

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

132nd Legislative Day

May 17, 1994

Speaker Flowers: "The hour of 12:30 having arrived, the House will come to order. The Chaplain for today is Pastor Olander Franklin of the Word of Life Church in Springfield, Illinois. Pastor Franklin is the guest of Representative Moseley. All guests in the gallery may wish to rise for the in vacation."

Pastor Olander Franklin: "Most gracious Heavenly Father we praise You today for Your goodness, Your love and Your saving of our lives today. We ask You to look on this Assembly. We ask You to bless it and let Your spirit be here. We ask You to lead every Representative, God. Let Your anointing be upon their lives, lead them in the path of righteousness, let the decisions that they make in this chamber of today, with their blessing to Your people. In Jesus Name we pray. Thank God. Amen."

Speaker Flowers: "Representative Wyvetter Younge for the Pledge of Allegiance."

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

Speaker Flowers: "Roll Call for Attendance, please. Representative Kubik, for any excused absences on the Republican side?"

Kubik: "Thank you, Madam Speaker. There are no excused absences on the Republican side of the aisle."

Speaker Flowers: "Representative Currie, are there any excused absences on the Democratic side?"

Currie: "Thank you, Speaker, Representative Jeff Schoenberg is excused, because today is the Jewish holiday shavuot."

Speaker Flowers: "The record will so reflect. I would like to take this opportunity now to acknowledge Representative

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Prussing for Prussing....117 answering the roll call, 1 vote and a quorum is present. Representative Prussing."

Prussing: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. It is my pleasure to introduce to you, Ruth Poole who is the Merit Mother of the Year for Illinois and Marilyn Ames, who is the Illinois State Mother of the Year."

Ruth Poole: "No one knows better than American Mothers that our country is becoming more and more violent and more and more dangerous. Every five minutes a child is arrested for a violent crime, every 7 minutes a child is arrested for a drug crime, every two hours a child is murdered. Each day 7,945 children are reported abused or neglected. By age 18 American children will have watched 15,000 murders on T.V. The number of youth who are arrested last year was 30 times more than in 1960, those are shocking statistics. The moral and spiritual values that founded our nation are being trampled to death. Never before has the American family faced greater challenges to raise it's children to be responsible, productive, law abiding citizens. Since 1960 there's been a 400% increase in illegitimate births. The percentage of children in single parent homes has tripled. There's been a 200% increase in teenage suicides, we need not of course, read statistics to recognize moral decay. The primary building, the primary place in building a value system is the home. It's not enough simply to provide food, clothing, and shelter. The time has come for us to unite to protect our children, and preserve the moral and spiritual values upon which America was founded. But its not going to come entirely through legislative power, media power, or political power, it's also going to come from mother power. There's one organization that stands

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ready and willing to help and that's the American Mothers Incorporated. Which was organized in 1933 as a non-political, innerracial, inner faith, non-profit organization. American Mothers Incorporated is dedicated to preserving the moral, and spiritual foundations of the family. At a time when the return of family values has become a national priority, the American Mothers organization responds with educational, cultural, and spiritual programs for mothers of all ages. Mothers of the Year are chosen in each of the 50 states, the District of Columbia, and Puerto Rico. These exemplary mothers gather at the American Mothers National Convention held each spring, just before Mother's Day. As the 1994 Illinois Mother of the Year, I recently returned from Salt Lake City, during this National Convention membership dues were reduced from \$25 to \$10, to gain thousands of new members, in order to increase mother power in America. All women and men who share a common concern for strengthening the home and family are welcomed into the organization. Mother power can help change the chilling statistics in violence, crime, drug, and alcohol abuse, school dropouts, and other problems. Let's unite our strengths and raise our voices for the sake of our children and our families."

Speaker Flowers: "Representative Hicks, for an introduction."

Hicks: "It's my pleasure today to introduce to the Members of the House some folks from Mt. Vernon who have participated in the youth in government. And this year as in many years of the past, Mt. Vernon has been very very well represented in youth in government. With me today I have on the end over here, Emily Porter who was President of the Senate, in the middle right here we have, Amanda Bradem who was Secretary of State and right here next to me I have, Emily Holt who

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was the Speaker of the House. So as you can see youth in government in Mt. Vernon is doing very very well I am very proud of these kids. Richard Stubblefield who is the Sponsor from Mt. Vernon is down here in front and promotes these kids. I would like for all of you to join me in welcoming them to the House today. Thank you. If I could Emily would like to say something here to the House. Emily, tell us about your experience."

