."

Pedersen: "Well, is this problem widespread? What is the extent of it? I mean, who is suggesting that we do this? Where does the initiative on this Bill come from?"

Frias: "The medical society has brought this Bill to my attention and in terms of the danger, I think it would only take one individual to contract hepatitis B to constitute a danger to society. If you are that one individual who happened to contract it, a deadly disease, because there are no standards, the individual applying the tattoo does not adhere to safety standards. Then I think that would require or that would be a sufficient danger to require standards to be set."

Pedersen: "How widespread, how widespread is the problem? I mean, is it really bad or is this just kind of an incidental thing?"

Frias: "I wouldn't consider it incidental if I were the person being affected by hepatitis B, but there is really no way of determining the...the scope of the problem but what I can say to you is that, with the Amendment we do have the cooperation and agreement of a great many tattoo artist who themselves have attempted to regulate their profession among themselves."

Pedersen: "If a...if a businessman who does tattoos had...did something wrong, wouldn't he be subject to the same kind of malpractice lawsuits or product liability losses as any other businessman?"

Frias: "This Bill doesn't speak to product liability or lawsuits."

Pedersen: "But a prudent...a person who is really trying to run a good business would have protection for that sort of thing, wouldn't he?"

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Frias: "I'm sorry, I didn't hear you, Representative."

Pedersen: "I say, a good businessman in the tattoo business would certainly carry insurance and malpractice, or whatever is required of a good businessman in this business."

Frias: "I couldn't make that determination."

Pedersen: "You what?"

Frias: "I wouldn't be qualified to make that determination, whether they do or they don't, I would imagine a sound business owner would want to protect himself accordingly and if that means carrying liability insurance, I'm sure that is his prerogative."

Pedersen: "Are there people in the tattoo business that really want this licenser?"

Frias: "We worked with the tattoo artist to come to an agreed language and that is what the result of Amendment 1, that is how Amendment 1 was brought about. It removes the opposition to the Bill."

Pedersen: "So you have a lot of support from the tattoo industry?"

Frias: "Again, that Amendment #1 removes the opposition that was there by the tattoo artist, so they are now don't have a problem with this Bill."

Pedersen: "Thank you."

Speaker Currie: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. I move the previous question."

Speaker Currie: "Representative Wennlund, moves the previous question. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The previous question is put. Representative Frias to close."

Frias: "Thank you, Madam Speaker. Again, I think this is a good common sense Bill. It sets safety standards, sterilization

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standards, for an industry that I think needs it and I just ask for the adoption of the Bill."

Speaker Currie: "Representative Frias moves passage of House Bill 3911. All in favor vote 'aye'; opposed vote, 'no'. Voting is open. Representative Skinner, one minute to explain your vote."

Skinner: "Well, strangely enough I wasn't going to give my usual tirade against licensing on this Bill. And I wanted to ask some questions, for example, are they going to be required to use steam sterilization, which is necessary to kill the HIV virus? Are the people going to be...have to prove that they are HIV and hepatitis B free? Are they going to have liability insurance and will the fees of this, that are being charged under this Bill, cover the regulation? It seems to me those are all relevant questions and I certainly would like to vote for the Bill, but I'll vote 'present' since I don't have the answer."

Speaker Currie: "Representative Frias do you want to explain your vote? Okay. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 83 voting 'aye', 21 voting 'no', and this Bill, having received the required Constitutional Majority, is hereby declared passed. On page 35 of the Calendar appears House Bill 3814, Representative Gash the Bill has been held on Second Reading. Are there any Motions or Amendments filed?"

Clerk McLennand: "No Motions filed. Floor Amendment #1 offered by Representative Gash."

Speaker Gash: "Representative Gash."

Gash: "This is...Floor Amendment #1 deletes all and becomes the Bill. This is the same as the first Bill except with for some agreements with the Department of Transportation and

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certain environmental concerns. The Bill basically amends the Highway Code to allow not only Lake County but Cook and Dupage Counties to expand motor fuel tax funds for bike ways, and that they may be constructed and maintained along county and state highways. If there are any questions, I would be happy to answer them."

Speaker Currie: "Representative Gash moves adoption of Amendment #1 to House Bill 3814, and on the Motion Representative Andrea Moore."

Moore, A: "Thank you, Madam Speaker. I stand in support of this Bill. We have worked with the county to try and bring agreement with some of the issues that relate to the use of motor fuel tax funds. This does not in any way change the ratio of moneys that the county will get, and it in fact will be utilized in away that the county is in agreement with. So we would ask support for this Bill."

Speaker Currie: "Further discussion on the Amendment? Representative Rutherford. Representative Rutherford."

Rutherford: "Yes, thank you. Will the Sponsor yield?"

Speaker Currie: "She will."

Rutherford: "Could you explain a little bit what those agreements were with the Department that were different from what the underlying Bill was?"

Gash: "Basically the agreement is between the Department of Transportation and the other concerns that they can put bike paths in. There was some concern about the amount of years and that has now been worked out."

Rutherford: "Does this Amendment include or involve eminent domain in any way?"

Gash: "I'm sorry I did not hear the question."

Rutherford: "Does it involve or include the use of eminent domain in any way?"

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Gash: "No it does not."

Rutherford: "Thank you."

Gash: "This is agreements."

Rutherford: "Thank you. Speaker, we would like to have a roll call on this please. I am joined the appropriate number of folks for that."

Speaker Currie: "Representative Stephens."

Stephens: "Will the Sponsor yield?"

Speaker Currie: "She will."

Stephens: "Are there populations restrictions on your Bill?"

Gash: "It's applicable to three counties: Cook, Dupage and Lake."

Stephens: "Are there diversion of current funds in your Amendment...?"

Gash: "No."

Stephens: "Pardon me."

Gash: "No, Sir."

Stephens: "Authorization for the diversion of funds?"

Gash: "Yes."

Stephens: "By?"

Gash: "The Department of Transportation as we discussed."

Stephens: "I'm sorry the authorization of funds is authorized by the department? Or by the county board?"

Speaker Currie: "Have you answered the question?"

Stephens: "The Illinois Department of Transportation?"

Gash: "Yes."

Stephens: "Is the determinate as to the diversion of funds?"

Gash: "Right."

Stephens: "Well now I am confused. I thought this was by the county."

Gash: "From what I understand the Department of Transportation is giving the money to the county and the county is

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determining how it would be spent and it allows them to spend it in that way."

Stephens: "Okay, I think that the answer to the question is that the county determines the diversion of funds. I'm concerned for those of us down state, this sets a terrible precedent. I understand that this is important to you Representative and I appreciate that."

Gash: "I can't hear."

Stephen: "But I would like to alert Members on both sides of the aisles that are concerned about highway funds that this is not a good precedent. I would stand in opposition to the Representative's Amendment."

Speaker Currie: "Further discussion? Representative Gash moves adoption of Amendment 1 to House Bill 3814. All in favor of the Amendment vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? 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 voting 'aye', 43 voting 'no'; and the Amendment is adopted. Are there further Amendments?"

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

Speaker Currie: "Representative Wennlund, on Amendment 2. Withdraw. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Currie: "Third Reading. Clerk, read the Bill."

Clerk McLennand: "House Bill 3814, a Bill for an Act concerning bicycle routes. Third Reading of this Bill."

Speaker Currie: "Representative Gash."

Gash: "Well, basically we have just discussed the Bill. I would like to move for its passage. This Bill also allows for Illinois to access federal funds that we would otherwise

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not be allowed to get."

Speaker Currie: "Representative Gash has moved for passage of House Bill 3814; and on that Motion, Representative Lawfer."

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

Speaker Currie: "She will."

Lawfer: "Okay, if a county then wants to divert motor fuel tax to the bikeway proposals, how would this be done? What would the proposal be and how would this be handled?"

Gash: "I cannot hear the question."

Speaker Currie: "Representative Lawfer would you try again, and would the Members please be quiet so that people can hear questions, and so they can answer them so we can move to work on more legislation. Representative Lawfer please restate the question."

Lawfer: "If a county would so choose to divert motor fuel tax from highway use to bicycle paths. How would the procedure, what would the procedure be? Would it be a plan that is advanced through the county board or would it be a plan that could be advanced by local people and then presented to the county board. Who would be the person or people that would promote such activity?"

Gash: "The county would make that proposal, and IDOT would approve it."

Lawfer: "So it would be a proposal by the county board submitted and approved by the Illinois Department of Transportation."

Gash: "That's right."

Lawfer: "Prior to any diversion being made. And for the record I believe that you stated earlier then this would in no way change the amount of motor fuel taxes going into a county or a municipality? Is that correct?"

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Gash: "Yes."

Lawfer: "In other words they would be taking money away from highway construction and being used for motor...bicycle paths?"

Gash: "It would allow counties to make the decision about or to try to determine where they thought the money should be spent."

Lawfer: "In other words they could make the decision whether to use it on a bicycle path or on a road? Is that correct?"

Gash: "Yes."

Lawfer: "I think that this does set a dangerous precedent. We pay motor fuel tax, I pay motor fuel tax and use throughout this state and that motor fuel tax was to be used for the construction of highways and I don't believe it was meant to for bicycle paths. I would urge a 'no' vote on this."

Speaker Currie: "Further discussion? Representative Black."

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

Speaker Currie: "She will."

Black: "Representative your Bill as amended would allow for these bicycle paths to be built on private property. Is that correct?"

Gash: "With the agreement of the private property owners."

Black: "What if an agreement could not be reached?"

Gash: "Then it would not allow them to be built on private property."

Black: "But does not the entity that you are working with have the power of eminent domain?"

Gash: "There are 5 and 20 year agreements. I'm not clear on the question."

Black: "I understand that, and if those agreements could be reached bilaterally and with discussion and agreement,

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that's fine."

Gash: "Right."

Black: "But the unit of government that you are working with here has the power of eminent domain. My fear is that that unit of government could say, you're just being unreasonable and we are going to put bike path on your private property whether you like it or not."

Gash: "The Bill does not allow that."

Black: "They already have that power."

Gash: "The Bill does not address that."

Black: "You're playing semantics with me. The unit of government you are allowing this authority to already has the power of eminent domain. Now if your Bill is silent on that question then they have the authority. Your Bill needs to be more pro-active and say you cannot use eminent domain to build a bike path on my private property, your Bill does not say that. Right?"

Gash: "Does he feel the question was answered?"

Black: "No, thank you very much. Madam Speaker and Ladies and Gentlemen of the House."

Speaker Currie: "To the Bill."

Black: "To the Bill. By the Sponsors own inability to answer the a most important question I rise in opposition. Do you want a county to come into your back yard, put a bicycle path through your yard, using the power of eminent domain that they all ready have. The Bill is silent on that. Now if they get agreements on 20 parcels of land and you're sitting at the end of it, and you say I don't want this bicycle path in the back of my yard, and they have already got 20 parcels, you don't think that county government is going to use the law of eminent domain, and put that bicycle path through your back yard? I don't think that's

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a very good idea. I intend to vote 'no'."

Speaker Currie: "Further discussion? Representative Andrea Moore."

Moore, A.: "Thank you, Madam Speaker. With all due respect to my colleague. That is a gross exaggeration of what this Bill is attempting to do. What it is attempting to do, is to address the diversity that exists in the State of Illinois, and how we need to address our transportation problem. In the urban counties that this Bill addresses, bike paths are proposed to be an alternative source of transportation, and not used just for recreation. That's why this Bill is so important to these counties. Further, it is supported by the counties. It does not in any way change the motor fuel tax moneys that the counties realize. It has no effect on the downstate areas. I would ask that the people from the other areas recognize the simplicity of this Bill and please support it."

Speaker Currie: "Further discussion? Representative Biggert."

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

Speaker Currie: "She will."

Biggert: "I'm sorry Representative Gash, with this Amendment this affects Lake County and Dupage County."

Gash: "And Cook."

Biggert: "And Cook. Is it supported by the Dupage Mayors and Managers?"

Gash: "They have not made any comment on the Bill. I'm not sure why they would be opposed to it."

Biggert: "Is it supported by the Illinois Municipal League?"

Gash: "They have not put in a comment on the Bill."

Biggert: "Have you asked those groups?"

Gash: "No, I have talked with them about the Bill, but they have not made a particular public comment on it."

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Biggert: "Are there any opponents?"

Gash: "Not that I'm aware of."

Biggert: "What a about proponents?"

Gash: "Lake County was has been working on this."

Biggert: "Thank you very much."

Speaker Currie: "Representative Wennlund."

Wennlund: "I'm going to answer the question that was left unanswered. I can tell you unequivocally that forest preserve districts in Illinois and park districts in Illinois have the power of condemnation. They have and will continue to use that power of condemnation to acquire these bicycle paths through private property, through back yards, through farms, and fields throughout Illinois. They have used it particularly in the collar Counties. Now I will tell you what. If you don't think this is a controversial issue you have not been following some of these bike paths that have been put in. It is a controversial issue. People do not like the intrusion in there back yards of these bicycle paths carrying huge baskets on them so they can stop on the way and steal your TV's and VCRs and off the bicycle trail we go. Now that's what happens on these bicycle paths. They have become havens for crime, and put in people's back yards. 'No' vote is the proper vote."

Speaker Currie: "Representative Frederick."

Frederick: "Thank you, Madam Speaker. In response to the question before Representative Wennlund. I would like to inform the Body that the Mayor's in Lake County did approve this bicycle path and the use of the money for it."

Speaker Currie: "Further discussion? Representative Salvi."

Salvi: "Thank you, Madam Speaker. Counties have the power now to condemn. This Bill does not grant any condemnation power

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to anybody. This Bill simply allows counties to use their own motor fuel dollars in a more flexible way with regards to bicycle paths. Bicycle paths are becoming more and more important, more and more helpful, more and more enjoyable, by a greater number of people and this would help, particularly my county, Lake county expand their bicycle paths and I urge a 'yes' vote."

Speaker Currie: "Representative Hawkins."

Hawkins: "Will the Sponsor yield for a legitimate non dilatory question concerning this legislation."

Speaker Currie: "She will. She will."

Hawkins: "It is my understanding that this only is applicable to three counties in northern Illinois. Is that true?"

Gash: "Yes."

Hawkins: "Thank you very much."

Speaker Currie: "Representative Biggins."

Biggins: "Thank you, Madam Speaker. You know...today's...the laws that we have passed in our state and in the nation, encourage children to drive cars to high school and mandate that their parents be bussed to work, but children create all kinds of pollution driving to high school while the parents get in busses to go to work. Now we are going to have bike paths be used for transportation. Why don't we put bike paths to the school, make the children ride their bikes to school, let the parents go back to driving to work, and have more order and sensibility in our state government? I urge a 'no' vote."

Speaker Currie: "Representative Gash to close."

Gash: "I would like to thank the Co-Sponsors on this Bill and everyone who has worked very hard to get agreement. This now a Bill that with previous concerns came out with a lot of agreement with many different people working together."

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This Bill will free up about a million dollars in federal grant money that is now being held up for the construction of three bike paths in Lake County alone. This is federal money that we need. This is a good Bill and I ask for your 'aye' vote."

Speaker Currie: "Representative Gash now moves passage of House Bill 3814, and on that Motion all in favor vote 'aye'; oppose, 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, will take the record. On this Motion 81 voting 'aye', 32 voting 'no'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Wennlund, for what reason do you rise?"

Wennlund: "Thank you, Madam Speaker. I rise, pursuant to Rule 78, and move that the House stand adjourned until the hour of 9:30 tomorrow morning and pursuant to Rule 55 (c) I request a record vote and I am joined by four of my colleagues over here to stand adjourned until the hour of 9:30 a.m. tomorrow morning."

Speaker Currie: "Representative Olson, for what reason do you rise?"

Olson: "Point of personal privilege, if I might. It might make a good time to comment on an observation I've made. In a year when we're supposed to be discussing only emergency legislation, in relative to substantive legislation, the magnitude of the Bills we've reviewed here this morning, is certainly underwhelming. And to emphasize that point each of you can make a direct observation of what I'm speaking to. Walk out to the rotunda and count the lobbyists. They know more about what we're doing than we do. I was out there a while ago and the last lobbyist around the rotunda

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remarked that he was going back to his office in Bloomington. We are absolutely doing nothing that cannot be deferred to another time."

Speaker Currie: "Representative. Representative, I think that was not an appropriate point of personal privilege. Representative Wennlund has moved that the House stand adjourned until the hour of 9:30 tomorrow morning. And on that Motion, Representative Granberg."

Granberg: "Thank you, Madam Speaker. The previous speaker indicated there is nothing important going on. All you have to do is look at this order, the next Bill is on increasing penalties for child sexual abuse victims. To begin funding our pensions for state employees. To the Motion, Madam Speaker, to the Motion."

Speaker Currie: "All right. All right, Representative Wennlund has moved... Representative Wennlund has moved that the House will stand adjourned until the hour of 9:30 tomorrow. All in favor of that Motion vote 'aye'; opposed to that Motion vote 'no'. Voting is open. Representative Granberg, to explain your vote. Representative Granberg."

Granberg: "Ladies and Gentlemen of the House. All of us want to do a job here. We're elected to do a job here, and if you want to come here and work two hours to get your per diem, vote to adjourn."

Speaker Currie: "Representative. Representative."

Granberg: "But we're going to stay here and work. We're going to earn our money. Maybe you don't want to, but we're going to."

Speaker Currie: "Representative Wennlund. Representative Wennlund. Representative Granberg was not debating, he was explaining his vote. Representative Weaver, for what reason do you rise? One minute to explain your vote."

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Weaver: "To explain my vote, Madam Speaker. We have been discussing such weighty issues as licensing tattooers. Everybody, everybody included with this process understands how frivolous and how unproductive this work is doing. We're costing the people of Illinois tax dollars by standing here and wasting their time and our time. Let's call this thing quits and go home."

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

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I can't believe that this side of the aisle wants to adjourn and we have all these Bills before us to take care of. However, however I will say this, I don't think anybody on this side of the aisle will object if you folks want to pick up your paperwork and go home. We would be happy to let you do that."

Speaker Currie: "Representative Skinner, one minute to explain your vote."

Skinner: "Of course, Madam Speaker. It wouldn't make any difference if we were here or not, we haven't heard a Republican Bill for three days now. So, there really is no reason to be here, especially since the Senate Rules say that no Bill that didn't get over there before Tuesday, no before Tuesday at midnight, Monday at midnight, whatever, is dead. We're just wasting time or we're wasting money, because we're being paid per diem for being here."

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

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I rise in support of this Motion, and I do so reluctantly. Let me just tell all of you on the floor: Here is an opportunity for everyone of us who

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is tired of having our Bills waylaid and not called, Democrat and Republican, here is an opportunity for all of us finally to join together and tell the Leaders of this Body to get in the backroom, get some things settled; and if you're not going to get anything settled, then there's no reason for us to be here, so let's adjourn. It's time we take over this chamber."

Speaker Currie: "Representative Parke, one minute to explain your vote."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. A speaker on the other side of the aisle was talking about us picking up our paperwork and going home. But it is my understanding, according to Senate Rules, as of noon on Tuesday, all the legislation that we are passing cannot possibly be processed under Senate Rules. Therefore, all this is a waste of taxpayers money; because in fact, since yesterday, today and tomorrow, since we're scheduled in, is a waste of taxpayers money. We are not accomplishing anything. Those Bills are dead on arrival in the Senate. Why not adjourn? Let's go home. Not even come back tomorrow. Save the taxpayers that 28 or \$35,000 that all of us are getting, and we're not actually earning because this is a travesty on the taxpayers of this state, and let's come back next week when we have meaningful legislation that can make a difference in the lives of the citizens of this state. I support this Motion, and let's leave."

Speaker Currie: "Representative Ostenburg, one minute to explain your vote."

Ostenburg: "Thank you, Madam Speaker. Just real briefly, I want to point out that if we adjourn now, we're not saving anybody any money. And in fact according to this Motion by

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coming back tomorrow and not trying to complete business today, we may be causing the taxpayers more money. So, this Motion doesn't save a penny for anybody, it's just...it's just a public relations move."

Speaker Currie: "Representative Wojcik, one minute to explain your vote."

Wojcik: "Madam Speaker, Members of the House. I have been here for quite a long time and I think this is a great mockery to the system. I have never been so embarrassed as I am today to watch what is going on. Republican Bills aren't getting called. We're supposed to have the same opportunities as everybody else in this House. But what's happening; no, it's always over on the left side. Here I sit with a Bill that's a fantastic opportunity for the woman of Illinois and it's going to be the woman's business ownership council passed out of committee on Consent Calendar. It's taken off of Consent by that side of the aisle, and now it's down to Second Reading and you won't even call the Bill. I think you're disenfranchising, not only me, not only my district, but the woman of Illinois. And I think we all should adjourn."

Speaker Currie: "Representative Rutherford, one minute to explain your vote."

Rutherford: "Everybody's heard the frustration and especially talking to the freshman Democrats on the other side of the aisle. Those of you that we have talked to, and understand you are feeling the same frustration. Your Bills are not moving, this whole process has slowed down because it's a debauchle. You've said before, what can we do? Well, let me tell you Democrats on the other side of the aisle, what you can do is you can send a message to the Speaker. You're frustrated. What can we do? Can we see him, can we

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talk to him? I'll tell you what you can do, you can adjourn this Session today and get some time to let your Leadership know that this is not the democracy that you're elected by your constituents to come down here to Springfield and have happen. Vote 'yes' in favor of this adjournment and send a message to your Leadership."

Speaker Currie: "Representative Biggins, one minute to explain your vote."

Biggins: "Thank you, Madam Chairman, Madam Speaker. Where is the Speaker, by the way? I haven't seen the real Speaker yet today, has anybody seen him yet? Anyway, referring to the suggestion from the other side of the aisle that we pack up our books and go home or something, there will be nobody left to ask any questions. The Bills that we talk about are so confusing, so poorly drafted and all called by the same Party, you need Republicans to ask the good questions. Your side doesn't have any. So, Representative, we can't take our Bills and go home, we've got to be here to clarify things and have some possible sense come out of some of the Bills that are passed out of this chamber."

Speaker Currie: "Representative Edley, one minute to explain your vote."

Edley: "Madam Speaker, Ladies and Gentlemen of the General Assembly. Governor Edgar may of turned over the operations of State Government to 'Pate' Philip, but we in the General Assembly and the House don't have to follow suit. Whenever, 'Pate' Philip sets a deadline, is fine for the Senate, but I don't think it should apply to the House and a 'no' vote is an appropriate vote; not only for our good government but also for the integrity of the body that we were sent here to represent."

Speaker Currie: "Representative Biggert, one minute to explain

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your vote."

Biggert: "Thank you, Madam Chairman. To explain my vote. I think that the comment to pack up our books and leave just shows the height of the disrespect that we have...that the other aisle shows to us and I'm really embarrassed by the whole procedure."

Speaker Currie: "Representative Murphy, one minute to explain your vote. Representative Maureen Murphy."

Murphy, M.: "Thank you, Madam Speaker. I'm very proud of our 44 freshmen that were elected in 1992. And we all came down here thinking we could make a difference and if there's 44 of us, in addition to those who want to send a message, if we want to clear this hurdle. We elect our Leaders, we elect our Speaker, we elect our Minority Leader. If you want to send a message that we've had it. We want people to sit down and talk for the good 97,000 people that we represent, take a stand now. What to adjourn? To adjourn until Monday, adjourn until tomorrow, take your pick. There is no reason to continue this circus and spend the taxpayers dollars. What are you going to do to explain in November what difference you made as a freshman? Please vote 'yes'."

Speaker Currie: "Representative McPike, one minute to explain your vote. Have all voted who wish? Have all voted who wish? On this Motion, Representative von Bergen-Wessels."

von Bergen-Wessels: "Thank you, Speaker."

Speaker Currie: "One minute to explain your vote."

von Bergen-Wessels: "I am sort of dismayed that we have all of these Amendments filed, oftentimes by freshmen, who didn't know that their Amendment was being filed on one of our Bills, and then we complain about the delay. As freshmen I don't know why we didn't work together, like we did last

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time; and if you had a Bill that was important to you come to us and say, 'Can you help me out, could I put it on your Bill'? Perhaps we...perhaps we would have accommodated you. By allowing yourself to be used, you allowed your Amendments to load up our stuff and then you turn around and you cry about it."

Speaker Currie: "We will get to the points of personal privilege in a moment. I suspect that's what your lights are on for. And in the meantime, have all voted who wish? The Clerk will take the record. On this Motion, there are 50 voting 'aye', 59 voting 'no', and the Motion fails. Representative Roskam, did you have a point of personal privilege that you wish to share with the group?"

Roskam: "Thank you, Madam Speaker. I just wanted to speak to the previous speaker. You know the effort to rehabilitate oneself after making a poignant quote in a well circulated journal in this chamber, is just unbelievable. I think a number of us came down to this General Assembly in an effort to work together. And the notion that this somehow just begins to dissipate into a partisan fling is beyond me. So, I commend the previous speaker for her previous candor and would encourage her to pursue that in the future."

Speaker Currie: "Representative Turner, for what reason do you rise?"

Turner: "Thank you, Madam Chairman. I'm one of those Gentlemen who have probably four or five Bills on this Calendar and I'm still waiting patiently to have mine called. And if we could go on with the business and I know at some point we reached that order, I would like to proceed in an orderly manner."

Speaker Currie: "Representative Stephens, for what reason do you

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rise?"

Stephens: "Well, just to... an inquiry of the Chair."

Speaker Currie: "State your inquiry."

Stephens: "If Representative Turner's Bills are called, I guess with, my name beginning with an 's', I guess I get mine called first. I wonder if we could check the Calendar and see if my name appears before his on the Calendar."

Speaker Currie: "Representative Wennlund, for what reason do you rise?"

Wennlund: "Thank you, Madam Speaker. I cannot believe that there are 59..."

Speaker Currie: "For what reason... I'm sorry, are you on a point of personal privilege? Do you have an inquiry of the Chair?"

Wennlund: "Yes."

Speaker Currie: "Thank you."

Wennlund: "I cannot believe there are 59 people that's naive to believe that we're not here wasting time and the taxpayers money because none of this and the real Speaker knows, none of this is going to be considered by the Senate. He was told that yesterday and he's going to make a fool out of all of you and the taxpayers of Illinois for staying here. This is ridiculous. Adjourn."

Speaker Currie: "Representative Mulligan, for what reason do you rise?"

Mulligan: "Point of personal privilege. I was mentioned in debate as one of the new freshman. Yesterday there was a Bill that went out, under Representative Dart's name that was originally introduced by Representative Cross which was hailed in a debate as landmark legislation for homeless children. I find it very inappropriate that Representative Cross and his constituents, who have worked very hard on

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this, will now not be given the credit in journals across the country and other places. I think that is very inappropriate, so what is the suggestion by the person speaking previously that we should just give our Bills away in order to get them out? It's not particularly appropriate."

Speaker Currie: "Representative Meyer, for what reason do you rise?"

Meyer: "I rise on a point of personal privilege."

Speaker Currie: "State your point."

Meyer: "I would like to speak to the person on the other side of the aisle who basically said...suggested if we want a Bill passed or heard that we should come to one of them and ask for it to be heard. I find this to be extremely repulsive. I represent the same number of people that each of you represent. I was sent down here by those people to suggest legislation, to hear legislation, and to debate legislation. And to suggest that I have to come to somebody else for permission to do that, I think is degrading to me, as it is to every Member in this Body, whether, you sit on the Republican side of the aisle or the Democratic side of the aisle. I take personal exception to that, I don't think any of us should tolerate that kind of attitude down here from anybody."

Speaker Currie: "Representative Giglio, for what reason do you rise?"

Giglio: "Thank you, Ms. Speaker, Ladies and Gentlemen of the House. The next Bill is 3615, the Child Molesters Bill. It's my Bill. I wish you would proceed."

Speaker Currie: "On Page 30 of the Calendar, House Bill 3615, Representative Giglio. I believe that Bill is on Second Reading. Representative Daniels, for what reason do you

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rise?"

Daniels: "Well, Madam Speaker. I would just make, first of all...the observation that once again you're in the Chair and you do it every time. Every time this place has problems when you are trying to run this House. Representative Penny, enjoy your short stay here. Madam Speaker, I rise only to point out that the most important Bill on the Calendar right now is the supplemental appropriation. And I would ask that you call it, I am one of the Chief Sponsors of supplemental. We have in the back here the Director of Law Enforcement, Terry Gainer, who has come to the floor to talk about the very critical, very critical, need to call the supplemental appropriation. And as one of the Chief Sponsors, along with Speaker Madigan, who is on the floor right now, maybe we could go to that order and call that supplemental appropriation, so the most important thing of all, and that is law enforcement in this state, can be protected. And maybe that would be an order that you should go to. And I would make that request now."

Speaker Currie: "Representative we are on House Bill 3615, on Second Reading. Representative Novak, for what reason do you rise?"

Novak: "Yes, Madam Speaker. A point of personal privilege."

Speaker Currie: "State your point."

Novak: "We heard the speaking on the other side of the aisle, about how we are not doing anything down here. We are wasting the tax payers money, we should go home. You know, Representative Ryder came over to see me the other day, and he says we have some important administration Amendments to put on one of my vehicle Bills. I said fine, Tom, no problem, I'm all for it. Representative Persico has approached me about two weeks ago with an Amendment for one

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of his Bills. I said fine, Vince, no problem, we will take care of it. So we have business to do down here. Let's get on with the day's business."

Speaker Currie: "Clerk are there any Amendments filed on House Bill 3615?"

Clerk McLennand: "Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Speaker Madigan."

Speaker Currie: "Speaker Madigan. Representative Dart on Amendment 2 to House Bill 3615."

Dart: "Thank you, Speaker. Amendment #2 is a police protection Amendment, which would authorize additional money for police, and I would move for its adoption. "

Speaker Currie: "Representative Dart moves adoption of Amendment 2 to House Bill 3615 and on that Motion, Representative Ryder."

Ryder: "Thank you, Madam Speaker. An inquiry of the Chair. Could the Chair enlighten me as to how many times we have already passed this Amendment. How much dilatory action we are going to take on this Amendment, before we talk about the other needs of the people of this state."

Speaker Currie: "The Chair can not answer that question..."

Ryder: "Perhaps the Clerk might?"

Speaker Currie: "...If you would like to speak to the Amendment, speak to the Amendment Representative..."

Ryder: "I made an inquiry of the Chair then I will make an inquiry of the Clerk. How many times have we seen this Amendment, Mr. Clerk?"

Speaker Currie: "The Clerk informs the Chair that he does not have that information,"

Ryder: "The Clerk had his own microphone I don't think the Chair needs to speak for the Clerk."

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Speaker Currie: "Clerk would you like to respond?"

Clerk Rossi: "I have no idea."

Ryder: "Do you believe that, do your records show that this Amendment has been adopted and passed on at least one occasion?"

Clerk McLennand: "Yes."

Ryder: "Madam Chair, I rise in a point of order indicating that the Chair to rule this Amendment to be dilatory. And for that I would cite the Majority Leader who so ruled on other Amendments. We have passed this Amendment. Read the newspapers. This is dilatory."

Speaker Currie: "Representative Lang."

Lang: "Madam Speaker we have been through all this before. The ruling from the Chair previously on this issue was it can't be dilatory if it an Amendment that is all ready passed. It can only be dilatory on an Amendments that continually fail. I would ask the Chair to so rule again."

Speaker Currie: "Representative Black for what reason do you rise?"

Black: "Thank you very much, Madam Speaker. I have an inquiry of the Chair? As to the germaneness of this Amendment. The underlying Bill amends the Criminal Code of 1961. Amendment #2 amends the State Finance Act. I would ask that the Chair rule that Amendment #2 is not germane to the underlying Bill."

Speaker Currie: "We will have a look at that. Representative Stephens."

Stephens: "Thank you, Madam Speaker. An inquiry of the Chair."

Speaker Currie: "State your inquiry."

Stephens: "Are we to assume that any Amendment...is there a timeframe for those Amendments that have failed, in that day? Would they be ruled dilatory if they had failed

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previously that day, or that week or this session or in this lifetime?"

Speaker Currie: "Representative we will turn that question over to the Parliamentarian and get you an answer later."

Stephens: "I will get a response today?"

Speaker Currie: "Some how we will get an answer to you at some point in the future."

Stephens: "In my lifetime?"

Speaker Currie: "In your lifetime."

Stephens: "Thank you very much."

Speaker Currie: "Representative, the Parliamentarian informs the Chair that the underlying Bill deals with measures to reduce crime or reduction of crime measure and the amendment, Amendment 2 deals also with the reduction of crime and the ruling is that the Amendment is germane. Representative Ryder."

Ryder: "Speaker on what theory under Roberts Rules or any other rules, can you possibly suggest that an Amendment on a finance Act, a code completely separate from the Criminal Code is therefore germane. You know if you just once, just once, Speaker, indicated a ruling that had some logic from the Chair, we would probably quiet down a little bit. Just once, but obviously that is not the instructions under which the Chair is operating."

Speaker Currie: "Representative Black."

Black: "Madam Speaker I raised my inquiry in all good faith. I'm not surprised by the answer. Could you possibly tell me where in the Illinois compiled statutes is the order or code of reducing crime. I can't find the order of reducing crime in the index in the Illinois Statutes."

Speaker Currie: "The Amendment is germane and on the Amendment is there any further discussion? Hearing none the question

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is, all in favor of the Amendment say 'aye'; opposed say 'no'. All in favor say 'aye'; oppose, 'no'. The 'ayes' have it the Amendment is adopted. Are there further Amendments?"

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

Speaker Currie: "Representative Daniels, on Amendment #3. Representative Cross do you wish to present the Amendment?"

Cross: "Madam Speaker in the interest of efficiency and attempting to move the process along, I think I will withdraw this Amendment. Thank you."

Speaker Currie: "Amendment #3 is withdrawn. Are there any further Amendments?"

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

Speaker Currie: "Representative Moore."

Moore, A.: "Thank you, Madam Speaker. And I would ask for support for this Amendment as it for sure goes to reducing crime...."

Speaker Currie: "Representative Gran...excuse me, Representative Moore. Representative Granberg, for what reason do you rise?"

Granberg: "Thank you, Madam Speaker. If the Parliamentarian would please check the Amendment. I believe the Amendment differs substantially from the underlying Bill. The question is being germane is, I think is right."

Speaker Currie: "We will check that. Representative McPike."

McPike: "Thank you, Madam Speaker. We would withdraw that point of order. We think the Amendment is germane."

Speaker Currie: "Representative Moore, on the Amendment."

Moore, A.: "Thank you very much, Madam Speaker. This is an important Amendment that was originally a Bill. It was

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supported wholeheartedly by the Judiciary II Committee, and what it does is to address a loophole in the law. Right now when there is a problem of domestic violence and the individual goes to court to get an order of protection, during that period of time under the order of protection there is nothing in the law that allows any kind of removal of weapons. So even though someone might be frightened and they will say to the police 'but I'm afraid he is going to kill me' it really is a problem for the police department because there is nothing in the law until that order of protection is violated nothing can be done. So I worked with the state's attorneys office in Lake County they came down to testify. We had someone from the domestic violence shelter that exists in Lake County, they came down to testify. This allows with due process of a hearing at the time the order of protection is issued, it allows the Judge to determine whether the gun should be removed or not. What it will do it will provide further protection for those people that are under the order of protection at a time when things are most precarious for them and I would ask for your support and be happy to answer any questions."

Speaker Currie: "Representative Moore has moved adoption of Amendment 4 to House Bill 3615. On that Motion Representative Giglio."

Giglio: "Thank you, Ms. Speaker and Ladies and Gentlemen of the House. Although I had not heard from the Lady who put the Amendment on my Bill, I support the Amendment and hopefully that she will support the Bill."

Speaker Currie: "Further discussion? Representative Dart."

Dart: "Thank you, Madam Speaker. Would the Sponsor yield?"

Speaker Currie: "She will."

Dart: "Representative this is similar to other measures that we

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have had before. There was some concerns on the due process element. What is the due process element that you put in this?"

Moore, A.: "It was agreed to by committee in a number of ways. First of all, it is not...every order of protection will not require the removal of guns. That was a concern of the sheriff's department. What it is, is that when the order of protection is given at that time there is a hearing, the person has to appear, and the Judge makes that determination at that time."

Dart: "But emergency orders of protection which are for 14 day period is an ex parte preceding the other party is not there. How are you protecting in this instance?"

Moore, A.: "The gun can only be removed if there is a hearing and the due process is served."

Dart: "If there is a hearing with both parties present?"

Moore, A.: "They get notice of a hearing."

Dart: "Okay, what I'm getting at though is the emergency orders of protection that are the ones most oftenly used when I was around there, happened immediately. The other party is not there in the court room because it's like the day it occurred what I'm trying to get at is this Bill deal with those situations too or just the ones where notice have been served, it's two weeks later all the parties are in front of the court, or are we talking about the ones also where its immediately, emergencies?"

Moore, A.: "I'm told it does not apply to ex parte."

Dart: "Okay, so emergency orders of protection those immediate ones, are excluded from this Bill."

Moore, A.: "That is my understanding."

Dart: "Okay, so where this one differs then from some of the other measures out there, or some of the other ones that I

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have looked at. Basically and even in the emergency situations you had an instance where an individual's gun was taken away from him or her whoever and they did not even have any due process rights because they were not even in the courtroom. Where as this one now requires notice and the person has to physically be in the courtroom, correct?"

Moore, A.: "No, they have to either have appeared or have failed to appear and received notice."

Dart: "Okay, that was my next question. My next question was, the notice is the normal notice the sheriff would send out and the receipt would be sent back to the court?"

Moore, A.: "Yes."

Dart: "And it would then be shown that the person would given due notice, and they decided not to show up."

Moore, A.: "Yes."

Dart: "One final question on this one. There were some concerns that were voiced on this issue by individuals of law enforcement. Have you talked with them or has this been somehow been worked out at all?"

Moore, A.: "I'm sorry could you repeat the question?"

Dart: "Sure, there was different law enforcement agencies that were a little concerned with this just based on the fact that a lot of law enforcement officers need their weapon to work, basically and there were some concerns raised whether or not this was going to adversely effect them. I think a lot of the concerns were the ex parte concerns, but I'm just wondering, in general, did you talk to them or was there some conversation to work something out here?"

Moore, A.: "The discussion that I had regarded...was with the county sheriff in Lake County, and he was concerned about how this would actually work, which is why I went to the

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States Attorney office to begin with. Unless you have got law enforcement officers that are beating on their wives, I do not think this will adversely affect their ability to keep their gun. The due process has provided for within this Bill should provide for adequate protection for them to keep their firearms."

Dart: "I understand that, I understand what you have been talking about as I said this is what I used to do quite often. However my only concern was if talk...I was wondering if those concerns have been somehow lessened by conversations you have had with them?"

Moore, A.: "No."

Dart: "Okay, that's all. Thank you."

Speaker Currie: "Further discussion? Representative Giles."

Giles: "Madam Speaker, I rise for personal privilege. Today we have with us here St. Edmunds High School from Oak Park Illinois, here to observe the great process that we have down here in Springfield and I would just like for every one in the House to acknowledge them. Thank you."

Speaker Currie: "Representative Giles, that is a clear violation of House Rules, but we do join you in welcoming this group. Representative Brunsvold."

Brunsvold: "Thank you, Madam. Would the Lady yield?"

Speaker Currie: "She will, she will."

Brunsvold: "The thrust of this Amendment is to remove FOID cards from whom?"

Moore, A.: "Here's how it would work. When there is an order of protection issued currently if you have a FOID card there are several provisions, I'm sure you are familiar with that would prohibit you from purchasing a gun. One of the fears that I have been told from people at the shelter is that after the order of protection is there, they are afraid

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that they are going to be shot. And in fact, we have had two such shootings in Lake County in the last year, while under an order of protection. And the police feel that their hands are tied because while under the order of protection currently as the law exists an individual can do out and buy a gun because there is nothing in the provisions if the FOID card and also while under an order of protection you cannot have your gun removed. So this takes care of that, but it does...we were trying to be very careful to provide for the whole due process issue about the ability to own guns. So that was carefully worded in this Bill."

Giles: "Representative you realize if this person has a FOID Card they all ready have a gun?"

Moore, A.: "Yes."

Giles: "They do not need to buy one. They all ready have ammunition; they all ready have a gun."

Moore, A.: "Yes, and they would have to during the course of this process give, turn the gun to the local government, the local sheriff authorities."

Giles: "They are going to line up to turn in their gun?"

Moore, A.: "No, actually they would during the hearing process would either do it willingly or they would get...the judge will order it."

Giles: "How many guns would I have to turn in? One? Say I have ten guns, which one do I turn in or do I turn all ten of them in?"

Moore, A.: "Actually that is a very good question. The committee did question me on this issue because that would seem a little impractical to try and gather all the guns, and so we made an Amendment to the Bill as I proposed it originally to address that very concern so there was an

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Amendment that was placed on it after it came out of committee to, so that, to eliminate that."

Giles: "So that means that I do not have to turn in all my guns?"

Moore, A.: "No."

Giles: "So I can pick the one I want to shoot my spouse with or whatever? I don't understand that. I mean I got to turn in my guns but I don't got to turn in my guns."

Moore, A.: "Excuse me one second. Back to how it works, when you go to court and there is a hearing and you are with the judge if the judge determines at that time that there is a serious threat then they order that the guns be turned in, or they will be seized."

Giles: "So if I keep calling my ex-wife over and over and over again and she gets disturbed and she goes for an order of protection then they come and get my guns?"

Moore, A.: "If you go after your ex-wife and you tell her you are going to kill her, then they will definitely go and get your guns."

Giles: "She could make...or anyone, man or woman, I'm not saying this is a gender thing because this can happen both ways."

Moore, A.: "I appreciate that. You laid it out."

Giles: "So they a threaten me or not threaten me. I can say they threatened me, because this would be a private conversation, so they are, in fact, going and get this gun."

Moore, A.: "If like any other time when you are before a judge the judge will have to make a judgment, and it is not practical and certainly is not appropriate in every case to think that there would be a gun involved. Some people that are under order protection do not even own guns. They...so that won't even be an issue. But under certain circumstances normally the spouse knows, whether it's a man

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or a woman that there are going to be guns involved, and at that time, this is domestic violence court, and if they are at that time the Judge does make that determination and the individual has to comply."

Giles: "I'm still confused on, if I had a gun collection I'm suppose to turn in all the guns, turn in the oozi and I keep my 45 automatic. What....excuse me semi automatic. How do I do that."

Moore, A.: "At the time of the hearing that it is with the Judge's order that that issue is determined."

Giles: "This hearing is going take place along time after I get upset with my guns, right? And I want to do whatever you indicated what I'm going to do to my spouse. This hearing comes quite a bit after that problem I am having with my spouse. How many FOID Cards in the State Of Illinois, do you know?"

Moore, A.: "Not a clue."

Giles: "About a million. How many people in the State of Illinois?"

Moore, A.: "About 11 million."

Giles: "So less than 10% of the people have FOID cards so what are you going to do with the rest of the 90 % of the people that do not have FOID cards."

Giles: "Really the ones that we are only interested are those that would be abusive in a domestic violence situation, and those that are under orders of protection we don't want to remove any FOID cards."