Emily Porter: "I bring you greetings from Illinois YMCA Youth in Government, and on behalf of the program I would like to present you with a Bill book with the Bills that we debated during the weekend. Last March we had the opportunity to take over the House chambers and the Senate chambers for the weekend, and I had the privilege to serve as Speaker of the House. It was a great experience and all high school students should have the opportunity to take part in it and it would not be done without your generosity. Thank you."

Speaker Flowers: "Agreed Resolutions?"

Clerk Rossi: "House Resolution 2641, offered by Representative Stephens; House Resolution 2644, offered by Representative Kubik; House Resolution 2645, offered by Representative Weller; House Resolution 2646, offered by Representative Weller; House Resolution 2647, offered by Representative Weller; House Resolution 2648, offered by Representative Schakowsky; House Resolution 2649, offered by Representative Cowlshaw; House Resolution 2650, offered by Representative Cowlshaw; House Resolution 2651, offered by Representative McAuliffe; House Resolution 2652, offered by Representative Hassert; House Resolution 2653, offered by Representative Erwin; House Resolution 2654, offered by Representative Younge; House Resolution 2655, offered by Representative Younge; House Resolution 2656, offered by

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Representative Giolitto; House Resolution 2657, offered by Representative Giolitto; House Resolution 2658, offered by Representative Weller; House Resolution 2660, offered by Representative Hanrahan; House Resolution 2661, offered by Representative Maureen Murphy; House Resolution 2663, offered by Representative Woolard; House Resolution 2664, offered by Representative Lindner; House Resolution 2665, offered by Representative Ronen; House Resolution 2666, offered by Representative Hicks; House Resolution 2667, offered by Representative Hicks; House Resolution 2668, offered by Representative Pankau; House Resolution 2669, offered by Representative Granberg; House Resolution 2670, offered by Representative Granberg; House Resolution 2671, offered by Representative Granberg; House Resolution 2672, offered by Representative Granberg; House Resolution 2675, offered by Representative Ryder; House Resolution 2676, offered by Representative Daniels; House Resolution 2677, offered by Representative Ostenburg; House Resolution 2681, offered by Representative Saviano; House Resolution 2700, offered by Speaker Madigan."

Speaker Flowers: "Granberg moves for the adoption of the Agreed Resolutions. All those in favor say 'aye'; opposed, 'no'. The 'ayes' have it. Resolutions are adopted. Death Resolutions?"

Clerk Rossi: "House Resolution 2643, offered by Representative Ackerman, with respect to the memory of Chalmer Arnett. House Resolution 2659, offered by Representative Moseley, with respect to the memory of Martin J. Ushman, II. House Resolution 2662, offered by Representative Maureen Murphy, with respect to the memory of John R. Martello. House Resolution 2673, offered by Representative Granberg, with respect to the memory of Jim Finks. House Resolution 2674,

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offered by Representative Stephens, with respect to the memory of David James Holifield."

Speaker Flowers: "Granberg moves for the adoption of the Death Resolutions. All those in favor say 'aye'; opposed, 'no'. The 'ayes' have it. Resolutions are adopted. General Resolutions."

Clerk Rossi: "House Joint Resolution 156, offered by Representative Granberg."

Speaker Flowers: "Committee on Assignments. I would like to recognize Representative Brunsvold for the purpose of an announcement."