Giles: "Are you telling me because I have FOID card, I'm going to be abusive?"

Moore, A.: "Well I don't know. You would have to answer that question. I can't control your behavior."

Giles: "I don't think we ought to support this Amendment. Thank

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you."

Speaker Currie: "Further discussion? Representative Salvi."

Salvi: "Thank you, Madam Speaker. This Bill passed 15-1 out of Judiciary or the a Judiciary II Committee. I did have one question at that time, though. If the Sponsor would yield."

Speaker Currie: "She will."

Salvi: "At the time of the hearing, Representative, you may recall, I asked if there was going to be some mechanism to inform the state police that in fact an order of protection had been granted. Is there any mechanism in this Amendment informing the state police that an order of protection against an individual is given?"

Moore, A.: "Yes, those changes that were suggested by the committee both in this area and then the area that Representative Brunsvold had referred to. Both of those changes are included in this."

Salvi: "So when someone applies for a FOID Card and they go through the regular procedure, the back ground check, there is a mechanism for the state police to be informed that in fact an order of protection has been granted."

Moore, A.: "Yes, and not just an order of protection. The Clerk of the courts, after the hearing process, the clerk of the court will then notify the state police."

Salvi: "The NRA supported this Bill, if you...if I recall under the assumption that you would make that change. Is that correct?"

Moore, A.: "Actually, I'm not sure I have not been contacted by them."

Salvi: "I could say that I remember speaking with Mr. Valentino on this issue and that he in fact had stated at that time that it would be agreeable to him. Now if you made that

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change assuring that the state police had some mechanism by which they could be informed that an order of protection had been granted. I just want to emphasize to the Amendment, Madam Speaker, that only after there has been a hearing with the opportunity for all parties to be there, then and only then after a judge has ruled that an order of protection has been granted, would this law go into effect. I think it's important to protect spouses who have orders of protection. I urge a 'yes' vote."

Speaker Currie: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker. I rise in support of this Amendment. The presence of guns makes situations of domestic violence deadly. This is a practical piece of legislation that will prevent the death of women in Illinois. It makes absolute good sense to take away the guns when there is a order of protection after a hearing has been held. If we want to save lives. If we want to reduce the devastation in domestic violence then we should all be voting 'yes' on this Amendment."

Speaker Currie: "Representative Mulligan."

Mulligan: "Will the Sponsor of the Amendment yield for a question?"

Speaker Currie: "She will."

Mulligan: "Representative Moore, isn't it an argument for hand guns control that they are often used in cases of domestic violence?"

Moore, A.: "Yes."

Mulligan: "Is this Amendment your response to attempt in a reasonable way to protect victims of domestic violence without limiting everyone's use of a hand gun or other types of guns?"

Moore, A.: "Yes."

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Mulligan: "To the Bill."

Speaker Currie: "To the Amendment."

Mulligan: "To the Amendment. I also support this Amendment. I was a Co-Sponsor on the original Bill. I do think that it is a good way to address this issue. We are always constantly worried about who's rights are being infringed upon, and I think the argument used is that we should take everyone's guns away for all reasons for different issues, but the domestic violence is one of the issues often sighted. I think Representative Moore has tried in a realistic way to address an issue that is very important. One that is generated in her district, and my district, and other districts across the state."

Speaker Currie: "Representative Deering."

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

Speaker Currie: "She will."

Deering : "Representative we are talking about taking away guns if an order of protection is rendered. What if this passes and becomes law and the guns are taken away. What if a order of protection is issued and a spouse says I'm going to stab you. Are we going to take away all the steak knives? What if we say I'm going to run you over with a automobile. Are we going to take away all the cars? But we have got to get off this and get back to the order of the business of the House."

Speaker Currie: "Representative Moore, to close."

Moore, A.: "Thank you, Madam Speaker. This Amendment address an area of the law that really handcuffs..."

Speaker Currie: "Representative could you wait just a minute apparently Representative Stephens had his light on. Representative stephens."

Stephens: "Thank you, Madam Speaker. Would the Sponsor yield for

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a brief question?"

Speaker Currie: "She will."

Stephens: "In the, when you seek to have an order of protection, will both parties have to give up their weapons?"

Moore, A.: "I'm sorry I did not hear that."

Stephens: "...would both parties in the dispute have to give up there FOID cards?"

Moore, A.: "It would be up to the Judge, I would think."

Stephens: "Does you Bill speak to it or not?"

Moore, A.: "...Actually the hearing process that we are referring to is a fact finding hearing in domestic court, and it will be up to the Judge to determine those facts and at that time the Judge will make the determination."

Stephens: "So you are assuring me that it is not just one party that could have their FOID card revoked."

Moore, A.: "I think that if both parties are being threatened and the order of protection is issued on both parties then, in fact, that would apply."

Stephens: "I'm not sure that's what your Amendment says, but I appreciate your responding to the question."

Speaker Currie: "Representative Moore to close."

Moore, A. "Thank you, Madam Speaker. Again I ask for support for this Bill. It's an important area of the law that seems to have a common thread to it. It doesn't seem right that when people are so frightened and fearful that they have to go to court to be protected that the weapon issue is not addressed. To many times police offers have said; 'My hands are tied until that order of protection has been violated'. When that happens it really to late. We have no intent to remove guns from any one who is not under this the order of protection but in this specific area I think it's really important. I would ask your support and would

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ask for a roll call subject to Rule 55(c) and I'm joined by everyone."

Speaker Currie: "Representative Moore moves 'do adopt' on House Amendment 4 to House Bill 3615. All in favor vote 'aye'; oppose, 'no'. Voting is open. Have all voted who wish? Have all voted who wish? On this Motion there are 97 voting...98 voting 'aye'...99 voting 'aye'. Take the record Mr. Clerk. On this Motion there are 99 voting 'aye', 11 voting 'no', and the Amendment is adopted. Are there further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Currie: "Third Reading. Read the Bill on Third."

Clerk McLennand: "House Bill 3615 a Bill for an Act in relation to sexual offenses committed against children. Third Reading of this House Bill."

Speaker Currie: "Representative Giglio and Representative Steczo in the Chair."

Giglio: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3615 at the beginning changes the penalty for the indecent solicitation of our children from misdemeanors to class X felonies and also for felonies from just indecent solicitation from 7 to 15 years, criminal abuse of our children to a class IV felony, aggravated criminal sexual abuse of our children from class X felony no good time and also permitting the sexual abuse of a child from a class X felony 10 to 30 years. What we are trying to do here is to make sure that these people who molest our children are given mandatory sentence and hopefully no plea bargaining. I would ask for your support."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 3615. On that question is there any discussion? The

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Chair recognizes Representative Cross."

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

Speaker Steczo: "He indicates he will."

Cross: "Representative in the first portion of this Bill indecent solicitation going from a class a misdemeanor to (A) class I felony. Can you define for us indecent solicitation?"

Giglio: "When somebody over the age of 17 solicits a child under the age 17, and commits a sexual act."

Cross: "No, what I would like, how is the statute read, how does it read with respect to what is a act of indecent solicitation?"

Giglio: "Any person over the age of 17 and upwards who solicits a child under the age of 13 to do any act which is done with would be aggravated criminal sexual assault criminal sexual assault, aggravated criminal sexual assault, abuse or criminal sexual assault, commits indecent solicitation of a child."

Cross: "I see the language in the Bill. What I am trying to determine is what is an example of any act of indecent solicitation? What would be and I ask because we are going from (A) class a misdemeanor which is county jail time to a class I which is a minimum of 7 years in the Department of Corrections. What would be an example?"

Giglio: "Well, I would, in my mind anybody that solicits a to commit a sexual act with a child, fondling someone to get them aroused, or whatever they have to do to commit a sexual act. Anybody who has any intention of harming or doing anything to a child with regard to the sexual parts of a child."

Cross: "I think there are other parts of the statute that deal with the actual acts of touching, and the fondling, and caressing. What I'm curious about is would a question to a

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from a young man with a younger girl fall under this category? A request which may even be a joking request mean that the young man would be in the Department of Corrections for seven years? Under the definition of indecent solicitation."

Giglio: "Under the age of 17? He would want to do that to a child?"

Cross: "I'm not suggesting whether or asking whether or not he would want to do it, what I want to know is what is trying to figure out what is indecent solicitation? I'm not necessarily arguing with you, I would just like to know what it is."

Giglio: "Well, I guess everybody has got their own interpretation but anybody in my mind that would do anything to arouse a child, someone that a minor is got to be something wrong. In my judgement, they should not even try, if that's what you're looking for to tease somebody to get somebody else to make some kind of movement for somebody else. I don't know how you would interpret that but I would interpret that kiddingly or not kiddingly any thing to do anything with a child is would be something that should not be."

Cross: "Representative I have a one and a half year old daughter at home and I am certainly am concerned about protecting the children of this state. But we are talking about in essence potentially high school kids, 17-years-olds and 13-year-olds, we, you have not told us a definition of indecent solicitation."

Giglio: "Well, that's my interpretation, Representative. Perhaps somebody that knows law or lawyer, I'm a plumber by trade you know, sometimes I have a little communication gap here understanding what the and the way lawyers operate and how they interpret things, but that's my interpretation of what

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I just said. If there are some lawyers on your side of the aisle perhaps that want to speak on it I would be happy to listen."

Cross: "Under your Bill there is a minimum term of imprisonment of seven years. Does the good time credit apply or are we taking away the good time credit?"

Giglio: "No good time, serve the maximum time. Anybody that would do anything to a child in my judgement should serve the maximum time if they get whatever they get."

Cross: "You have other provisions in this Bill increasing the penalties. What is the penalty for under your Bill for criminal sexual assault?"

Giglio: "Class X."

Cross: "What is then..."

Giglio: "Ten to thirty years, no good time."

Cross: "What is it currently?"

Giglio: "Class I."

Cross: "What's this prison sentence for a class I."

Giglio: "Four to 15."

Cross: "There is no good time for this one as well?"

Giglio: "No good time."

Cross: "Is there, I'm looking at page 9 of your Bill. Are any of these including indecent solicitation criminal sexual assault, aggravated sexual assault it is your intent to do away completely with the no good conduct credits?"

Giglio: "Until they serve the minimum."

Cross: "And what is the minimum in those offenses that I just asked about."

Giglio: "It would depend on the crime and for what he was convicted for."

Cross: "Could you tell us for each crime what the penalty would be or the prison term would be?"

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Giglio: "Class I: 7-15 years for indecent solicitation of a child, no good time. For criminal sexual abuse, class IV felony, 1-3. Aggravated criminal sexual abuse: Class X felony, 10-30, no good time. Criminal sexual assault Class X felony, 10-30, no good time. Aggravated criminal sexual assault: Class X felony, 10-30, no good time. Permitting sexual abuse of a child under 18: Class X, 10-30, and only if the child is under 18."

Cross: "Could you explain to us the point of Section 5-1 on page 6, with the parent, or step parents responsibility section?"

Giglio: "If you permit such solicitation or an act on your child, you're responsible and you will be penalized."

Cross: "I'm sorry could you give us some examples example there. I mean this is a situation where were...."

Giglio: "Well, I guess if I if a parent, if a wife gives the okay for the husband to solicit the child under 18 years old."

Cross: "Is there a knowledge requirement on behalf of the parent?"

Speaker Steczo: "Me. Cross you're allotted time has expired. The Chair recognizes Representative Tom Johnson."

Johnson, Tom: "Will the Sponsor yield for a question."

Speaker Steczo: "He indicates he will."

Johnson, Tom: "Representative, I recall this Bill from committee and we had some discussion on it and I'm afraid that some things went by us that I'm not sure had we really been aware of or been attentive and it might be our fault my fault whatever. But what concerns me, here, the most and maybe you can clarify this, indecent solicitation as I understand it from my state's attorney and so on, if I were to ask a girl or I were a girl and asked a boy we will try not to get too sexist here, to go to a hotel or let's have

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sex. That's is a solicitation..."

Giglio: "If the child is under 18-years-old, yes, in my judgment. Thirteen excuse me 13."

Johnson, Tom: "...understanding of what solicitation is about, right. One of the things I become more and more aware of as I get older, is how we have quite a generation gap between us and the younger generation. Now I happen to have a 17-year-old boy who is a junior in high school. I also have a junior higher who happens to be 12 going on 13. What I thought of at 12 and 13 is nothing what my junior higher is thinking of anymore, it's quite different, and also I got to tell you I am concerned in junior high that they are acting older than old. I mean, we are talking about automatic transfer of juveniles beginning at age 13 now for crimes. Now what concerns me is my 17 year old boy is out on a date or to a party and he meets this beautiful, developed whatever woman and decides look at, let's go out, okay I have to be careful here, but I'm showing my age and my generation, so forgive me. But he invites this girl out in the car and they start doing there thing and he says, 'let's make love'. Subsequently he learns this girl is under 13, now my boy at that point is going to prison for no less than seven years. That is the portion of this Bill that concerns me and I don't know, is there any way we can address this at those younger ages, when those hormones are racing. I know what the intent of this is, and I agree with you 100%, and I think our committee agrees with you, but there are problems here, I believe, after I have had some discussion with my kids and not that they get any of this but they tell me about their friends. Can we address this? My kid is great, he takes after his father."

Giglio: "After that long dissertation I don't know what the

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question is, but I just want to say, Representative, it is already a crime. What we are doing with the Bill is increasing the penalties."

Johnston, Tom: "I agree, but I also believe that there is a problem at these younger ages of 17, a person who is not even an emancipated adult at that point, with the raging hormones where somebody who is close to 13 and I think we all know what this is about, and I'm concerned about that type of individual. Now there is no possibility that that judge could do anything but sentence that 17-year-old to seven years for asking a question. I just think that we could work on this if it goes out of here, if it goes into the Senate, if you would agree maybe we could work on this penalty provision that in somehow gives some discretion to those younger ages to figure out to try to apply a unique sentence I think it would be appropriate. And disregard anything I said about my kids, I hate to bring them into this."

Speaker Steczo: "The Chair recognizes Representative Balthis."

Balthis: "I just wanted to tell Representative Johnson that my children are not 17, but my granddaughters are reaching the age of where I'm concerned about your children here. No. I want to rise in support of the Gentleman's Bill. I think he said it best when he said this simply changes the penalty, this does not add new penalties there are several people in the south suburban area that are going to feel a lot safer when this Bill passes and I would ask everyone in here to look at this Bill as a comfort to parents Bill, in the sense that when someone commits one of these crimes they are going to be put away and not be let back out in the street, to do the same thing over to one of our children or our grandchildren. I rise in support of the

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Gentleman's Bill."

Speaker Steczo: "Representative Lindner."

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

Speaker Steczo: "He indicates he will."

Lindner: "Are the Amendments to the Child's Sex Offender
Registration Act still included in your Bill?"

Giglio: "Yes."

Lindner: "And right now those would only permit police officers,
I believe, to look those records. Does someone register at
the local police station in the neighborhood in which
they're moving, and then is there a notification to the
public that someone has registered or would someone would
have to come down at random to see who is registered under
that Act?"

Giglio: "I will defer to Representative Mautino."

Lindner: "I'm sorry I did not hear what you said."

Giglio: "I'm deferring the question to Representative Mautino."

Mautino: "On the question of affecting the Child Sex Offender
Registration Act we made the changes in the law two years
ago which would require that the notification be put in the
lead system. The way its set up right now is when the
registered, or a child sex offender is released from
prison, a copy from the state police which he signs at the
time of his release goes to the municipality where he will
be residing, that maybe your sheriff, that may whatever
municipal authority is designated."

Lindner: "Okay, so that person does not have to physically go
some place. The state police does this through leads?"

Mautino: "At the time that he goes into the community, he is
supposed to go in and register with that whether that be
the sheriff in that county or wherever he may be at, but
when he gives noticification where he is going to be the

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state police send a copy of his signed registration to that municipality, that exists in current law."

Lindner: "Right, but then there is no other notification by the municipality to the victim or to any one else in the community, it is just registered at their local sheriff's office."

Mautino: "For a period of 10 years and then through the leads system it's set up there, the law enforcement agency data system it is allowed then access to any of the local police officers, but that is where it is restricted to."

Lindner: "All right thank you."

Speaker Steczo: "Representative Salvi."

Salvi: "Thank you, Mr. Speaker. I just have a couple of questions, Representative. You may recall a couple of years ago or about a year ago, in McHenry County there was a well publicized case, of an individual who solicited an adult to get a child for him, and the prosecutors in that case were given no tools to appropriately deal with that very serious crime. In response to that the legislature passed what became known as the Deany Bill. My question to you is, does this Bill also increase the penalties for that situation where there is not direct solicitation to child but there is solicitation of an adult for a child?"

Giglio: "I believe, Representative, it would be a separate crime, and the Bill technically does not address that. If there is something with regard to that that you feel is strong and should be, which probably should, hopefully, if we pass it out we will do something in the Senate."

Salvi: "Yes, I had mentioned this in committee, and I think this is a very good Bill, and I strongly support what you are doing here, Representative. But it is important to me because the law is was not solid a year ago, in a situation

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that I just described. And it seems to me that we need to be just as tough on the Deany situations as we are with the situations addressed by this Bill. And I would hope, I'm going to be supporting this Bill that you would include that very serious crime in this Bill, because it is in my opinion just as bad to solicit an adult for a child as it is to solicit a child."

Giglio: "Thank you, Representative. I'm tell you what I will do. Let's pass the Bill and the Sponsor in the Senate, I'll talk to him and hopefully he can put the Amendment on, and they will have, they will have some luck in passing it in the Senate also."

Salvi: "That's very good, Representative. I appreciate that. Thank you so much."

Speaker Steczko: "Is there any further discussion? There being none, Representative Giglio, to close."

Giglio: "I think there has been enough discussion on the intent and the contents of the Bill also the Amendments and therefore, I ask for your favorable support."

Speaker Steczko: "The Gentleman has moved for the passage of House Bill 3615. All those in favor will signify by voting 'aye'; those opposed, by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this Motion there are 112 voting 'yes', none voting 'no', none voting 'present'. House Bill 3615, having received the required Constitutional Majority, is hereby declared passed. Representative Brunsvold, for what purpose do you seek recognition?"

Brunsvold: "Mr. Speaker, I rise to introduce Joan Jensen Moran who is the president, 1994 president of the Illinois Association of Health, Physical Education, Recreation and

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Dance. She is standing right behind me. She is from Penny von Bergen-Wessel's district. We would like to welcome her to Springfield. Give her a round of applause."

Speaker Steczo: "Mr. Black. Representative Black, do you have a Motion? The Chair recognizes Representative Black for a Motion."

Black: "Yes, thank you very much, Mr. Speaker. I can't remember the Bill. I filed it up there. I have made a Motion to reconsider the vote by which House Bill 3488."

Speaker Steczo: "House Bill 3488."

Black: "Yes, 3488 was passed earlier today."

Speaker Steczo: "Mr. Clerk, please read the Motion."

Clerk McLennand: "Pursuant to Rule 73 (a), and having voted on the prevailing side I move to reconsider the vote by which House Bill 3488 passed."

Speaker Steczo: "The Gentleman has moved to reconsider the vote by which House Bill 3488 passed. On that question is there any discussion? Representative Ryder, were you seeking recognition? Representative Flowers, were you seeking recognition? Representative Flowers."

Flowers: "Mr. Speaker, I would like to ask Representative Black why is it that he would like to reconsider his Motion, please?"

Speaker Steczo: "Mr. Black proceed."

Black: "Thank you very much, Mr. Speaker. I think Representative Flowers has every right to ask me that. I do want the Members on both sides of the aisle to know we have talked about this. In all honesty I do not know whether I will vote against the Bill or not. When the Bill came up earlier today, when the Bill came up earlier today Amendment #4 was on the board. I think many people voted on Amendment #4 which was not under discussion at that

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time. Many Members came to me and said that they were not sure whether or not they wanted or not to vote for the underlying Bill. I have talked to Representative Flowers, she assures me that this is a permissive day care Bill, for public schools throughout Illinois. There were Members on my side of the aisle, who had indicated they were not certain what all that involved, and whether or not they were in favor of it, and I if if the Representative would be willing and I would hope the questions would be to the point and don't dilatory but there are some concerns about the earlier vote, today, and I think there are questions that some people would like to have answered about the underlying on House Bill 3488."

Speaker Steczo: "The Gentleman...Representative Flowers."

Flowers: "I would like to inquire with the Clerk what is the status of the Bill please?"

Speaker Steczo: "Mr. Clerk, the status of House Bill 3488?"

Flowers: "Mr. Speaker, did the roll call reflect?"

Speaker Steczo: "Representative Flowers, the Bill has been passed. The Bill passed on Third Reading earlier today, however, a Motion to reconsider has been filed, and that's the order of business we are on at the present time. So that's...is there any further discussion on this Motion? Representative Black."

Black: "Yes, an inquiry of the Chair. Would I permitted to ask the Sponsor a question?"

Speaker Steczo: "Mr. Black you are the Sponsor."

Black: "I'm sorry you're right, I...it's been such an exciting day, no I have no questions on this. Is is a fine Motion, all right."

Speaker Steczo: "Can we watch however if ask yourself questions?"

Black: "It would not be the first time, believe me."

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Speaker Steczo: "Representative Kubik."

Kubik: "I just a...an inquiry of the Chair. Would having Representative Black ask himself questions be considered dilatory?"

Speaker Steczo: "Representative Kubik I think that would be out of the realm of dilatory and more in the realm of fun. There being no further discussion the question is, 'Shall the House reconsider the vote by which House Bill 3488 passed?' All those will signify by voting 'aye'; those opposed, by voting 'no'. The voting is open. This Motion requires 60 votes. 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 48 voting yes, 64 voting no. The Motion fails. The Chair recognizes Representative Leitch."

Leitch: "Thank you, Mr. Speaker. The Republicans would request an immediate conference, please."

Speaker Steczo: "Representative Leitch has asked for a Republican conference. Mr. Leitch do have an idea how long you will be, approximately?"

Leitch: "Yes, probably about an hour."

Speaker Steczo: "The Republicans have requested a conference. We will...the Democrats will conference in Room 114. The Republicans, room 118, and be scheduled to come back to the House Floor at approximately 3:30. So Democrats, if you're in ear shot we will caucus Room 114, Republicans in room 118. Mr. Black were you seeking recognition?"

Black: "Yes, thank you very much, Mr. Speaker. I rise to ask to have the record reflect that had I known that House Bill 3488 was on final consideration earlier today I would have intended to vote 'no'."

Speaker Steczo: "The transcript will so reflect. Mr. Ryder."

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Ryder: "Mr. Speaker I would indicate the same remarks as Representative Black, had I known that House Bill 3488 was indeed on Third Reading I would have voted 'no' instead of 'yes'."

Speaker Steczo: "Mr. Ryder, the transcript will so reflect. Mr. Brady"

Brady: "Thank you, Mr. Speaker. Would the record reflect that I feel the same way that Representative Ryder and Black do."

Speaker Steczo: "The record will so reflect. Mr. Parke."

Parke: "I would like to reiterate my position as the same as Representative Ryder and I would also have voted 'no' had I known the underlying Bill was."

Speaker Steczo: "It shall be so indicated. Mr. Roskam."

Roskam: "Thank you, Mr. Speaker. I'd like to be associated with the remarks of Representative Ryder."

Speaker Steczo: "It will be so indicated in the transcript, Mr. Roskam. So we should all proceed to our caucuses and be back here at approximately 3:30. The House now stands in recess. I would like to reiterate that caucuses are taking place immediately in Rooms 114 and 118, please proceed to those rooms."

Speaker McPike: "The House will come to order. Representative McPike, in the Chair. Representative Skinner, for what reason do you rise?"

Skinner: "An inquiry of the Chair and/or Clerk, Sir. We have on our desks something from the Compensation Review Board which I thought was previously passed out and I am looking on page 4, for example, and there are parenthesis and then the word 'corrected' in the end, in parenthesis. Could you tell us what this document, what the significance of this document is?"

Speaker McPike: "Mr. Clerk."

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Clerk Rossi: "Yes, I was notified this morning or contacted this morning by Bob Ugalay, the Council for the Compensation Review Board and they said that there was some miscalculations in the tables at the back of the Compensation Review Board report. So, he faxed me that this morning and asked that it be passed out to all the Members.'

Skinner: "But, doesn't state law say that it has filed before the end of April? Sir. Speaker."

Speaker McPike: "What, Mr. Skinner?"

Skinner: "Doesn't state law say that this has to be filed before the end of April?"

Speaker McPike: "Mr. Skinner, you can look up the state laws as well as I can. The Clerk has answered your question."

Skinner: "If that's what it says, this is an invalid report and cannot be considered."

Speaker McPike: "All right. Government Administration, Second Reading. Appears House Bill 3610, Representative Flinn. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3610, a Bill for an Act amending the Illinois Banking Act. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Lang."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. Amendment #2 is an agreement between the community bankers and the Illinois Bankers Association. Regarding clearing up some uncertainty in Illinois law regarding liability standards for bank officers and bank directors. There is some difference between federal law and state law on this. And this Amendment will delineate the criteria for which bank

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directors can be held personally liable, and it will close up the gap between liability standards between state and federal chartered banks. I move adoption."

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

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 3610, a Bill for an act amending the Illinois Banking Act. Third Reading of this Bill."

Speaker McPike: "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...the Clerk...the Clerk, will take the record. On this Motion, there are 108 'ayes', no 'nays'. House Bill 3610, having received the Constitutional Majority, is hereby declared passed. Government Administration, Second Reading. House Bill 3553. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3553, the Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Hoeft."

Speaker McPike: "Who is the Sponsor? Mr. Hoeft. Representative Hoeft. Withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Representative Cowlshaw. Withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Withdraws the Amendment. Further Amendments?"

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

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Giolitto."

Speaker McPike: "Ms. Giolitto."

Giolitto: "Yes, this Amendment becomes the Bill and what this Bill says is that, well actually what it does, is correct an omission that what...it should of been taken care of back in 1979 when we did the Mandated Reporting Act. We never offered any teacher training to actually inform our teachers and staff of school of how to take care of a problem when there is sexual abuse and misconduct by a teacher. And what this Bill will do is to provide that at very little or no cost. So, I urge an 'aye' vote on this Bill."

Speaker McPike: "Question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. Amendment #5 is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative von Bergen-Wessels."

Speaker McPike: "Representative von Bergen-Wessels."

von Bergen-Wessels: "Thank you, Speaker. What this Amendment does, we had this Amendment on the original Bill in committee, and there was some concerns by our colleagues on the other side of the aisle. So we drafted the language and what this allows for is the Regional Superintendent of Schools to convene a meeting with the administrators and the educational service region to develop safety plans and to establish a communication network among the school districts in that educational service region to report activities that might be unlawful and endangering the children. And I would ask for a favorable vote on this."

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

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

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Speaker McPike: "Yes, she will."

Black: "Representative, I don't see in your Amendment where unlawful activity is defined, is it in the underlying message or...it just simply says, 'unlawful activity'."

von Bergen-Wessels: "Representative, our language the first time around in committee, spoke to the word suspicious activity and people had difficulty understanding what suspicious activity was and I said at that time and I will say again, with the word unlawful activity or things that might impact child safety that the regional superintendents and the administrators might define when they meet together to develop a plan, what that means to them."

Black: "Okay. Thank you."

Speaker McPike: "Representative Skinner."

Skinner: "Why is this Amendment necessary?"

Speaker McPike: "Mr. Skinner, I can't tell you."

Skinner: "Perhaps the Sponsor could."

von Bergen-Wessels: "Let me tell you what we are trying to address here."

Speaker McPike: "The Sponsor...The Sponsor, Madam Sponsor, he wants to know if you will yield for a question? Yes, she will."

von Bergen-Wessels: "What we are trying to address in this situation was an incident that occurred in my district, where because of the lack of communication between schools about some things that have been happening. A child was abducted and sexually abused and what we want to do is set forth a communication network and to say that the regional superintendent's will get together and formulate a communication network, so that when incidents that might impact the safety of the children occur that all the schools in that district would know about them and thus be

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forewarned and forearmed...and any future incident that might occur. It's sort of to let them know that things are going on that maybe shouldn't go on and that you need to be aware of these situations, so that the unfortunate incident that happened with Rock Falls with the abduction of the little boy from school was sexually molested, would not occur again."

Skinner: "Well, I certainly agree that this ought to be taking place, but I don't know why a regional superintendent of schools couldn't do this right now. I mean this is permissive legislation, right? I mean you are not mandating them to do it are you?"

von Bergen-Wessels: "No, we are saying that shall convene a meeting and discuss what they can do about communicating within there district, such necessary information."

Skinner: "It this a school mandate?"

von Bergen-Wessels: "It says the regional superintendents of schools shall convene a meeting."

Skinner: "Well, that means that people have to leave whatever they have been doing in the schools to go to the meeting. That sounds like an unfunded school mandate."

von Bergen-Wessels: "I believe the regional superintendents probably hold meetings with their administrators quite frequently. I know I have held meetings with them and I'm sure that this could be discussed at that time."

Skinner: "Well, I think your motivation are admirable, but I don't understand the need for the legislation."

Speaker McPike: "Representative Cross."

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

Speaker McPike: "Yes, she will."

Cross: "Representative, is this a reporting requirement to law enforcement of the nature of that or what kind of

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information are you sharing? And I ask it only because we addressed a similar Bill last year in trying to encourage communication between schools and law enforcement, in terms of crimes that are committed at school or around schools."

von Bergen-Wessels: "Representative, I am not familiar with the legislation to which you speak but this encourages communication between the districts in...and the regional educational service region and does not speak to reporting activity to law enforcement."

Cross: "What is the...what type of information are you wanting to share?"

von Bergen-Wessels: "Might I use that example from my district? This was a situation where someone had called two schools in the district, had tried to remove a child under the disguise of taking him to the dentist and being a relative. Ultimately was successful in doing that and it was certainly my feeling that if schools knew that somebody had been using a parent's name in trying to take a child from the school, that information might have been very useful, perhaps would have prevented the incident that took place."

Cross: "I'm not even suggesting this is bad, I'm just still trying to find out what the purpose is?"

von Bergen-Wessels: "If..."

Cross: "You are talking about preventing unlawful activity. I mean in that situation before it happened, the abduction, what was happening, was that lawful or unlawful, in your situation?"

von Bergen-Wessels: "I would think that the attempt to abduct a child is unlawful."

Cross: "Representative, I'm not trying to be tricky or anything, I just want to make sure that we are not, that we are addressing the issue that you are concerned about."

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Are...is the concern that school districts are not sharing information now?"

von Bergen-Wessels: "Yes."

Cross: "And is the superintendent of schools, the regional superintendent in a position to force that communication or can they do that on their own?"

von Bergen-Wessels: "I mean my hopes of this Bill in changing from what was originally in committee, was they could get together, sit down, discuss the problem, and develop a communication network amongst themselves."

Cross: "Okay. Thank you very much."

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

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 3553, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker McPike: "Representative Giolitto."

Giolitto: "As I mentioned before this Bill corrects an omission by this Body. Back in 1979 when they passed it, the Mandated Reporting Act signifying that all teachers and administrators are mandated reporters when they have any suspicion at all of child or sexual abuse."

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

Hoeft: "Thank you very much. Speaker yield?"

Speaker McPike: "Yes, she will."

Hoeft: "I would like to establish the fact that I appreciate the fact that you are bringing this up and I think that it is a very, very important subject. I have some real concerns with two things. One, the regional superintendents are going to have to take on a mandate, and that is no big

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deal, they can do it, I think, without a great deal of difficulty. But the annual requirement of inservicing for the school districts is another mandate, it is another requirement, and if they don't fulfill that annually to the level that it is necessary or we can open a school district up to some type of litigation. What is a suspicious person? If a person, it might be a school administrator, it might be a regional superintendent, it might be a State Representative. Are we opening ourselves up to litigation? If someone is around the school for awhile and we would define them as suspicion after the event but not before the event."

Giолitto: "I think your addressing the Penny von Bergen-Wessel's Amendment."

Hoeft: "I am but now it is part of the Bill and so is my fear in terms of...that this is going to be a real burden in terms of litigation."

Speaker McPike: "Just a minute. Just a minute, please. The...is there someone in the balcony who could get this young man off the rail up here before he gets hurt? Would someone get that young man away from the rail? Thank you. Proceed, Representative Hoeft."

Hoeft: "I just...my question basically is are we opening up a whole avenue of litigation when a school district is unable define what a suspicious person is and a child is abducted. I applaud the Sponsor for developing this, it is just a real concern in terms of mandate and the definition."

Giолitto: "Representative Hoeft, the Amendment now takes out that language entirely and has been changed to unlawful activity."

Hoeft: "Is there still..."

Giолitto: "It does not say, 'suspicious' at all anymore, it has

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been changed."

Hoeft: "Okay. I appreciate that. Is there an annual, a yearly, in service requirement?"

Giolitto: "Now, you're talking about my Bill. Yes. Okay. We discussed this very issue in committee, I remember you bringing up this concern and therefore in the new Amendment it does change it to only the years 1994 and 1995 and '95 and '96. And one of the main reasons for that and the reason it is so very important this year is because of the number of teachers that retired through the five by five program and the onslaught of brand new teachers we are going to have. So that's why we feel, at this point in time, it is crucial to make sure that these new teachers all have this kind of training."

Hoeft: "I appreciate your straight forward answer, I appreciate you meeting the needs."

Giolitto: "Yes."

Hoeft: "Thank you."

Giolitto: "Thank you."

Speaker McPike: "Representative Biggert."

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

Speaker McPike: "Yes, she will."

Biggert: "Representative, my question was somewhat similar but you have changed it so it would just be for 1994 and '95?"

Giolitto: "And the next, and the following year."

Biggert: "The the following...what about teachers that come in after that, would they not receive that training or do you expect them to be trained by other teachers..."

Giolitto: "It also includes new teachers."

Biggert: "All right. Do you have any idea as far as the cost?"

Giolitto: "Yes. We checked and there is no fiscal note, they think it will be very, very minimal, seeing that they

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already have institute days and that is what the Bill calls for, during teachers institute."

Biggert: "And that would be in the...before, is it mandated before school starts or any institution day within the year?"

Giolitto: "Well, the...no it doesn't have to be at any point in time, but hopefully, the first institution day that they do have."

Biggert: "Thank you very much."

Speaker McPike: "Representative Saviano. 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 108 'ayes', no 'nays'. House Bill 3553, having received the Constitutional Majority, is hereby declared passed. House Bill 3494, Representative Granberg. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3494, the Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Parke."

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

Hawkins: "Record me as voting 'aye', if I would have had the time before you took the roll. I'm not use to that speed."

Speaker McPike: "All right. Representative Hawkins would have voted 'aye' on House Bill 3553 and the record shall reflect. Representative Granberg, for what reason do you rise? No. Who's Amendment is this, Mr. Clerk?"

Clerk Rossi: "Representative Parke."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 3494 changes the funding

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schedule of the underlying Bill. The Amendment has a 20-year phase-in or ramp period followed by a 30-year amortization period. While the original Bill has a 10-year ramp by 40-year amortization period. The Amendment will cost the state less during the early years, the repayment schedule will be more costly in the later years. During the first year of implementation the Amendment will cost the state an additional 80.2 million, while the original Bill will cost an additional 106.1 million during the first year of its implementation. The original Bill will cost less than the Amendment. However, over the entire 50-year repayment schedule, according to the Comptroller's office, the Amendment will cost the state approximately \$38 billion more than the original Bill over the entire repayment schedule on both Bills. I will also point out to you that this, under my Amendment, the repayment schedule starts in fiscal year '96 and let emphasis why that is important. Under the Governor's proposal for a budget, he has not budgeted in this repayment schedule that has taken the place of Senate Bill '95, because we don't have the money, it has been allocated to other crisis areas of the state budget. We think it is more appropriate to start this program in fiscal year '96 when we can have that as a budgeted process. And so I would ask that the Body consider this as something that is reasonable to the taxpayers, that something that is necessary to the five pension systems that we cover. Mr. Speaker, there is an awful lot of noise and this is pretty important I think, to all of us because we have all been concerned about this. Thank you, Mr. Speaker. Members of the House, I guess it is just a matter of whether or not you think that Representative Granberg's plan is more efficient to start

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this fiscal year or to take my plan, that will start in next fiscal year when we actually have the Governor's budget prepared to deal with that, as we implement it. One of the reasons why Senate Bill 95 actually never was implemented because of the repayment schedule was unrealistic. We really didn't have the money to try and do it. We do not have the money this fiscal year to start this up but we think next fiscal year as a more reasonable plan. In addition, I will point out again, that we have a little...we have a 20/30 repayment schedule over this. We think this is more practical also. Now in the earlier years ours will cost less, in the back years it will cost more, but there isn't anybody on this floor that I think would realize that this pension system program will not be changed in one way or the other over the next 50 years. We think this is reasonable, we would ask that the Body vote for this Amendment to make this the Bill. And that we could proceed forward with making sure that the five pension systems that we deal with, those citizens that are counting on those five pension systems, are dealt with in a fair manner and that they feel comfortable, secure knowing that those benefits will be there when they're ready to retire. That those men and women, who have retired, who are counting on this, that all that money will be there. That all those benefits will be paid for and that we in fact can move forward with a sound pension system. I would ask the Body to approve Amendment #1 to House Bill 3494."

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

Granberg: "Will the Gentleman yield?"

Speaker McPike: "Yes. He indicates he will."

Granberg: "Representative Parke, I just want the Body to

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understand. Your proposal will cost \$38 billion, billion dollars more than Bill. Thirty-eight billion dollars? And you're concerned about meeting a 100 million?"

Parke: "Well, Representative, as I pointed out, respectfully to you and to the Body, I answered that question. I said in the beginning years our plan is going to cost less, in the long run it will cost more. But we cannot presume over the next 50 years that this plan will not be modified or changed. We think, under the current budget restraints that we find on it, that this is more logical way because we will have money available to start the refunding schedule. In fact, your point is well taken but that does not in fact mean that is the way that it actually will ever come to be. So, I think I have answered your question, if I haven't please ask me more. By the way, Mr. Speaker, may I have a roll call on this Amendment."

Speaker McPike: "Yes, you may."

Parke: "Thank you very much."

Granberg: "Mr. Speaker, Ladies and Gentlemen of the House, to the Amendment. As Representative Parke indicated, his proposal to fund the pension systems will cost every...the taxpayers of this State of Illinois 38 billion more, \$38 billion, the entire budget for the state is 36. This will cost the taxpayers \$38 billion more than the Bill. The problem our pension systems are facing now is because since 1982 the administration and the legislature has said we could not afford to fund the pension systems. So now once again we are saying...or some people are advocating, we can't afford it this year. That's the problem now, that's why we're in the problem because we haven't faced up to our responsibilities. We breached our contract with the state employees, with retired teachers, and everyone else in the

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five pension systems and that is why we are here today. We have to face up, we have to assume our responsibility and we have to fund the pensions. Senate Bill 95 was well intentioned, we never had the guts to put the money into it. This Amendment defers everything once again. Thirty-eight billion dollars. To all my good friends, fiscal conservatives, particularly on the other side of the aisle, if you want to go home and tell your taxpayers that you voted for a plan that would cost \$38 billion more, please feel free to do that. I am vehemently opposed to this. This cost the taxpayers of this state. It is not responsible. Let's be accountable. Let's step up. Let's take care of the people under these pension systems and I urge a 'no' vote."

Speaker McPike: "Representative Zickus."

Zickus: "Thank you, Mr. Speaker. If a new pension funding plan is to work, it must be feasible. If any of you were listen to the testimony of the Comptroller before the Pension Committee when she talked about Senate Bill 95, she said the reason that it didn't work was because it was not...it was not funded at a level required because it was not feasible to do so. According to the Economic and Fiscal Commission the...this Bill would require an additional \$106.1 million that is not in the budget. When we asked the Comptroller where that money was going to come from, what programs are going to be cut, what taxes where going to be raised, she was unable to answer that. So please, Members, keep this in mind if the program that you planned is not feasible, it is only being cruel to the people to lead up...to mislead them to believe that their pensions are going to be fully funded."

Speaker McPike: "Representative Hannig."

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Hannig: "Yes, thank you, Mr. Speaker and Members of the House. We have had the opportunity in the Appropriations Committees to discuss this issue with the pension systems themselves. And they tell us that they're very interested in any plan that can address this issue, but the sooner the better. And I would simply suggest to my colleagues that this Amendment is a later Amendment, it is postponing that day that we start addressing this problem. The underlying Bill is the Bill that is sooner. So, I would urge a 'no' vote."

Speaker McPike: "Representative Parke, to close."

Parke: "Thank you, Mr. Speaker. I just have a question to the people who have pointed out their concern about sooner the better. I would like to just ask yourself this question as you are about to vote on it. What programs, that we have approved or want to approve in the future, under the current budget constraints, what programs do you want to cut out of what is being proposed in negotiated and talked about, that will cost a \$106 million this year, when we don't have the money? We're going to start it next year, I think this is a realistic approach. The reason why Senate Bill 95 did not work in the first place was because it was not realistic. We have to approach this in a manner that makes sure that the money is there, that in good faith, those people who count on this plan will have the money there to pay. Now you can talk about it, \$32 billion, that is based on what the current actuary table could be. Over 50 years it could be a lot less or it could be a lot more. So, let's be realistic, that is just a red herring that they keep bringing up. It depends on who's schedule you are going to read. The fact of the matter is we have to have a realistic plan, this is realistic. I would ask the

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Body to support Amendment #1. And I would ask for a roll call, Mr. Speaker."

Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Schoenberg, 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 49 'ayes' and 62 'noes'. The Amendment is defeated. Further Amendments?"

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

Speaker McPike: "Withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. Since you gave us the courtesy of having the Amendment 1, which is the same as (Amendment) 3 and (Amendment) 5, I would move to remove (Amendment) 3 and (Amendment) 5."

Speaker McPike: "Gentleman withdraws Amendment #3. Further Amendments?"

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

Speaker McPike: "Withdraws the Amendment. Floor Amendment #5 has been withdrawn by Representative Parke. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Clerk, read the Bill. Mr. Lang, for what reason do you rise?"

Lang: "Thank you, Mr. Speaker. I just want to announce to the Body that a major calamite has befallen us, Chuck Hartke will become 50 years old on Saturday. That is the bad

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news, the good news is if he can make it that long the rest of us are safe. There is cake at his desk."

Speaker McPike: "House Bill 3494. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3494, a Bill for an Act in relation to public employee pensions amending the Illinois Pension Code. Third Reading of this House Bill."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Last year we had the opportunity to send a Bill to begin our responsibility to take care of the people on our pension systems. We did that, unfortunately the Senate, did not let that Bill out of Senate Rules." This Bill, this year, provides for the funding of our pension systems which have been underfunded since 1982. They are now over \$15 billion in unfunded liability. They are rising. They are going to be bankrupt in the next century, early in the next century. What this Bill provides is, a continuing appropriation to make sure our pension funds are properly funded. What we have seen is our retired teachers do not get the benefits they are entitled to because we have drawn down on the principle. We have hurt our retired teachers, we've hurt everyone who has been impacted by these pensions. Our state employees are not entitled, they don't get the benefits they should. It's unfortunate, we have the opportunity, as we did last year, and I applaud both sides of the aisle for assuming responsibility in funding our pensions. This Bill does that and I would be more than happy to answer any questions."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There is no doubt that this is probably the most, one of the top three most critical issues facing Illinois

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today, and that is the proper funding of the five pension systems that the State of Illinois has a responsibility for. Dialogue must continue on this issue, we must move towards an opportunity for full funding of those plans, so the men and women who have retired and those who will retire in the future, that are state employees that are dedicated to providing quality service to the taxpayers of this state, have a proper pension system. Though I am not pleased with the program, as it is presented, I'm going to vote for it so that in the Senate if this Bill has the opportunity to be heard or some other Bill, such as this one, in Senate that perhaps a Conference Committee Report can be filed in which we can find a compromise that we all can live with. And so I will vote for this Bill and ask that we try and find some reasonable common ground that we all can live with."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Novak."