Brunsvold: "Thank you, Madam Speaker. Just a...Ladies and Gentlemen of the House. Just to clear up some information about tonights ball game, it is scheduled for 5:30, 5:30 this evening at Lincoln Park, you have a map on your desk, I believe. Shirts and hats are available for players down in Representative Capparelli's office, so if you need a cap, and a shirt you should go down to Ralph's office and get those. Refreshments and sandwiches will be provided this evening by the St. Louis Regional Commerce and Growth Association. Also, they got some good things they are giving away this evening, so I would like to see everybody there. I've got four tickets for the Cardinals Cubs game on July the 29th and four more tickets for the 31st game. So there a Cardinal Cub tickets, 8 tickets, for those two games plus even a bigger one, they're giving away two tickets to anyone, to anywhere in the United States on Southwest Airlines. So those tickets, airline tickets, will also be given away this evening at the ball game. So we would like to see everyone there, the Senators, we have to win the trophy back from the Senators. So let's get that trophy, let's get everyone there, to the ball game who

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like to play and to participate. Ladies are going to play this evening also, the women are going to dawn their sneakers and tights and participate. So let's get there, it's going to be a fun game, got some tickets to give away for the ball game and for the airline tickets, 5:30 Lincoln Park, so let's try to be there and we'll take on the Senators again and beat them."

Speaker Flowers: "Representative Bugielski for the purpose of an announcement."

Bugielski: "Thank you, Madam Speaker, Members of the House. This is to inform the Members of the House Executive Committee that the Executive Committee will meet tomorrow at 9:00 a.m. instead of 8, so we will delay convening until 9:00 a.m."

Speaker Flowers: "Representative Brunsvold again for a purpose...for the purpose of another announcement."

Brunsvold: "Thank...yes, thank you, Madam Speaker. The Elementary and Secondary Education Committee will also meet in the morning at 9:00 a.m. instead of 8, 9:00 a.m. for Elementary and Secondary Education Committee."

Speaker Flowers: "Government Administration, Third Reading, Representative Lou Jones on House Bill 4090. Representative Lou Jones on House Bill 4090. Out of the record. Government Administration, Second Reading, Representative Kaszak, on House Bill 4111. Out of the record. Representative Lang on House Bill 3540. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3540, the Bills been read a second time previously. Amendment #1 was ruled not germane. Floor Amendments 2 & 3 lost."

Speaker Flowers: "Out of the record. Representative Lopez on House Bill 2807. Representative Lopez. Out of the record."

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Representative Martinez on House Bill 3297. Representative Martinez. Out of the record. Representative McAfee on House Bill 3649. Representative McAfee. Out of the record. Representative Morrow on House Bill 3950. Representative Morrow. Out of the record. Representative Moseley on House Bill 2850. Out of the record. Representative Novak on House Bill 2787. Representative Novak. Out of the record. Representative Skinner, for what reason do you have your light on?"

Skinner: "I rise to ask why we are considering House Bills since the Senate committees had their last hearings last week. It seems to me to have some relevance to our being here."

Speaker Flowers: "Representative Skinner, the Senate deadline is not our deadline."

Skinner: "Effectively it is."

Speaker Flowers: "That is a matter of opinion. Thank you, Sir."

Skinner: "Well, hope springs eternal I guess."

Speaker Flowers: "Representative Ostenburg on House Bill 3831. Representative Ostenburg. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3831, the Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1 was ruled not germane. Floor Amendment #2, offered by Representative Hassert."

Speaker Flowers: "Out of the record. The...the Amendment was out of the record, not the Bill. Withdraw Amendment #2."

Clerk Rossi: "No further Amendments. But a fiscal notes been requested on the Bill."

Speaker Flowers: "What is your desire, Representative Ostenburg?"

Ostenburg: "Madam Speaker, I move that the fiscal note be ruled inapplicable."

Speaker Flowers: "The Gentleman has moved that the fiscal note to House Bill 3831 is non-applicable. All those in favor...on

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that is there any discussion? Representative Black."

Black: "Yes, thank you very much, Madam Speaker. I just simply rise in opposition to the Gentleman's Motion. You know if we don't file fiscal notes, I suppose they're all inapplicable. But we have no way of knowing what this Bill costs, that is the whole purpose of a fiscal note. If we're going to rule everyone of these inapplicable then let's do away with the fiscal note process. I rise in opposition to the Gentleman's Motion. This request was filed weeks ago, in a timely fashion, there is no reason why we couldn't have the fiscal note filed if the Sponsor of the legislation had deemed it advisable to do so. And we think it is advisable, so we rise in opposition."

Speaker Flowers: "Question is, 'All those in favor vote 'aye'; opposed vote 'no'. The voting is now open. Have all voted? Have all voted? The Clerk will take the record. On the question, there is 65 voting 'yes', 49 voting 'no', 4 voting 'present'. The Motion is adopted. Third Reading. Clerk, read the Bill."