Novak: "Yes, Mr. Speaker. I would just like to indicate that it looks like the Bill is passing easily, I think this is a great start to lay some ground work for continuing appropriation. Many of us were here when we passed Senate Bill 95, I think, in 1989. It failed to live up to its expectations. This is a good supplement to that and I'm glad the Bill passed out."

Speaker McPike: "Have all voted? Have all voted? Representative Mulligan, do you wish to explain your vote?"

Mulligan: "I would like to explain my vote. I am voting 'yes' on this because I have a lot of teachers that I am concerned about. But I do not think that the Sponsor of the Bill adequately explained where the money is coming from and

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this year and what programs are going to be cut. And I certainly would expect him, although I understand this is his candidate, Comptroller Netsch's plan rather than backing our Governor, I would like to see where the money is coming from."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there lll 'ayes', no 'nays'. House Bill 3494, having received the Constitutional Majority, is hereby declared passed. House Bill 2790...House Bill 3743, Representative Hannig. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3743, a Bill for an Act amending the Public Officers Prohibited Activities Act. Third Reading of this House Bill."

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

Pedersen: "Mr. Speaker, on House Bill 3553, I must have hit the green button wrong. Would you record that I would have voted 'aye'?"

Speaker McPike: "Yes, the record will so reflect. Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This Bill as amended, provides that in counties under 50,000 and in communities under 1,000 that an individual could be elected to the position of alderman, as well as county board member. We have had a problem in some of the very rural small communities of my district in finding candidates for these offices, simply because as the population ages it becomes harder and harder to find candidates who are willing to run for office and serve in those offices. Unfortunately in many cases we have to appoint people or they simply go vacant and this would give

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an opportunity for someone to run for these offices, so people would at least have an opportunity to cast a ballot in those races. I would be happy to answer any questions and I ask for your 'yes' vote."

Speaker McPike: "On that Motion, Representative Hughes."

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

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

Hughes: "Just for clarification, this Bill did come before cities and townships and we...there were concerns raised about the form at that time. You have amended it and Amendment #2 is on the Bill at this time, is that correct?"

Hannig: "Yes, Representative, that is correct."

Hughes: "Okay. Thank you. And Amendment #1, is out of the record and not there?"

Hannig: "Yes."

Hughes: "So the Sponsor did address some of the concerns, by restricting this to counties, this is to the Bill now by restricting this to counties having fewer than 50,000 and villages and towns of under 1,000. But I would urge all of you to look at this very closely and for any of you who ever served on a county board, or have served as an alderman or trustee of a village, to stop and think about what this Bill does. It allows the person to simultaneously serve in both of those positions. Think about the broad number of issues that come before either a county board or a village or a municipality for which there may be either a difference of opinion or an effort of the two to work together against the interest of another municipality. The conflict potential here, I believe, is very broad. I would also like to point out that the trend of what we have been doing in Illinois is to legislate not only the removal of such conflicts but the perception of

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such conflicts, and that this Bill, even in its narrow application, goes against all of that. And I would strongly urge a 'no' vote on this Bill. A community of 1,000 or less that can't find five citizens, who are of a civic mind to be willing to serve as an alderman or trustee, I believe is in serious trouble. I would appreciate a 'no' vote on this Bill."

Speaker McPike: "Representative Balthis."

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

Speaker McPike: "Yes, he will."

Balthis: "Representative, are both of these positions that receive compensation?"

Hannig: "It could be possible, Representative. In most...in my counties these Gentlemen maybe receive \$50 a month."

Balthis: "So this...someone could be accused of double dipping? If they were to do something like this."

Hannig: "The proposal was to allow them to run for the office so they would have to be elected but I suppose if the people of that area would elect these people and if there were a salary of any significant they would draw them both."

Balthis: Well I had the...the uncomfortable position, at one time in my career, to serve both as mayor and as State Representative, and I know how my constituents felt about this and how my local newspapers felt about it and they didn't seem to be very comfortable with the fact that there was the potential that I could be serving both positions. I think, everybody ought to take a good close look at this. If you have ever been put in this position you will understand what I mean. But this is not something that I think is good for us on the local level."

Speaker McPike: "Representative Clayton."

Clayton: "Thank you, Mr. Speaker. I appreciate the fact they're

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having trouble finding someone to serve. Many of these jobs are thankless jobs. However, I think that the potential for a conflict of interest is certainly there and one that we should not be a party of and doing anything to make that possible. So, I am going to vote 'no' and I would urge my colleagues to do the same."

Speaker McPike: "Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman. Now will the Sponsor yield for a question?"

Speaker McPike: "Yes, he will."

Lawfer: "Does this in any way then allow the county board members to serve on the school board member? Is that addressed in any way?"

Hannig: "I'm sorry, did you, could you repeat that?"

Lawfer: "Does this open it up that a county board member could also serve as a school board member or is this just pertaining to an alderman?"

Hannig: "Apparently, my friends tell me, that they already can do that. But this provides, this law, this proposal, provides that in counties under 50,000 and in communities under 1,000 so where very small communities in small counties that someone could serve on the board, that is as alderman or trustee, and on the county board, if they were elected."

Lawfer: "Thank you."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Mr. Moffitt, to explain his vote. Mr. Moffitt, did you want to explain your vote?"

Moffitt: "Thank you, Mr. Speaker. I had a question, but since that opportunity is passed, I will forego the opportunity now."

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

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Clerk will take the record. On this Motion, there are 75 'ayes', 35 'noes'. House Bill 3743, having received the Constitutional Majority, is hereby declared passed. Going back to a Bill that was taken out of the record, appears House Bill 4215. Mr. Clerk, Bill has been read a second time previously. Are there any Amendments?"

Clerk Rossi: "No Committee Amendments. Floor Amendment #1, offered by Representative Pedersen."

Speaker McPike: "Representative Giles."

Giles: "Speaker, can I have an inquiry of the Chair? I would like to challenge the germaneness of this Amendment, Amendment #1."

Speaker McPike: "All right. Representative Pedersen, the Amendment is not germane. It doesn't amend the same Act and it is not the same subject matter. Representative Pedersen."

Pedersen: "I like to make a Motion to overrule the Chair."

Speaker McPike: "Question is, 'Shall the Chair be overruled?' All those in favor of the Gentleman's Motion vote 'aye'; opposed vote 'no'. Representative Ryder. Representative Hicks."

Hicks: "Thank you, Mr. Speaker. We are having trouble finding my key so would you please show me as being recorded as voting 'no' on this Bill."

Speaker McPike: "Yes. Vote Mr. Hicks no please. Mr. Ryder, did you wish to...no. All right. Have all voted. Have all voted who wish. Have all voted who wish. The Clerk will take the record. On this Motion, there are 49 'ayes' and 63 'noes'. The Motion fails. Further Amendments?"

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

Speaker McPike: "Representative Giles."

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Giles: "Thank you, Mr. Speaker. Members of the House, Amendment 2 simply changed technical language of the Amendment stating that the session will identify possible sources of funding instead of developing sources of funding to establish and continue program to promote prevention...and...of unintentional and intentional injuries within the Department of Public Health. Also, this Amendment simply changes..."

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

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

Speaker McPike: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Members of the House. Amendment #3, would...is intent that it would amend the Civil Administrative Code, it would require that the Department of Public Health conduct a study of spousal abuse. Just to conduct a study it would require the Department of Public Health to report its findings and recommendations by January 1, 1996, to the Governor and to the General Assembly. I think we are all concerned about problems of violence and a study of spousal abuse, I think, would be real beneficial to know how the General Assembly should address this problem. Unless there is a study we really don't even know the scope of the problem or what we need to deal with."

Speaker McPike: "Is there any opposition to this? Representative Giles."

Giles: "Thank you, Mr. Speaker. I just simply...will the Sponsor yield for a question?"

Speaker McPike: "Yes, he will."

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Giles: "This Amendment, it do not include anymore personnel to be added to the department. The Department of Public Health personnel will make these studies. Is that correct?"

Moffitt: "If...Representative, I believe what you said was correct, but would you repeat it just to be sure that we..."

Giles: "Yes, the question was, will the...this Amendment will not create anymore individuals to be employed by the Department of Public Health."

Moffitt: "The department has indicated to us that they can conduct the study with their current staff."

Giles: "Thank you very much and I will encourage the Members of both sides of the chamber to support this Amendment. Thank you."

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

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

Speaker McPike: "Representative Wojcik. Representative Wojcik's Amendment, would someone like to handle this? Mr. Black will."

Black: "Yes, thank you very much, Mr. Speaker. Amendment #4 to House Bill 4215 amends the Department of Public Health Act. Provides that the department shall establish an osteoporosis prevention and education program, establishes an advisory council, appointed by the director, to assist the department in implementing the program, provides that the department utilizes federal funds, state funds or health as an advisory board to the department, with regard to osteoporosis activities. This Bill is part of the women's issue package."

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Speaker McPike: "Representative Giles."

Giles: "Yes, will the Sponsor yield for a question?"

Speaker McPike: "Yes, he will."

Giles: "This Bill will not add any more personnel to the department, it simply will allow the department to study and to study more prevention work in the field of osteoporosis, is that correct?"

Black: "That is my understanding, the department has indicated to staff that it will add no burden nor cost."

Giles: "Thank you and I would also encourage both sides of the aisle to support this Amendment. Thank you."

Speaker McPike: "Question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye'; opposed...Representative Wojcik. There is no opposition here."

Wojcik: "I understand, I just wanted to thank Representative Giles for understanding the osteoporosis problem. Thank you."

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

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 4215, a Bill for an Act concerning injuries. Third Reading of this House Bill."

Speaker McPike: "Representative Giles."

Giles: "Thank you, Mr. Speaker and Members of the House. What this Bill simply does is create a section of injury prevention within the Department of Public Health. To coordinate and to expand injury preventions and control activities. Once again, this Bill will prevent quite a few injuries and I have a list here, but I won't go on, but this is mainly for promotion of injury prevention and

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awareness in education within the Department of Public Health and I will urge an 'aye' vote."

Speaker McPike: "On that, Representative Shirley Jones."

Jones, Shirley: "Will the Sponsor yield, please."

Speaker McPike: "Yes, he will."

Jones, Shirley: "If I was injured and you needed a report on this Bill, how would you get it?"

Giles: "I'm sorry, could you repeat the question?"

Jones, Shirley: "If I was injured how would you get the report from me."

Giles: "Well, first of all, the information that goes to the Department of Public Health, you have access to that information. You can call and they will release that information to certain individuals, mainly the police department, the fire department, of course, someone within the department."

Jones, Shirley: "So my family would have to go to the police department, the fire department or somebody? I don't think this is a good Bill, Representative. I'm serious, I really don't think this is a good Bill. So, I'm going to vote 'no' on this Bill. I really am, because I really don't think this is a good Bill, so I'm going to vote 'no' on this Bill. Okay?"

Giles: "Representative, I understand your opinion."

Jones, Shirley: "This really is a terrible Bill, seriously. I don't think nobody that's injured should have to go to a police report, or a fire department, or wherever to get report on my injury. No...this is a no...I'm sorry. I advise everybody in this House to vote 'no'."

Speaker McPike: "Representative Lou Jones."

Jones, Lou: "Thank you, Mr. Speaker, Members of the House. I stand in support of my colleagues Bill. I think it is a

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excellent Bill and I urge all Members in the House to vote 'yes' on this Bill. It is a very good Bill."

Speaker McPike: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. There seems to be confusion and discord on the other side of the aisle, something that is not all together unusual. But, let me speak to the Bill, Ladies and Gentlemen of the House, the Bill as amended is somewhat more palatable, but the underlying Bill has some real problems. You're creating another bureaucracy and this bureaucracy is the Office of Injury Prevention within the Department of Public Health. Now, I can see when we hire these people and the press says, 'And what do you do?' 'I'm the Director of Injury Prevention?' 'And how many injuries have you prevented?' 'I don't really know.' Because the reports won't go to the Injury Prevention Specialist, all of the emergency room people in the State of Illinois will have to notify the police of any and all injuries that were treated, that were caused by a firearm, I thought they already had to do that. But can you imagine if you are in intensive care in the emergency room and the police...you have been shot, that's a trauma, and the police went into the emergency room and say, 'we want a report on this injury, what happened to you?' And the man or the woman lying there is fighting for their very life, fighting for their life, and the police say, 'get up off that gurney and tell me who did this right now.' And if that isn't bad enough the guy or girl we hired to be the Injury Prevention Officer could probably get a court order and he or she could come in there and say, 'get up off that gurney and tell me how this injury happened.' Well, I'll tell you what, if I'm laying on a gurney, there ain't

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nobody coming in my hospital room and ask me how I was injured because they will know by looking. I can't support this Bill."

Speaker McPike: "Representative Weaver."

Weaver: "Thank you, Mr. Speaker. I would like to ask the Sponsor a question if he is able to respond. Kind of following your previous questioner I have a real serious question, if Mr. Black is injured and laying on the gurney and he can't respond, we can understand that because we can't understand him most of the time anyway. But what if a policeman is shot and he is injured, does he have to file a police report to a different police jurisdiction or does he file a police report with himself? Exactly how does he handle that?"

Giles: "Well, Representative let me first correct Representative Black, since he wants to correct someone. First of all, first of all, this Bill, this Bill do not create an office. It was Amendment by the Department of Public Health that will create a section, therefore you will not have to hire, you will not create a whole new body in order to deal with these reports. So, by the Department of Public Health, check your Amendment, it was just passed, you just voted on it."

Weaver: "What about the question of the police officer that may get shot?"

Giles: "Any...anyone that is shot or injured by a firearm will have to make out a report."

Weaver: "Now who does he file the report with?"

Giles: "The report..."

Weaver: "Himself?"

Giles: "The reports file...will be filed by the hospital."

Weaver: "By the hospital?"

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Giles: "Exactly."

Weaver: "To him...the give the report back to him?"

Giles: "Or any licensed facility, or any licensed facility."

Weaver: "Well, I think that is kind of redundant. We are going to have reports filed back to the guy that got shot, he won't be in any condition to take them. I think this Bill needs to be reworked, seriously."

Speaker McPike: "Mr. Ryder."

Ryder: "Mr. Speaker, I rise on behalf of my colleague, Representative Black, who was...has been defamed, who has had liablous statements made to him and by the Sponsor of this Amendment. That is only for us to do to, Bill Black. You can't do that. And as a result I suggest that every Republican vote 'red' on this Bill. Until the Sponsor apologizes to Representative Black for those comments."

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

Black: "Mr. Speaker. My name has been used in debate by people on both sides of the aisle."

Speaker McPike: "Yes, daily, daily, yes."

Black: "I don't know how much more of this injury I should be subjected to. I must...I must however apologize to the Sponsor, although he has indicated that he won't apologize to me. The Amendments did remove the injury prevention officer and I think that is a good idea. But I have certainly been injured by Members of both sides of the aisle, for simply trying to do my job, to point out some of the flaws and deficiencies and technicalities in the legislation, that so often is brought before us. I make no apologies for doing my job but I am hurt to the quick at the way I have been injured and I will tell you...I'll tell you, I intend to use this Bill should it become law, I will

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file the first report."

Speaker McPike: "All right. Representative Giles, you have received a half-hearted apology."

Giles: "Black. It is my..."

Speaker McPike: "You may close now."

Giles: "intention to disrespect anyone, anyone that knows me knows that I am a fair man. But mainly what I was doing was something that you were trying to do to this side of the aisle and that is to make corrections. So, since we were in the mode of making corrections I choose to do so. Now, that is just proper. Now, once again, this Bill simply creates a section in which...in which the Department of Public Health will have to review, would have to examine, will have to simply gather data and statistics for prevention. And we are talking about child abuse cases. We're talking about violent cases. We're talking about sexual assault cases. So I can't see anybody on this side of the aisle that will vote against this Bill, nor on that side of the aisle that will vote for this Bill. I vote for a favorable vote for this Bill."

Speaker McPike: "Question is 'Shall House Bill 4215 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Granberg. Mr. Granberg. Mr. Granberg. Representative Granberg. Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Two points: I believe Representative Lang is seeking recognition, Representative Black, you should never have admitted you have an injury, these trial lawyers will come right over and I...Representative Giles this is like your fifth piece of legislation or your first or fifth? Is this one of your first of your whole package? Okay. Representative Giles, how are you voting on your own Bill?"

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Speaker McPike: "Representative Murphy. Representative Lang."

Lang: "Well, thank you, Mr. Speaker. I was prepared to vote 'no' on this Bill to protect my good friend and colleague, Bill Black, who has been unfairly maligned by everybody. In fact, he should be unfairly maligned but not on this Bill. But since everybody else has changed their vote, I will too."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 111 'ayes', no 'nays'. House Bill 4215, having received the Constitutional Majority, is hereby declared passed. House Bill 3840. Mr. Clerk, have the proper notes been filed on this Bill?"

Clerk Rossi: "A fiscal note and a state mandates note have now been filed on the Bill."

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

Clerk Rossi: "House Bill 3840, a Bill for an Act to create the State School District Matching Technology Improvement Grant Program. Third Reading of this House Bill."

Speaker McPike: "All right. Representative Schoenberg asked leave to handle the Bill. No. All right. Take the Bill out of the record. Take the Bill out of the record. House...House Bill 2792, Representative Hartke. Read the Bill. Mr. Clerk, this Bill has been read a second time, previously. Are there any Amendments?"

Clerk Rossi: "Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

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

Clerk Rossi: "House Bill 2792, a Bill for an Act to provide for the Effingham Metropolitan Exposition Auditorium and Office Building Authority and to define its powers and duties. Third Reading of this House Bill."

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Speaker McPike: "Representative Hartke."

Hartke: "Thank you very much, Mr. Chairman and Members of the House. House Bill 2792, is just what the title suggests, it creates the Effingham County Civic Center Metropolitan and Exposition Auditorium and Office Building Authority. It does have Amendment #1 on which calls for a front door referendum. I would be more than happy to answer any questions that anyone might have."

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

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

Speaker McPike: "Yes, he will."

Murphy, M.: "For legislative intent and record, the Sponsor might agree with me that this was a partisan roll call in Revenue Committee. And the Amendment did call for a referendum, knowing that there is no longer under Section 4 of the Metropolitan Civic Center Support Act, any financial support, meaning that there is no money to finance this."

Hartke: "That's right."

Murphy, M.: "I wondered if you knew with the power that we would be giving the City of Effingham, would they be willing to tax themselves for this civic center, in the event there is no money if this legislation does not pass or is not funded?"

Hartke: "Yes, as a matter of fact, Representative Murphy, I have discussed this with the mayor of the city and other interested parties and they are interested in having this authority. And in this legislation it gives them the authority to raise a 1%, or shall we say a fast food tax, for prepared food and beverage to be consumed on sight. That's what the authority has given them by this Act and they are willing to accept that authority by vote of that city council. Then if it goes through for any other

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purpose for bonding, that is the point of the referendum."

Murphy, M.: "So, it is like if you can get them money, great, but if not, you're going to tax yourselves to have the money? You are looking for the authority for which to go with the referendum?"

Hartke: "Right. That's all we're doing, is looking for the authority. We realize that there is no money from the State of Illinois and we don't intend to receive any. We are looking for that authority to go about doing this project ourselves."

Murphy, M.: "All right. Thank you for your clarification."

Speaker McPike: "Representative Hughes."

Hughes: "Will the Speaker...Sponsor yield, please."

Speaker McPike: "Yes, he will."

Hughes: "Just a question I have is, do you any idea how many communities have established a civic center...civic center Acts that are unfunded at this time?"

Hartke: "Well, I don't have any idea, Representative Hughes, and it really doesn't matter. But, I think there is about 90 some communities in the State of Illinois that have such authority. But since there is no funding from the State of Illinois, what we are asking in this piece of legislation, is for Effingham to have their own authority to tax themselves for this purpose."

Murphy, M.: "Thank you."

Hughes: "We are not expecting the State of Illinois to do anything for us."

Speaker McPike: "Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman. Will the Sponsor yield for a question?"

Speaker McPike: "Yes."

Lawfer: "Now. As we were just talking with the other

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Representative there are a number of civic center commissions throughout the state. Does this preclude any other commission could hold a referendum or will each commission have to come in and ask for special statutory language?"

Hartke: "This will come within the city limits of the city of Effingham will be given this authority. I don't know what you mean by other districts."

Lawfer: "Other...other existing..."

Hartke: "Oh, no this just pertains to Effingham itself. It does not give the authority to Brownstown or Philo or any other little communities in the state."

Lawfer: "For example then a civic center commission in my area would have to come in for statutory."

Hartke: "They would have to come in and ask for the same authority that I have in this place of legislature."

Lawfer: "So this has to be...it would be very limited, this Bill is very limited, and any expansion would require..."

Hartke: "This is a limited piece of legislation. This is a limited piece of legislation for the Effingham area."

Lawfer: "Thank you."

Speaker McPike: "Question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted. Have all voted who wish? Have all voted who wish? Representative Woolard, to explain his vote."

Woolard: "Thank you, Mr. Speaker. If I could, I would like for the Sponsor of this legislation to just nod his head. Is this a front-door referendum? It is a front-door referendum then? And that means that they really would not be backing into any kind of new taxing authority, to the voters of the local area there. I would like to encourage all of the people of this great Body to listen and vote

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your conscience, this is something that doesn't necessarily cost anybody of this state except the local people. And this will be a front-door referendum and I think it is something that we should stand in support of the local decisions of the taxing bodies of the areas of this state."

Speaker McPike: "Representative Saltsman."

Saltsman: "I can't figure out where some of these people are coming from. The City of Peoria, we got \$20 million from this state for a civic center and Rockford got \$20 million. Danville, Springfield, right here, we got state funding to do our civic centers, now we are going to be hypocrites and turn this guy down, when he's not asking for any money yet? Let's look at the Bills that we voted through for Collinsville. I mean some of these Rep's aren't here at the present time. Rosemont, we just passed legislation last three years for Rosemont. Now you want to go down here and poor little Effingham and tell them, 'no'. They are going to do themselves. We owe these people a vote. Or if not, turn your money back in that we mouched for all our civic centers around the rest of the state."

Speaker McPike: "Representative Novak."

Novak: "Yes, I would just like to urge my colleagues to support Representative Hartke. Again this is a local issue, the local taxpayers in the community, if they wish to tax themselves, they have the mechanism to do so. It doesn't affect the state treasury, there isn't anything wrong with supporting legislation like this, we do it time in and time out. It simply allows the most representative form of democracy to prevail the referendum."

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

Hartke: "Well, I would appreciate another three votes on this piece of legislation. It is simply a local issue and as I

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look through these statutes I find communities like Brownstown and several others around the state, Newton, Illinois, that have Civic Center Acts and those were before we had abolished the Civic Center Authority Act, and so forth, that gave state funding. We're not expecting any state funding at all from the state, either asking them to sponsor our bonds or back our bonds. This is a front-door referendum and authority to tax ourselves to build things in our community to make it grow in economic development. I'm not asking for one tax dollar and all we're asking for that is authority to tax ourselves. You know a lot of times I vote for a Chicago Park District's, DuPage County Areas, so if they can tax themselves to do projects for themselves and that is all I am asking for, my city in Effingham, Illinois and that is the authority to tax themselves. I will take that run back home and run re-election in that area. You don't have to, all I'm asking for is that authority for our community and if they vote it by referendum, they will pay the Bill, not the State of Illinois. And I would appreciate another three votes."

Speaker McPike: "Representative Saviano, changed his from 'no' to 'aye'. Representative Hicks. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 61 'ayes' and 47 'noes'. House Bill 2792, having received the Constitutional Majority, is hereby declared passed. House Bill 4185, Representative Hawkins. Bill has been read a second time previously. Are there any Amendments?"

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

Speaker McPike: "Mr. Hawkins."

Hawkins: "This Amendment becomes the Bill. This Amendment was a

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result of some negotiations with the Department of Mental Health, they now support the legislation. Currently, under the...in counties where there is a Department of Mental Health, has a facility, the county where that facility resides is responsible for all of the costs incurred in any court proceedings, all the court proceedings with the recipients. And this Amendment would require the county where the resident is...where the recipient resides to pay the cost rather than the county where the facility is located."

Speaker McPike: "And on the 'do adopt' Motion on the Amendment, Representative Lindner."

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

Speaker McPike: "Yes, he will."

Lindner: "Yes, have you investigated in all the mental health facilities? It is my understanding that some of them get state money for that purpose and it is not always paid by the county. Do you know whether that is true or not?"

Hawkins: "Yes, there is a stipend, depending on, and this is kind of crazy, I don't know how this came about but there is a stipend given to the counties based on the population of that county. It has nothing to do with the amount of recipients in that county...in...but it is not enough money to cover the cost at all. The county in my district is \$3,500. On the first page of the Bill, it lists the amount of stipends that it can be and it only goes to \$6,000 in a county that has a million people, so it is negligible."

Lindner: "But there is state money...would...if your Bill or your Amendment in your Bill passes then would that affect the amount of state money, that they have for those hearings?"

Hawkins: "No. No, in a county of a million people would get \$6,000 which they get now, and they would continue to get,

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if my Bill passes."

Lindner: "All right. And my other question is, do you know that what this would cost administratively to do it this way. I mean would it save the county money?"

Hawkins: "Well, in the case where the county would decide that administratively it is not worth it, they could just simply not apply for the money from those counties because of...you know, if they think it cost too much money or it is too much trouble."

Lindner: "So, it...who would it be up to, the State's Attorney's office or the..."

Hawkins: "It would be up to the courts, it would be up to the courts, they could access the county where the recipient resides if they wanted to do that. It is not...it is not mandatory."

Lindner: "You say it would be up to the courts, then would it have to be a local rule in the court system or would that judge who is presiding over the hearing decide at that time?"

Hawkins: "It is up to the Judicial discretion."

Lindner: "So, you are saying for each hearing the judge...there wouldn't be a policy, a general policy, then for each hearing the judge would have to decide whether or not to access the other..."

Hawkins: "Well, I will just read from the Amendment, 'The court may access costs of the proceedings against the parties.' That's what the law is permissive."

Lindner: "Okay. Thank you."

Speaker McPike: "Representative Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment was one that the committee spent a long time discussing when Representative Hawkins brought

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this to the committee and I appreciate your follow through with this, Representative. There were just a couple of questions, how will the billing actually be administered?"

Hawkins: "Could you repeat the question, it is kind of loud in here."

Moore, A.: "How would the billing be administered?"

Hawkins: "Okay, the courts...according to the statute, the courts may access the costs...and it does not specify how the billing is done."

Moore, A.: "Okay, and where will the counties, where the resident lives, get the money to pay for the court costs?"

Hawkins: "Out of their General Revenue Fund."

Moore, A.: "It was my understanding that they have...the current all counties currently receive a certain stipend for this that comes out of DCCA money. Is that your understanding also?"

Hawkins: "No. Counties where there is a mental health facility receive a small stipend. The largest stipend is for a county that has over one million population and that stipend is \$6,000. Not each county does not get money from the state, only the counties where they have the facilities and the mills. Any county that gets it has the facilities is \$6,000. In my...in one county in my district there is over 600 recipients, each one of them have to be re-institutionalized every 198 days. That means there are two hearings a year for each one of them. That cost far exceeds that \$3,500 in my county that they receive."

Moore, A.: "That sounds like a little different information than the information that was presented to the committee. We were led to believe that all counties received a certain stipend, but only those counties that had the mental health facilities were the ones that utilized it. The other ones

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just put it into their General Revenue Fund which didn't seem fair."

Hawkins: "The counties, only the counties, where there is a mental health facilities receive a small stipend from the state."

Moore, A.: "And does that come from DCCA?"

Hawkins: "No, it doesn't. It comes from...I'm sorry, I didn't know it comes from DCCA."

Moore, A.: "Okay. Well, I have heard from the department and they were opposed to this Bill in committee and now that the necessary changes have been made, I thank you for that and I would stand in support of your Bill."

Hawkins: "Thank you."

Speaker McPike: "Representative Salvi."

Salvi: "Thank you, Mr. Speaker. I may support this, Representative, but I wanted to address an issue here and that is that; when a mental health facility comes to a county, it is a good thing. It brings jobs, brings home, increases the tax base, county gets a more revenue in taxes but when it comes to actually increasing some of the costs for the courthouse, now you are saying you want some additional moneys for that. It seems you are getting the best of both worlds here, you are getting both the revenue and the benefits of having the mental health facility in your county and you're also asking for an additional amount to be paid. I may support this but I think it may be a bad precedent and I think we should be careful about this kind of thing in the future."

Speaker McPike: "Mr. Olson. Representative Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of this Amendment, the Representative has fairly presented his Amendment. There is some inequities here,

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these mental health facilities are located in counties of different populations, if the facility is located in a county of a large population then its additional cost can be easily absorbed by the county government. But if you get in a county, and I believe Mr...Representative Hawkins said his county was around 10,000 people, this makes a pretty large assortment. This makes a pretty large amount of money for that county to absorb. This money that he is talking about is not going to be state money, it's not going to be state money, it's money that is going to go follow back to the homes of the prisoners in that facility. Back to their home county and be accessed as I understand it. This is good legislation and I rise in support."

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

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

Speaker McPike: "Representative Olson."

Olson: "Thank you, Mr. Speaker. This Amendment provides for support of the employment for M.H. and D. D. individuals. This Amendment includes three Bills which passed out the Human Service Committee this Spring. This Amendment has bipartisan support. Some of the other Sponsors are; Schakowsky, Moseley, Saltsman and Hughes. And it is a citizens assembly initiative. This Amendment was discussed with Representative Hawkins, the Bill Sponsor. And he has agreed to accept this Amendment to #2 to House Bill 4185. I will briefly describe what the Amendment does, the Amendment states that the Department of Mental Health and D. D. shall support a voluntarily supported health supported employment program. The department shall

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establish a process to encourage service to other agencies to convert the existing employment program and whole in part to support a employment program. That Bill came out of committee 28 to 0, another part of it states the inter-agency coordinating council can develop and conduct an ongoing basic information campaign to promote the benefits of supported employment. That also came out of committee, 28 to nothing. The other part requires the Illinois Planning Council and Developmental D. D. to establish a two year demonstration program to help persons with D. D. define their own job goals and obtain employment. That Bill passed out 20...20 to 5 from committee. I'd be open for questions and I think that I have some people who would also like to speak to the Bill."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. A question of the Clerk. When was this a...is this Republican or Democrat Amendment?"

Clerk Rossi: "It is Republican."

Speaker McPike: "It is a Republican Amendment."

Granberg: "When was it...when was it filed?"

Clerk Rossi: "It was filed today."

Granberg: "And when was it printed?"

Clerk Rossi: "It was printed today."

Granberg: "Very good, thank you."

Speaker McPike: "When was it distributed?"

Clerk Rossi: "It was distributed today."

Speaker McPike: "Thank you. Representative Moseley."

Moseley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I too rise in support of this Amendment as Representative Olson has mentioned."

Speaker McPike: "All right. Thank you. Does anyone rise in

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opposition? Representative Schakowsky. All right. The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 4185, a Bill for an Act to amend the Counties Code. Third Reading of this House Bill."

Speaker McPike: "All right. Representative Hawkins."

Hawkins: "The two Amendments have been discussed and I will answer any questions."

Speaker McPike: "All right. And on the 'do pass' Motion, Mr. Skinner."

Skinner: "Please...would you please define resident?"

Hawkins: "I don't have a dictionary in front of me but I would assume it is where a person's normal place of residence."

Skinner: "Why wouldn't it be where the person is counted for census purposes?"

Hawkins: "I haven't the slightest idea."

Skinner: "Well, I need an answer for one or the other, take your pick."

Speaker McPike: "The answer was he hasn't...what was the answer, you haven't the slightest idea?"

Skinner: "He doesn't have the slightest idea."

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

Skinner: "The Sponsor, I'm not finished, Mr. Sponsor. You can turn the five minute light on if you want. The question here is whether the populated counties of the State of Illinois are going to subsidize the unpopulated counties that have the benefit of mental health institutions. Now if you are from a populated county your county is going to

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take a real bath with this legislation. Under census purposes, for census purposes, where the individual is located at the time of the census he is counted. For example, is he is in a local mental health institution or prison, he is counted in that county where the local mental health or prison is. That means that the local county government gets at least \$100 a year in state revenue sharing from the income tax and maybe it's probably substantially more than that per year. So, the local counties are being benefited, the local county governments general funds are being benefited from having an institution in the county. I would contend that they should pay the cost that the States Attorney may have as a result of this institution, out of that general revenue, that general revenue sharing money from the state income tax that we are already paying. Now if you pass this Bill that won't happen, if you pass this Bill they're going to send Cook County government, all these little...all these big mental health institutions, will be sending Cook County government and all the metropolitan area government, bills for the people that used to reside in your county. Now, if I were in Cook County I wouldn't want to receive a multi-hundred thousand dollar bill per year to pay legal fees in an county in downstate Illinois where the local county general fund has already gotten hundreds of thousands of dollars in state revenue sharing money. This is a...this is...how shall I say, this is a...this is in the tradition of C. L. McCormick. Not just, let's not just take it once, let's take it twice. Let's take the money from the state income tax and then let's bill the county governments where these people came from which paid the income taxes in the first place, let's bill them a second

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time. I'm going to vote 'no'."

Speaker McPike: "Question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Rutherford, to explain his vote."

Rutherford: "Thank you, Mr. Speaker. Just to clarify the previous Speaker's question about residence. The department interprets it to be the last county of residence prior to the individuals being a part of the institution. That is from the department itself."

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 107 'ayes' and 2 'noes'. House Bill 4185, having received the Constitutional Majority, is hereby declared passed. House Bill 3236, Mr. Hicks. Read the Bill, Mr. Clerk. Oh, this Bill has been read a second time previously. Are there any Amendments?"

Clerk McLennand: "No Amendments. No Motions filed. Fiscal note has been requested."

Speaker McPike: "No Amendments filed, Mr. Clerk?"

Clerk McLennand: "No Amendments filed."

Speaker McPike: "Mr. Hicks moves that the fiscal note is inapplicable. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Motion carries. Third Reading. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 3236, a Bill for an Act to amend the Probate Act of 1975. Third Reading of this Bill."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3236 amends the provisions of the Probate Act. A little history about the Bill, some local attorney's of my area brought this Bill to me with some changes that needed to be done dealing with wards that in

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the probate actions and what dollars those can be...their money can be invested in. This simply would allow investments in mutual funds and in investment funds that have earned a profit, a net profit in the last four of the five years or rather eight of the last ten years. I would be happy to answer any questions anyone may have."

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

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

Speaker McPike: "Yes, he will."

Biggert: "Representative, does this provide more protection for wards or is it allow more investment or..."

Hawkins: "Representative, what I believe, I don't believe it takes away anyway the...any of the security involved in those actions. It simply allows for greater access to what things can, their dollars be invested in and this simply talks about mutual funds and investment trusts, nothing else. Those trust and mutual funds, as you well know, over the last several years have had a larger amount of income, investment income, from them and some that the other modems were allowed, were very strict in what those dollars could be invested in. It was thought to be very outdated and it was brought to me by people who are involved very deeply in this all the time. I would be happy to answer any questions you may have, other questions you may have."

Biggert: "Well as far...it does add though that the, each investment will have to be reviewed by the court on an annual basis?"

Hawkins: "Yes, that would be correct. They would require that the courts review those so that the courts if they found that in any way there was being risks involved that might be dangerous for those wards for the different investments that were being made for them, then the courts could

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certainly override that."

Biggert: "Was this the result of someone in your district that had a concern over this?"

Hawkins: "Yes, I have a concern from a group of attorney's in my area who do a lot of probate action. They brought it to me as being a what they felt like was outdated, something that needed to be revised, they brought it to me and I took it to the Illinois Bar Association and let everyone I could who I could find would take a look at it, to see if this truly was something that needed to be changed. They all tended to agree with that, I found no opposition from anyone in doing so."

Biggert: "So there was no opposition by the Illinois Bar?"

Hawkins: "None that...no one has come to me and I know of no one, I have asked everybody I could find."

Biggert: "What about the courts? Have you had any..."

Hawkins: "I have had no contact with anyone in the courts at all. No one has come to me from the courts and I think by allowing the courts to review that on an annual basis, certainly they are still involved."

Biggert: "Okay. Do you foresee that some...the courts, for example, in Cook County this would be an undue burden on them?"

Hawkins: "No, I believe that it is something they currently do. In that, it is something they currently have available to them, if in fact someone who is acting as an executor or whatever would...there would be a problem that could be taken to court very easily and reviewed. In this case here, it would simply allowed that the courts could go back and review that every year."

Biggert: "Okay. Thank you very much for your answers."

Speaker McPike: "Representative Lawfer."

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Lawfer: "Thank you, Mr. Chairman. Will the Sponsor yield for a question?"

Speaker McPike: "Yes."

Lawfer: "Would this in any way have or eliminate mutual funds from dealing in cattle options?"

Speaker McPike: "Was the answer no?"

Hawkins: "I couldn't hear you, Sir. Would you please repeat your question?"

Lawfer: "Would this in any way prevent mutual funds from dealing in cattle or options?"

Hawkins: "A mutual fund from getting what, Sir?"

Speaker McPike: "Would this prevent mutual funds from investing in cattle options?"

Hawkins: "I believe that would not be something that we would like to see. But I guess if mutual funds themselves do that and it's truly a mutual fund then it wouldn't be doing that, I don't believe."

Speaker McPike: "Question is, 'Shall this Bill 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 110 'ayes', no 'nays'. House Bill 3236, having received the Constitutional Majority, is hereby declared passed. House Bill 2855, Representative Hoffman. Read the Bill, The Bill's been read a second time previously. Are there any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Speaker Madigan."

Speaker McPike: "Representative Dart."

Dart: "Thank you, Mr. Speaker. This is the police protection Amendment, and I move for its adoption."

Speaker McPike: "The question is, 'Shall the Amendment be

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adopted?' All in favor say 'aye'; opposed, 'no'. Mr. Black, did you want to address this?"

Black: "Well, again, a question of germaneness. I don't think the same Act is being amended. The original Bill and the Amendment, I don't believe are the same, the Amendment is the State Finance Act. The original Bill, I think, is dealing with the Uniform Code of Corrections."

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

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

Speaker McPike: "Who's the Sponsor?"

Clerk McLennand: "Representative Daniels."

Speaker McPike: "All right, who wants to handle this? Representative Cross."

Cross: "We're going to withdraw this Amendment."

Speaker McPike: "All right, withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Representative Johnson."

Tom Johnson: "Yes, withdraw that Amendment."

Speaker McPike: "Further Amendments?"

Clerk McLennand: "No further Amendments."

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

Clerk McLennand: "House Bill 2855, a Bill for an Act amending Unified Code of Corrections. Third Reading of this Bill."

Speaker McPike: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the truth in sentencing and it's a pure

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truth in sentencing Bill. And it's proposed by several individuals including the State's Attorneys Association of Illinois. What this does is it says for all the offences of the Department of Corrections that you have to serve at least 85% of your sentence. This does not exempt certain, certain felonies. It does not exempt and say that only certain felonies, you have to serve 85%. This says if you are sentenced to the Department of Corrections that you will serve 85% of your time. I think that this Bill addresses a problem that we have in Illinois, when an individual is sentenced in Illinois, the judge knows what's going on, that state's attorney's knows what's going on, the public defender knows what's going on, the defendant knows what's going on. The only person that's being kidded in the process is the victim. This addresses that, and it is...pure truth and sentencing in the State of Illinois. It's a Bill whose time has come, and I ask for an 'aye' vote?"

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker. There was a referendum on the ballot in Chicago in reference to truth in sentencing. The referendum failed in Chicago because the people there realized that because you keep people in prison a little longer, you have not solved you crime problem. I don't know where we expect to get \$30 billion to build the prisons it's going to take to have people serve 85% of their sentencing, sentences. I would prefer that we did some educating of people in prison, that we get some job training, because they will be coming out. Many of them are not in there for murder, the most of the majority of the people in prison are not there for murder, the majority are there for drug offenses. I know the people who are

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sponsoring this legislation, are tough on crime, but this is not the solution to that problem. As a Legislator from Chicago, I have to listen to the people who voted in that election, and the referendum failed, they're not fooled by any truth in sentencing legislation, nor do they want to come out their pockets with tax dollars to take care of grown people the rest of their natural lives."

Speaker McPike: "Representative Mulligan."

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

Speaker McPike: "Yes, he will."

Mulligan: "Representative, can you explain to me, currently right now if someone comes up for probation, do they still contact the victim or the victim's family, to come and testify in a probation hearing against them being released from prison, and does this still address that problem?"

Hoffman: "Are you talking about parole or probation?"

Mulligan: "Parole, I'm sorry."

Hoffman: "Parole. This Bill doesn't have anything to do with that, it doesn't address that."

Mulligan: "It's doesn't address that problem."

Hoffman: "What this simply says if your sentenced to ten years in prison you're going to serve 85% of that. Right now, he's serving around, around, about 40% of your sentence is the average."

Mulligan: "All right, so if your serving 85%, that's a straight 85%, not contacting a victim or a victim's family to come in and make sure that the person in jail will stay there at that time."

Hoffman: "Right, the contacting you would still, you would still be eligible for 15% of the early release. In order to do that, I would assume that the same parole system that's

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presently in place would still remain, so that then, that is what's still will be in a kind of an early out insensitive. So, for that 15%, that 15% would I would assume that the victim's family would have an opportunity to object to getting that 15% off."

Mulligan: "So, for the last 15%, they'd still have that, that time to object, but they wouldn't be subjected to it for a lesser period of time."

Hoffman: "No, it would be automatically, you would not serve less than 85%."

Mulligan: "I think it's a very good idea to extend the length of time, because I think that victim's are subjected repeatedly to appearing and revisiting the crime because of good time that people, and they try to keep it, in Cook County or the state's attorney, whoever it is that tries to keep them in prison. So, I think the longest time that you make, the actual sentence so that the truth in sentencing is in place is very important. Thank you."

Hoffman: "Thank you, Representative."

Speaker McPike: "Representative Tom Johnson."

Johnson, Tom: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Johnson, Tom: "Representative Hoffman, was there a fiscal note file on this?"

Hoffman: "Yes."

Johnson, Tom: "Okay. Can you tell us what the projected cost to the Department of Corrections is concerning this Bill."

Hoffman: "Well, I think, I'll tell you what the fiscal note says, but then I, but then I'll tell you what I think."

Johnson, Tom: "Okay."

Hoffman: "Five point eight billion, they say."

Johnson, Tom: "Five point eight billion."

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Hoffman: "With a (B), yes."

Johnson, Tom: "Okay, with a B, and that's all..."

Hoffman: "Over ten years, over ten years."

Johnson, Tom: "And over what period of time is that?"

Hoffman: "Over ten years."

Johnson, Tom: "Okay. And is that the total projected cost, or is that just construction of facilities, or what?"

Hoffman: "That's for everything, operations, and everything."

Johnson, Tom: "Okay. Do you know if that note also included additional education and rehab programs within the Department of Correction for these people, that they're going to be in there this longer period of time?"

Hoffman: "No. I do know that it doesn't."

Johnson, Tom: "Okay. All right."

Hoffman: "Operations, I guess they would provide the same type of programs they provide now. I don't know, it doesn't specifically say it would be for the education, but they do say operations. I would assume they would operate it..."

Johnson, Tom: "Okay."

Hoffman: "...same way they're doing it now."

Johnson, Tom: "Does your Bill contain any additional support services within the Department of Corrections for education, or anything of that sort to keep these people occupied all this additional time?"

Hoffman: "No."

Johnson, Tom: "Okay. So, basically we'll just warehouse them for the additional time?"

Hoffman: "Yes."

Johnson, Tom: "Okay. I guess that's what the public wants. You know approximately how many new inmates are projected, the Department of Corrections would be forced to handle under this Bill?"

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Hoffman: "Well, they're saying 45,000 inmates, but I think that's rather ludicrous to be honest with you. And, if you would like, I would tell you why I think that."

Johnson, Tom: "Well, what is that?"

Hoffman: "What I think is what they're doing is they're making an invalid assumption. They're assuming that since we have truth in sentencing, that, that necessarily because of that the amount of prison times will go up. I'm not sure that that's true, what we're talking about is just being truthful to the public, in saying when your sentenced for ten years your going to serve some assemblance to that, your not going to get out with 40% of the time, you're not going to get out with only doing a third. You're going to serve what your sentenced to. So, a judge who now may give a person ten years to do four, may give a person five years to do four."

Johnson, Tom: "To your knowledge is this..."

Hoffman: "The bottom line is they want them to do four years. Do you understand?"

Johnson, Tom: "To your knowledge is the only way in which people can serve more time or, as I understand it, we've passed a number of Bills out of here this Session, even, where we have mandated certain periods of time for serving crime with no good time off. Now, I presume that's another approach, is it not?"

Hoffman: "I guess we could, we could do that, yes."

Johnson, Tom: "And that's, we've been doing that today."

Hoffman: "Right, we've been doing it, we've been doing it for years and years and years. What this says is we're going to get rid of the hodgepodge approach, we're going to get rid of every year, letting people out early, giving them another earlier release for going to school while they're

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in prison, and we're going to ensure the people serve the sentences that fit the crime."

Johnson, Tom: "Okay, well just do it across the boards. Representative, I happen to support this type of legislation. However, I, to the Bill here."

Speaker McPike: "Yes, proceed."

Johnson, Tom: "We had reviewed other types of truth in sentencing and, in fact, I think Representative Blagojevich had a Bill go out of here yesterday, which was basically a two-strike-and-your-out Bill, which was couched in truth in sentencing. We've had mandatory minimum sentences without any good time off, that were related to specific crimes. In my opinion, I think that we are making a mistake in going across the board to virtually every crime in the criminal code and saying that you will serve quote 85% of the time. Again, I will reiterate that what I believe the public is saying is that the violent offender has to get off the street, has to be put away not to walk again until he can't hurt anybody. But, this sort of blanket thing, I think is rather irresponsible without providing the resources, the \$5.8 billion that it's going to take to basically warehouse, and do nothing more here. I'll be voting for this, but I hope that as it moves over to the Senate that there will be some good compromise, it'll be worked out as it relates to these Bills, and we can get some sanity into what needs to be done with the violent offenders on our streets. Thank you."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, do you, do you, do you call this a truth

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in sentencing Bill? Is that your, would you portray it as that?"

Hoffman: "That's what it is."

Black: "Okay."

Hoffman: "I believe, I mean..."

Black: "Why doesn't it appear on the Special Order of Business on the Calendar on page four?"

Hoffman: "Because, it appears on Special Order of Business under Government Administration."

Black: "So, maybe it really isn't a truth in sentencing Bill, then, because it doesn't appear on that call."

Hoffman: "This is a, a anti-early-release Bill."

Black: "Okay. The second question. What did you say you thought this Bill would cost?"

Hoffman: "I, I think, I think it could be as little, as little as \$500,000,000. The Department of Corrections says something differently, they say \$5.8 billion."

Black: "But, you say it would cost as little as \$500 million?"

Hoffman: "And, in addition to that as State's Attorney O'Malley has pointed out, when he has endorsed this concept, this would probably, when, under the crime packages presently going through the Federal Government, there would be some federal money available, and the crime package would require state's in order to get that money to have some type of truth in sentencing law."

Black: "Okay. But I, you know since, I guess that answers my third question. The fiscal note was ruled inapplicable, I guess because it only costs about \$500 million, right?"

Hoffman: "I don't think it was a, was it ruled inapplicable? I think it was filed. I just read it."

Speaker McPike: "It was filed."

Black: "It was filed?"

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Speaker McPike: "Yes."

Black: "I can't find it. I'll look for it. I'll come over and look at yours, thank you."

Speaker McPike: "All right. Representative Dart moves the previous question. The question is, 'Shall the previous question be put.' All those in favor, say 'aye'; opposed, 'no'. The 'ayes' have it. The previous question is put. Mr. Hoffman to close., briefly."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to point out, there was an advisory referendum in Cook County, which asked the question of whether the State of Illinois should adopt truth in sentencing legislation, and it got 95.8% of the vote. I don't know what the previous speaker was saying but that's what, that's what the information I have. People are crying out for this type of Bill in the State of Illinois, the victims of crime are crying out, and I think it's time we passed it."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed, vote 'no'. Representative Pugh to explain his vote. Mr. Pugh, your microphone is on."

Pugh: "Yes, Sir, Ladies and Gentlemen of the House. I had a couple of questions and I'm kind of upset that I didn't get a chance to ask my questions, considering that I don't just hog the microphone, and my questions usually are germane to the legislation. We're speaking of fairness all day long, and it seems to me that if I can't seek fairness from my side of the aisle, then as a minority, where will I get fairness? And, I want to make it clear that I'm not, I'm not fooled. I understand when the issues come down, it's labor versus management, it's Democrat versus Republican, but when it's an issue affecting minorities particularly

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African-Americans it's everybody against minorities. And, everybody in America has a right to be heard. These individuals that we're carting off to prisons for our indeterminant periods of time have a right to be heard. We're talking about sending people to prison, but we don't have money to house them, we don't have \$200 thousand to educate people, but we can find five or \$6 billion to incarcerate them. It's something wrong with the way we do business, and we say that this is the process. When are we going to see that the process is not working, and when are we going to have the courage to change it? This legislation is according to the eighth Amendment of the Constitution, could be categorized has harsh and unusual punishment. When you, when you look at the fact that 70% of all inmates are African-Americans, and 40% of the crime is committed by African-Americans, then there's something wrong, and I think it's only fair that African-Americans get an opportunity to speak to legislation that's affecting African-Americans. That's my point to that issue. To the Bill, itself. This is the third, this is the third, count you, piece of truth in sentencing legislation. Director Peters from the Department of Corrections stated last year that we would not have room in the year 1994 to house all the prisoners if all the current legislation on the books were in acted. That was last year's, since then, we've enacted hundreds of other pieces of legislation. When is it going to stop? Being tough on crime is certainly not the answer, being smart on crime is what we need to courage to do, but that takes courage. I'm, I'm requesting a roll call vote."

Speaker McPike: "Mr. Pugh, we're in the middle of a roll call. Representative Stephens to explain his vote. Have all

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voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 96 'ayes'...on this Motion there are 96 'ayes', 11 'noes'. House Bill 2855, having received the Constitutional Majority, is hereby declared passed. Subject Matter, Economic Development, appears House Bill 3852. The Bill is on Second Reading, it has been read previously. Mr. Clerk, are there any Amendments?"

Clerk McLennand: "House Bill 3852, No Amendments."

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

Clerk McLennand: "House Bill 3852, a Bill for an Act to amend the County Economic Development Project Area Property Tax Allocation Act. Third Reading of this Bill."

Speaker McPike: "Mr. Homer."

Homer: "Thank you, Mr. Speaker. This, this Bill came out of Revenue Committee unanimously. It would simply allow Peoria County to join St. Clair and Madison in taking advantage of the County Economic Development Project Area of Property Tax Allocation Act, that we passed a couple of years ago. It's purpose is to allow Peoria County and the Peoria Park District to fund the gift of the Wildlife Prairie Park that recently was made available through them from a local philanthropist in Peoria, and it simply allows for the creation of a real estate tax incriminate financing district by the county. I know of no opposition to the Bill. There's no State Revenues involved. It has a three year sunset in it and I would urge your support."

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

Leitch: "I too, would like to add my support for this Amendment, it's important to us to try and find a solution to helping the, in the transition of wildlife prairie from the foundation to probably a park district, and this can only

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help and I'd urge our Members to vote 'aye'."

Speaker McPike: "The question is, 'Shall this Bill Pass?' All those in favor, vote 'aye'; opposed, vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion there are 110 'ayes', no 'nays'. House Bill... Representative Pugh votes 'aye'. On this Motion there are 111 'ayes', no 'nays'. House Bill 3852, having received the Constitutional Majority, is hereby declared passed. House Bill 4108, Representative Lou Jones. The Bill's on Third Reading. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 4108, a Bill for an Act to amend the Alcoholism and Other Drug Abuse and Dependency Act. Third Reading of this Bill."

Speaker McPike: "This Bill's on Second Reading, Mr. Clerk. Has it been read a second time, previously?"

Clerk McLennand: "It has been read a second time, previously."

Speaker McPike: "Are there any Amendments?"

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

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

Granberg: "Thank you, Mr. Speaker. Would the Parliamentarian check on the issue of this Amendment being germane, please?"

Speaker McPike: "Representative Zickus, do you withdraw the Amendment? I'm sorry, Representative Granberg, the Lady withdraws the Amendment. Further Amendments?"

Granberg: "Thank you."

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

Speaker McPike: "Representative Lou Jones, Amendment #2."

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Jones, L.: "Thank you, Mr. Speaker and Members of the House. Amendment #2 is an agreed Amendment that I agreed to put on as...from the medical society that actually says that the acupuncture can only be done by a licensed physician."

Speaker McPike: "All right, the Lady has moved for the adoption of Amendment #2; and on that Motion, Representative Black."

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

Speaker McPike: "Yes."

Black: "It does not seem to me that the underlying Bill and the Amendment are on the same code. Is it germane?"

Speaker McPike: "Yes, Mr. Black, the Amendment is germane. Proceed, Representative Jones. Lou Jones."

Jones, L.: "I...I was finished, you know... I had finished, but you know if you want me to repeat what I said..."

Speaker McPike: "No, no that's all right."

Jones, L.: "Again, it's a..."

Speaker McPike: "All right. Representative Jones has moved for the adoption of Amendment #2; and on that Motion, Representative Lindner."

Lindner: "Thank you, Mr. Chairman. Let the record reflect that I would have voted 'yes' on 3852."

Speaker McPike: "The record will so reflect. On the adoption of Amendment #2, Representative Roskam."

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

Speaker McPike: "Yes, she will."

Roskam: "Representative, under your Amendment can a chiropractor still do acupuncture?"

Jones, L.: "Licensed physicians."

Roskam: "So that would include allopathic physicians, MDs or osteopaths, or chiropractors?"

Jones, L.: "Only licensed MDs are licensed under the...the

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Medical Practice Act."

Roskam: "So, if they're licensed under the Medical Practice Act, that is chiropractors for example or osteopaths, they would be..."

Jones, L.: "To practice medicine in all of the branches. To practice medicine. Only MDs."

Roskam: "Well, it's more than MDs... I'm not trying to give you a hard time; I'm just trying to understand."

Jones, L.: "You're doing that. Okay."

Roskam: "I've been good to you today. Let me just ask you this. If you're licensed as a physician under the Medical Practice Act, you can do acupuncture with your Amendment. Is that right? I think the answer's, 'yes'."

Jones, L.: "On the Amendment when it says, 'licensed to practice medicine in all of the branches' is medical doctors."

Roskam: "Pardon me? Just answer me this. If you're...if you're...under your Amendment, if you're licensed to practice medicine under the Medical Practice Act, and now trust me on this, if you're licensed to practice medicine, that means that you can be an allopathic physician, an MD or an osteopath or a chiropractor cause there's tons of chiropractors today that are...that are doing acupuncture."

Jones, L.: "If the chiropractor...if the chiropractor is a licensed...licensed physician, then he's included in this."

Roskam: "Bingo. Thank you."

Jones, L.: "You had do all that..."

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

Flowers: "Representative Jones, what is the difference between an auricular puncture and a acupuncture?"

Jones, L.: "That's through the ear. Now, that's what I was told and the word...You talking about auricular?"

Flowers: "Yes."

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Jones, L.: "That is through the ear, pertaining to the ear."

Flowers: "Would a counselor that works for the Department of Substance Abuse, would they be able to use acupuncture under your Amendment?"

Jones, L.: "No, I said, 'licensed physician'."

Flowers: "As I...as I understand it, Representative Jones, now some counselors are using acupuncture to prevent substance abuse. So, counselors would not be able..."

Jones, L.: "Not in... If there's 29 states, including the District of Columbia, that are using that, but in Illinois that's not true."

Flowers: "Thank you."

Speaker McPike: "On a Motion to adopt this Amendment, Representative Brady."

Brady: "Thank you, Mr. Speaker. I make a Motion, pursuant to Rule 78, that this House stand adjourned until..."

Speaker McPike: "You weren't recognized for that purpose. You weren't recognized for that purpose."

Brady: "...until May 17..."

Speaker McPike: "The Gentleman wasn't recognized for that purpose. It is not in order. Are there further Amendments? Are there further discussion on this Amendment? There being no further discussion, the question is, 'Shall this Amendment be adopted?' All those in favor of the Motion 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 102 'ayes' and six 'noes'. The Amendment is adopted. Further Amendments?"

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

Speaker McPike: "Representative Stephens, on Amendment #3."

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Representative Granberg, for what reason do you rise?"

Granberg: "Thank you, Mr. Speaker. The Amendment tends to amend the Public Aid Code; that is not the underlying Bill. I would ask the Parliamentarian to review the Amendment, please."

Speaker McPike: "Representative Granberg has raised a point of order, and the Chair will recognize Representative Stephens on that point of order as to the germaneness of the Amendment. Representative Stephens is recognized for that purpose."

Stephens: "Thank you, Mr. Speaker. Rather than belabor the point, I will withdraw the Amendment."

Speaker McPike: "Thank you very much. Amendment is withdrawn. Further Amendments?"

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

Speaker McPike: "Representative Mulligan withdraws the Amendment. Further Amendments?"

Clerk McLennand: "Floor Amendment #5, offered by Representative Lou Jones."

Speaker McPike: "Representative Lou Jones."

Jones, L.: "Withdraw it."

Speaker McPike: "The Lady withdraws the Amendment. Is that correct? Representative Lou Jones, do you wish to withdraw the Amendment? Yes. The Lady withdraws the Amendment. Further Amendments?"

Clerk McLennand: "Floor Amendment #6, offered by Representative Lou Jones."

Speaker McPike: "Representative Lou Jones, Amendment #6."

Jones, L.: "I withdraw Amendment #6."

Speaker McPike: "Further Amendments?"

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

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Skinner."

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

Granberg: "A point of order, Mr. Speaker. Did the Parliamentarian check, I don't believe this Amendment is germane to the underlying Bill, please."

Speaker McPike: "Representative Granberg has raised a point of order. Representative Skinner is recognized to speak to that point of order."

Skinner: "Yes, Mr. Speaker. I've filed this Amendment 30 times and I would like to get a vote on it. This is the Amendment which says that, if you're on AFDC ten months after the Bill takes effect and you have another child, we'll give you food stamps, we'll give you housing assistance..."

Speaker McPike: "I understand what the Amendment is, but you were recognized to speak to the point of order. You were recognized to speak to the point of order as to the germaneness of the Amendment. Would like to speak to that? All right."

Skinner: "Yes."

Speaker McPike: "Well then speak to whether or not it's germane. That's why you were recognized."

Skinner: "Her program is going to cost money. This is going to save money."

Speaker McPike: "All right. The Amendment is not germane. Further Amendments?"

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

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

Granberg: "A question of the Clerk. Has that Amendment been

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printed and distributed?"

Speaker McPike: "Amendment #8 has not been printed. Amendment #8 has not been printed. Is that correct?"

Clerk Rossi: "The Amendment has not been printed and distributed."

Speaker McPike: "All right. Representative Jones, what is your pleasure?"

Jones, L.: "Move to table."

Speaker McPike: "All right. The Lady moves to table Amendment #8; and on the Motion to table, Representative Skinner."

Skinner: "Mr. Speaker, I wish to move the...to move to appeal the ruling of the Chair. My light was on throughout the entire time I was yelling your name."

Speaker McPike: "All right. We're on Amendment #8..."

Skinner: "You did not recognize me."

Speaker McPike: "I've recognized you and you proceeded, as you always do."

Skinner: "It is because, you do not proceed fairly, Sir."

Speaker McPike: "Yes. On the Motion to table, Mr. Skinner. Mr. Skinner. Turn him on, on the Motion to table."

Skinner: "Well this was filed in plenty time. It was filed last night and it hasn't been printed. So, obvious the gnomes in the dungeon are sitting on it."

Speaker McPike: "It was filed today, Mr. Skinner."

Skinner: "It was filed early today, then."

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

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 4108, a Bill for an Act amending the

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Alcoholism and Other Drug Abuse and Dependency Act. Third Reading of this House Bill."

Speaker McPike: "Representative Lou Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. House Bill 4108 would require the Department of Alcoholism and Substance Abuse to establish a pilot program to assist the use of auricular acupuncture in the treatment of substance abuse, and in 29 states and also in the District of Columbia this has proved to be very effective, and I ask for a favorable vote."

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

Black: "Thank you very much, Mr. Speaker. First of all, an inquiry of the Chair. The only Amendment on the Bill is Floor Amendment #2, is that correct?"

Clerk Rossi: "The only Amendment on the Bill is Floor Amendment #2."

Black: "All right. Will the Sponsor of the Bill...yield for a question? Representative, the underlying Bill dealing with Alcoholism and Drug Abuse Dependency Act directs DASA...I'm sorry, I really don't know. To do what? The underlying Bill tells DASA that they have to do what?"

Jones, L.: "It requires the Department of Alcoholism and Substance Abuse to establish a program to access the use auricular acupuncture for the treatment of substance abuse."

Black: "Okay. Now...all right. Are you aware of any studies that would indicate that auricular acupuncture helped somebody detox or kick the drug habit."

Jones, L.: "Representative, in 29 states and also in the District of Columbia, it is working. And, whether...let me state, that I cannot tell you right now that it would work but I think because of the drug problems that we have, that it's

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worth a try. And, if it is working in 29 states, I think it's worth giving it a try here."

Black: "Well, let me make sure that I understand auricular acupuncture. This is where...this is where a...let me get something straight here. It's where you stick needles in your ear?"

Jones, L.: "Yes."

Black: "I'm sorry, I couldn't hear you, I have a needle in my ear. What did you say?"

Jones, L.: "Well, get your finger out your ear. Yes."

Black: "Oh. Who can stick these needles in my ear? Do you have to be a doctor?"

Jones, L.: "Yes, that's what the Amendment did. Licensed physician."

Black: "Oh, that's right. I remember that. But did we ever define doctor?"

Jones, L.: "But it's a pilot program, Representative."

Black: "Did we...I remember now and I've forgotten the answer to Representative Roskam's question. Do we specifically state what kind of physician can stick these needles in your ear? A medical doctor or a chiropractor or..."

Jones, L.: "For this program, it would be a medical doctor."

Black: "Okay. Thank you very much, for your patience Representative. I appreciate it. Thank you."

Speaker McPike: "The question is, 'Shall this Bill 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 98 'ayes', 11 'noes'. House Bill 4108, having received the Constitutional Majority, is hereby declared passed. House Bill 3223. Mr. Clerk this Bill has been read a second time previously, are there any Amendments?"

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Clerk Rossi: "House Bill 3223. Amendment #2 was adopted in committee, or Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Ryder."

Speaker McPike: "All right, we're on the adoption of Amendment #2, offered by... Representative Granberg, for what reason do you rise?"

Granberg: "Point of order, Mr. Speaker. Amendment #2 deals with the Tort Liability Act. The underlying Bill amends the Minority and Female Business Enterprise Act. I would ask the parliamentarian to rule this as germane."

Speaker McPike: "Representative Granberg has made a point of order, and on that Motion, Mr. Black."

Black: "I'm sorry Mr. Speaker, I assume that Representative Granberg has questioned the germaneness, is that the Motion before us?"

Speaker McPike: "Yes."

Black: "Can the Chair tell me what the underlying Bill deals with?"

Speaker McPike: "The underlying Bill deals with Minority and Female Business Enterprise."

Black: "I see, then..."

Speaker McPike: "And, the Bill deals with..."

Black: "Yes, and then the Amendment would deal with Tort Reform in Minority and Female Businesses, is that correct? Well, there was a ruling earlier today that said that we were on the order of reduction of crime."

Speaker McPike: "Yes."

Black: "So, I thought this might be very similar to that."

Speaker McPike: "Well, it's not similar enough."

Black: "Well, Mr. Speaker, should the Chair rule that this Amendment is not germane, having seen some creative rulings

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today, you leave me no choice to ask that you grant us a roll call to appeal the ruling of the Chair, if you haven't, if you should rule it not germane. You have not done so yet."

Speaker McPike: "The Amendment is not germane. Mr. Black moves to override the ruling of the Chair. All those in favor of overriding the Chair, vote 'aye'; opposed, vote 'no'. This requires 71 votes. Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Simply to explain my vote on this particular issue. The Chair chose this Bill to call by skipping around through the order of calls. The Chair chose to bring this Bill before us, and it just happens to give us our only opportunity to talk about amending provisions of the Joint Tort Fees For Contribution Act. I didn't chose this, I filed the Amendment, the Chair chose this, and now the Chair by it's ruling on germaneness has denied us the opportunity to discuss an issue, which I personally believe and I think that at least 48 others believe is important enough to talk about. So, the Chair is denying us the opportunity to discuss a rather important issue."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 48 'ayes', 63 'noes', and the Motion fails. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 3223, a Bill for an Act amending the Minority and Female Business Enterprise Act. Third Reading of this House Bill."

Speaker McPike: "Representative Shirley Jones. Ms. Jones. Ms. Jones. Representative Jones. Shirley Jones."

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Jones, S.: "I'm getting ready to speak, you just turned my light on, where I can speak."

Speaker McPike: "Okay."

Jones, S.: "On House Bill 3223 amends Minority and Female Business Enterprise Act provides that the Minority and Female Business Enterprise Council may establish 24 hours electronic assess to bid an application information regarding a state contract. I would like a favorable vote. Thank you."

Speaker McPike: "And on the 'do pass' Motion, on House Bill 3223, the Chair recognizes Representative Mulligan."

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

Speaker McPike: "Yes, she will."

Mulligan: "Can you tell me if Amendment #1 was adopted in committee?"

Speaker McPike: "Mr. Clerk, the Clerk says the Amendment was adopted in committee, yes."

Mulligan: "It's my understanding if then the, it would be up to the option of whether they would give the 24 hour information or not, or is that the discretion of whoever is applying or..."

Speaker McPike: "Representative Jones."

Jones, S.: "It says 'may'."

Mulligan: "Is that on an individual basis, or whether you establish a total 24 hour reporting?"

Jones, S.: "Is established a 24 hour reporting."

Mulligan: "In other words it's not on an individual basis as to who would be allowed to receive the information in 24 hours, it's just rather the council would establish that period for everyone."

Jones, S.: "Right."

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Mulligan: "Thank you."

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

Deuchler: "Mr. Speaker, will the Sponsor yield for a question?"

Speaker McPike: "Yes, she will."

Deuchler: "Representative Jones, how does your Bill differ from Representative Morrow's Bill, House Bill 2729?"

Jones, S.: "Pardon me, I didn't hear you?"

Deuchler: "How is your Bill different from Representative Morrow's Bill?"

Jones, S.: "Because mine is the, mine established an electronic bidding, electronic..."

Deuchler: "Well, does your Bill include all of the Amendments that he placed on his Bill?"

Jones, S.: "No, it don't."

Deuchler: "I noticed for an example, on his Bill that he was suggesting that perhaps the certifications, could be conducted by an outside state agency, rather than internally within the massive staffing. Does your Bill include that proposal or is your Bill different?"

Jones, S.: "It's different."

Deuchler: "And, in what other way does it differ?"

Jones, S.: "Will you, will you repeat the question please?"

Deuchler: "No further questions."

Speaker McPike: "The question is, 'Shall this Bill Pass?' All those in favor, vote 'aye'; opposed, vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 107 'ayes', no 'nays'. House Bill 3223, having received the Constitutional Majority, is hereby declared passed. Yes. Representative Davis intended to vote 'aye', and Representative Hawkins intended to vote. Did you vote? Representative Davis

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intended to vote 'aye', on House Bill 3223, and that Bill was declared passed. House Bill 3132. Representative Kaszak. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "Amendment #1, was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Kaszak."

Speaker McPike: "Representative Kaszak."

Kaszak: "Thank you, Mr. Speaker. Amendments #2 and #3 are Amendments that attempt to better clarify an agreement that was reached after one year of negotiation with the Illinois Chamber of Commerce, Illinois Manufacturers Association, Illinois State Bar Association, Management Association of Illinois, various consumer groups and Government Staff. The Amendments together do two things: One is, they provide that there will be a regulatory agenda that will be issued by the various state agencies twice a year so that the people who are monitoring regulations have the opportunity to anticipate regulations that will be issued. Secondly, the Amendments eliminate the request for the requirement that a person requests a comment rather than just comment when proposed regulations are issued..."

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

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

Speaker McPike: "Representative Kaszak. Mr. Kaszak, Representative, Amendment #3."

Kaszak: "Amendment #3 does, is, was explained earlier."

Speaker McPike: "I think you should, you were on Amendment #2."

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Kaszak: "This is a purely technical Amendment, it was just described. I can tell you that Amendment #3 just clarifies instead of saying, 'the direct, the director of an agency', it says, 'the head of a state agency', which we think would be a finer term to describe the people who are we are discussing."

Speaker McPike: "Mr. Black on the adoption of the Amendment."

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

Speaker McPike: "Yes."

Black: "Representative, could you just humor me a little bit on how you've explained Amendment #3 before you passed Amendment #2?"

Kaszak: "I was describing both #2 and #3 together, but I, if you want to, for me to discuss them separately, I'll explain that Amendment #3."

Black: "Well, just so we know what #3 does."

Kaszak: "Amendment #3, clarifies that we are referring to the heads of state agencies and state agency heads as opposed to directors."

Black: "All right, so, you corrected the word director, it's basically what you did in Amendment #3, is that correct?"

Kaszak: "Right."

Black: "All right. Thank you."

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

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

Speaker McPike: "The lady withdraws the Amendment. Further Amendments?"

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Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 3132, a Bill for an Act amending the Illinois Administrative Procedure Act. Third Reading of this House Bill."

Speaker McPike: "Representative Kaszak."

Kaszak: "Thank you, Mr. Speaker. As I explained earlier, this is a Bill which attempts to make it easier for businesses and consumer groups to participate in the regulatory process. It was a Bill that we've been working on for well over a year with not only the Bar Association, but also the business groups, and the Governors Office, and the Joint Committee on Administration Rules. We feel that after a year this Bill accurately reflects the way that we can encourage the participation and regulatory activity. Thank you."

Speaker McPike: "And on the 'do pass' Motion, Representative Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield for a few questions, please?"

Speaker McPike: "Yes, she will."

Moore, A.: "There are numerous changes that you're proposing in regard to this, and I know it's been a very complicated process, and you've worked very hard to draw consensus on a lot of these issues before, so that we understand clearly. The agency determines the impact of the rules not only on small business, but also on not-for-profits."

Kaszak: "That's correct. We believe that there are times when agencies issue regulations that not only impact businesses but also not-for-profit corporations."

Moore, A.: "And, so, how do people get together to actually

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understand these and have hearings, and who makes these kinds of decisions?"

Kaszak: "The impact statement is generally done by the, the various state agencies, in most cases it's the Department of Commerce and Community Affairs."

Moore, A.: "And, do, do, does each agency involved have to have a Representative there at the hearing?"

Kaszak: "If the agencies conducting a hearing, they have to have a Representative there."

Moore, A.: "What is, could you explain a little bit of this pre-entry rule making that's referred to regarding collective bargaining."

Kaszak: "Well, we didn't change that section."

Moore, A.: "There's no changes there?"

Kaszak: "Not of any significance."

Moore, A.: "Okay, could you explain the time frame required agencies to submit their agendas for these rule changes?"

Kaszak: "Twice a year, it's required that they submit a list of areas of proposed regulations for the following six months; January 1, and July 1, are the dates."

Moore, A.: "And, what if there's some kind of a emergency meeting?"

Kaszak: "There's provisions that allow for the agency under a certain circumstances to issue regulations without given notice of it."

Moore, A.: "Thank you, no more questions."

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

Kubik: "Would the Sponsor yield for two quick questions?"

Speaker McPike: "Yes."

Kubik: "Representative, you indicated that you have had discussions on this Bill with a number of business groups

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as well, business groups..."

Kaszak: "I can't hear you, number of what..."

Kubik: "You indicated that you included in discussion a number of business groups?"

Kaszak: "Yes."

Kubik: "Could you identify who they are?"

Kaszak: "The Illinois Chamber of Commerce, Illinois Manufacturers Association, Illinois State Medical Society, Manufacturers Association of Illinois, and I think probably Chemical Chemistry Council was part of that also."

Kubik: "Okay. Are they now in support of this Bill?"

Kaszak: "Everyone, after one year is supporting this Bill at this time."

Kubik: "Okay. Thank you."

Speaker McPike: "The question is, 'Shall this Bill 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 104 'ayes', no 'nays'. House Bill 3132, having received the Constitutional Majority, is hereby declared passed. House Bill 3082, Representative, Representative Eugene Moore intended to vote 'aye' on the previous Bill. House Bill 3082, Representative Kotlarz. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3082, a Bill for an Act concerning the Reproduction of Business Records. Third Reading of this House Bill."

Speaker McPike: "Representative Kotlarz."

Kotlarz: "Mr. Speaker, this Bill passed out of the Financial Institutions committee without a descending vote. I'd ask for a favorable vote on this."

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

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Kubik: "Thank you, Mr. Speaker. Would it be unreasonable to ask the Sponsor to tell us exactly what the Bill does? I don't think that will be dilatory."

Speaker McPike: "I don't, Representative Kotlarz, would that be unreasonable? You can go either way on this answer. Okay."

Kotlarz: "I'll try my best. Representative this Bill will clarify the Code of Civil Procedure as it concerns evidence in a court of law. If a, in the normal course of business, a business develops and generates computer records, these computer records will be acceptable in a court of law. It'll save a lot of time and money to the financial institutions of this state."

Speaker McPike: "Representative Kubik."

Kubik: "An excellent summation of the Bill, I might add."

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

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

Speaker McPike: "Yes."

Black: "Yes. Does an, I'm not sure I understand all the definitions under optical reproduction. Does that include a photocopy?"

Kotlarz: "Actually, it would not."

Black: "It would not include a photocopy? Would it include a fax copy?"

Kotlarz: "Actually, it would not."

Black: "Then, is it my understanding the only optical imaging documents it would be clarified under this would be what, generated by computer, computer printer?"

Speaker McPike: "Is there anything further, Mr. Black."

Black: "Yes, I guess..."

Kotlarz: "Representative Black..."

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Black: "Yes."

Kotlarz: "This would be limited to computer generated, fax and photocopies are specifically excluded as you know or might know, by the Best Evidence Rule, I'd say."

Black: "Well, you know that's what confuses me on the Bill, because if you'll look on page 2, it talks about photostatic, microfilm, microcard, miniature, I'm sorry..."

Kotlarz: "Where do you see photograph on page 2?"

Black: "On page 2 of the Bill, line 122, reproduction, means a reproduction or durable medium or making a reproduction obtained by any photographic optical imaging, photostatic, microfilm, microcard, etc. So, you're, you're adding optical imaging, correct? I see that's underlined. So, it seems to me that we're adding optical imaging to photostatics."

Kotlarz: "The existing law."

Black: "Okay. So, photostats are then, right?"

Kotlarz: "Right."

Black: "Okay. Thank you."

Speaker McPike: "Anything further? No further discussion. The question is, 'Shall this Bill 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', no 'nays'. House Bill 3082, having received the Constitutional Majority, is hereby declared passed. A Children and Family Law, Representative Lee Preston. All right, we will not go back to this order. House Resolution 2509."

Clerk Rossi: "House Resolution 2509, a..."

Speaker McPike: "Just a minute, Mr. Clerk. The Chair's intent to adjourn on the adoption of this Resolution. It's a Death Resolution for a former Member. We will adjourn until 9:30

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tomorrow morning. Mr. Clerk, read the Resolution."

Clerk Rossi: "HOUSE RESOLUTION 2509, OFFERED BY SPEAKER MADIGAN, WHEREAS, The Members of this Body have learned with great sorrow of the death of our former colleague from District 33 in Chicago, Nelson Rice, Sr.; and WHEREAS, Nelson Rice, Sr. was born on October 22, 1932 in Chicago; he graduated from Spaulding High School before attending college in the South, and earned a master's degree in intercultural studies from Governors State University; and WHEREAS, During his tenure as a Representative, Nelson Rice chaired the Election Law and Insurance Committees and was a Member of the Committees on Educational Finance, Executive, Aeronautics, Economic Development, Implementation of Chicago School Reform, Financial Institutions, Human Services Appropriations, Personnel and Pensions, Appropriations II, and Rules; and WHEREAS, In 1987, he was appointed to a Committee of State and local officials, community Members, and environmentalists to investigate pollution on the Far South Side; and WHEREAS, Nelson Rice was also active in the mayor's Neighborhood Youth Corps; and WHEREAS, Nelson Rice was a man who relished his legislative responsibilities; he served his constituents with honor and distinction; and WHEREAS, Nelson Rice, Sr. leaves a legacy of civic involvement and concern that will long inspire the citizens of this State; his wise counsel and advice will be greatly missed by all; and WHEREAS, Nelson Rice, Sr. leaves a proud heritage to mourn his passing in the persons of his wife, Eddie Mae Streets-Rice; his sisters, Inez G. Walton and Marcelle Staten; and his brothers, Edward and Paul; therefore, be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we join with those

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individuals who mourn the loss of a close friend and colleague and that we extend our sincere condolences to his family and friends; and be it further RESOLVED, That a suitable copy of this resolution be presented to his widow."

Speaker McPike: "Representative Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It is with deep sorrow that we stand here this evening to talk about our, our friend and colleague, distinguished colleague, Nelson Rice, and I think that many of us probably have a Nelson Rice story that we could all share, but I know many of the new Members may not know Nelson, and did not realize that Nelson too, was also a minister, and there were many afternoons when we did not have scheduled session or the Calendar would change and a Chaplain was not appointed, and we would call one of our own, and Reverend Rice would come up and open the House in prayer, actually he would do it from his seat, in many cases, because of his handicap. But, Reverend Rice was certainly a Christian man, one who was loved by all and I think that he had a story for everybody, when you walked passed that desk where Representative Burke sits, you couldn't go by without kneeling over and saying, 'Hey, brother-man' as he would call you, 'What's going on?' Reverend Rice was also one who's, was mentioned yesterday at his funeral, one who loved to eat, and I used to have the seat that Lou Jones now sits in and Nelson was a diabetic, and I would tell the Pages as they would run to Nelson's desk and he would try to slip notes to them and tell them to send up the ice cream and cake, and we would have to warn the Pages, just like they put the little green stickers on your desk and tell you don't put the

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Amendments. We'd tell them don't bring food to Nelson. But, Nelson was a strong soldier, he was loved by all in the community, he did a lot for the youth and Morgan Park and his service with the Department of Human Services...to just see the outpouring yesterday of the many friends and neighbors was just truly sign of a man's great work. He was one who suffered, the last year or so was pretty tough on him, he eventually was having dialysis three times a day. But, even as he was going through that, Nelson still, when you would call him on the phone, you'd hear him on the other end, and 'Hey baby brother, what's going on?', and he, you know he used to drive the big van, and some of you know that Nelson also was a landlord. He bought property here in town, and we used to share landlord stories, and it was nothing for him to get out of session now, and go by the lumber yard and pick up some two-by-fours and go over to his old house, but he's went on to a great house in the sky, and living in a mansion that would need no repair, and certainly where no one will suffer any more, and we certainly will miss him."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker. I'd like to say, when I first came to Springfield I think in 1986, Nelson was the Chaplain of the black caucus, and at each and every meeting he made sure we opened with a prayer, and it certainly set the tone for our meetings. Nelson didn't have any children, he was stepfather to many, he sent many children through college. I think one of the warmest moments I had on the floor was when a pediatricist came and stood at my desk and said where is Nelson Rice, he gave me a scholarship, and I want to tell him I've graduated and I'm opening an office in his district, and I think we spoke to

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Doctor Morgan on the floor, that was a very warm, pleasant moment, through the efforts of Nelson Rice. Nelson Rice was not a bitter man, he did not hold grudges, and he was one of the most honest people in this body. If you went to him and sought his support, and he had promised it to someone else, or he couldn't for some reason vote with you, he told you the truth at that moment. We could use a lot more of that around here. God Bless Nelson Rice, and his family. I have lost a wonderful friend. His district is right next to mine, and I want you to know his funeral was so packed yesterday, many people could not get inside."

Speaker McPike: "Representative Parke."

Parke: "Thank you. I had an opportunity and the pleasure of working with Nelson on the Insurance Committee in the House for a good number of years, and always found him to be upbeat and kind and always had a good, a good word, and I attended a conference with him and got to know him better as a man and as a father and as a pastor, and enjoyed his company whenever we were at some function. So, I think I would share with Representative Turner the feeling of this House that we have lost truly a fine man and somebody that contributed to the process, was a kind man and I am sure that not only will his family and his neighborhood and his legislative area miss him, but I think the Body will miss him also."

Speaker McPike: "Representative Lou Jones."

Jones, Lou: "Thank you, Mr. Speaker. There was three of us that worked together outside the General Assembly, it was myself, Nelson Rice, and Bob LeFlore. We all worked for the Department of Human Services, and you really had to see Nelson on his other job to appreciate what a kind and good person he was. Nelson worked the Department that gave away

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the boxes of food at the Department of Human Services for individuals that were hungry or they lost their food stamps or their food stamps ran out before the next check or whatever, and the law says that you can only get one box every six months, and I've seen two or three people come to Nelson's desk, and Nelson would say, you just was here, get on away from here, I just gave you a box last week, and the person would turn around and walk away, and he would say come here boy, go over there, wait over there, I get you a box in a minute, and a lot of times people got two and three boxes, when normally he wasn't supposed to give but just one. He would go out of his way to find sleeping quarters for young men, because it was very hard for young men who were homeless to find a sleeping quarters at night. I will miss him, I went and saw him about 10 or 15 days ago, and he always called me babe, and he said how's it going down there babe? And I say, Well you know it's the same ole same ole, and he said, you know I'm not going to use this anymore, and he had that cane that he had down here and he was sitting there in the big chair, and he said I'm not going to use this cane anymore and I said, 'No kidding.' And he said, 'no', I'm not going need it after a while.' I didn't know that he meant that he was really leaving, and I was one of them at the funeral last night, and like Representative Davis, said, there's a lot of people out there that couldn't get in which was a fitting tribute, and I truly will miss Nelson and he was a very good friend of mine."

Speaker McPike: "Representative Burke."

Burke: "I was quite saddened to learn of our colleagues death, the other day, and I must say that coming to this body three and a half years ago, one of the most fortunate

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things that could of happened in my experience was to be seated next to Nelson. Not only was he articulate and fully understanding of what this body does, and what it's all about, and how things happen, but everyone seemed to really acknowledge Nelson, and speak with him. So, I was fortunate to sit with Nelson and meet everybody in the House in a very short period of time. I'll never forget my first public address on this floor, and it was a difficult Bill, and Nelson sat there and encouraged me by saying 'Preach Brother Burke, Preach.', and I did, and we were fortunate enough to pass it. He was a wonderful friend as Representative Turner suggested. We ate very well over here, probably all the wrong things for Nelson. We shared our experiences, we shared our collegueship, we shared a great friendship. I will truly miss him and for those of you who knew Nelson, and would daily ask how he was doing, I think you'll recall his expression, 'One day at a time, brother, one day at a time. Well, Nelson, I certainly will forever cherish the experience I had with you, and remember you daily, one day at a time.'

Speaker McPike: "Representative Wojcik."

Wojcik: "Yes, Mr. Speaker, Members of the House. Nelson, of course, was a classmate Member. We have so many fond memories, and a lot of jokes, a lot of joy. One of the things we used to always call him was Reverend Rice, and when we would have our class reunion, we had Reverend Rice, and Speaker Shaw, and by golly if that Reverend didn't come up there and give us this most glorious prayer and praise us all. It's just a unique person that we're speaking of today. I was with him in Appropriations II, and one morning I came to my office and I found this gorgeous beautiful green plant, and I read the card and it said

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'Just for being what you are', and it was signed Nelson Rice. And you know I used to go over and ask Nelson how he was doing, and was he taking his medicine, did he eat, and that just shows a little bit of the heart that he had, and I know he's going to be the same way up there in heaven, and I just wish him Godspeed."

Speaker McPike: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. When I first came down to this Body about eight years ago, I was, sat in the front row with, next to my good buddy, Representative Saltsman, and I know at the end of the aisle was Representative Rice. The following year, we were trying to push the Third Airport Authority Bill through the Legislature and we ran into a lot of road blocks, and I was, at that time we had an aeronatics committee in the House, and Representative Rice was a Member of that committee. I had the Bill up in committee, and I says, 'Nelson, what can I do, what can I do to get your vote', because he was very ambivalent about voting for it. He looked at me, put his hand in mine and says brother man, just name a runway after me when it's built."

Speaker McPike: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to add to the comments that others have made that we are talking about a nice man, a gentle man, and a very sweet soul. His first term, I sat right behind him where Representative Jones is now, and we, during those long hours we had many fun discussions, and, and the twinkle in his eye is something that I will always remember, and we have all lost a good friend here. I wish him well, I wish him well where he is, I know where he is, and I express my sympathy to his friends and family."

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Speaker McPike: "Mr. Turner asks that all Members be added to this Resolution. The question is, 'Shall this Resolution be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. And the Resolution is adopted, and this House stands adjourned until tomorrow morning at the hour of 9:30 a.m."

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