Clerk Rossi: "House Bill 3831, a Bill for an Act creating the Business Development Corporation Act. Third Reading of this House Bill."

Speaker Flowers: "Representative Ostenburg."

Ostenburg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill is identical to a Bill that was passed last year in this chamber, and went to the Senate and was never called. What this Bill does is, establishes a not for profit privately health corporation...publically health corporation, excuse me, that would promote an economic development in our communities. In fact, what it does is relieve the state of financial obligations in terms of economic development and puts that into the hands of a

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publicly established corporation. A not-for-profit corporation. This passed last year, I would urge unanimous consent again. Thank you."

Speaker Flowers: "Representative Black."

Black: "Yes, thank you very much, Madam Speaker. The Sponsor and I agree on one very important fact on this Bill. It did pass the House last year and was held in the Senate and it will probably pass the House today and it will again be held in the Senate. So what we're doing, we don't have time to file a fiscal notes, but we have time to pass a Bill out of here that doesn't have anyplace to go. So I guess if you want to create a roll call and pass this, then the Gentleman in the Veto Session could get up and say it's passed twice and it died in the Senate and who knows maybe three times will be the lucky charm. So whatever you prefer to do, but any House Bill passed out of here today, on Third Reading, does not have a home to go to in the Senate. So I would suggest that we get on with the Senate Bills on the calendar and adjourn and go to committee work and do something that is worthy of our time, passing House Bills out of here today is an exercise in absolute pure futility."

Speaker Flowers: "The question is, 'Shall House Bill 3831 pass?' All those in favor vote 'aye'; opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 76 voting 'aye', 38 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Truth and Sentencing, Third Reading, we have House Bill 3252, Representative Daniels. House Bill 3252, Representative Daniels. Representative Tom Johnson on

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House Bill 3252. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3252, a Bill for an Act amending the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Flowers: "Mr. Johnson."

Johnson, Tom: "Madam Speaker, are there any Amendments filed on this Bill?"

Speaker Flowers: "Mr. Clerk? Are there any Amendments to House Bill 3252?"

Clerk Rossi: "Amendment #1 was adopted on the floor."

Johnson, Tom: "Yes, Madam Speaker and Members of the House, this is a Republican version of Truth in Sentencing which was brought before our committee and presented to it by State's Attorney O'Malley, from Cook County. What this Bill basically does is would require anyone who is convicted of any offense across the board in the State of Illinois to serve 85% of their sentence. And I think that this matter has been discussed many, many times on this floor during this Session, as well as in committee, and I would urge the General Assembly here to pass this Bill so that those who are convicted of serious offenses, as well as all the offenses, we get down to the fact that when people are sentenced to a crime, they will serve at least 85% of the amount of time that they were sentenced to do. Would urge a 'yes' vote on this."

Speaker Flowers: "Representative Dart."

Dart: "Will the Sponsor yield?"

Speaker Flowers: "He indicates that he will."

Dart: "Representative, this Bill in it's form right now would require a defendant or someone who's been found guilty to serve 85% of their sentence for all felony offenses?"

Johnson, Tom: "That's correct."

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Dart: "So, we're talking about offenses such as retail theft when it's over a certain amount of dollars?"

Johnson, Tom: "That is correct. I believe that this mirrors very similar to the Bill that we passed out of here earlier under the name of one of your colleagues, Representative Hoffman."

Dart: "Okay. What...my concern is I'm just trying to figure out the breadth of this. Also, will this cover felony offenses that are misdemeanors that are raised up to felonies because they've been committed more than once; a subsequent commission of a misdemeanor?"

Johnson, Tom: "Certainly, any felony."

Dart: "No matter how it's arrived to, whether or not it starts as a misdemeanor and then..."

Johnson, Tom: "That's correct."

Dart: "And what is the...what's the estimated cost on this?"

Johnson, Tom: "I believe the estimated cost by the Department of Corrections was approximately \$5 billion over the next ten years."

Dart: "And how much good time credit will prisoners be allowed under this?"

Johnson, Tom: "Pardon?"

Dart: "They're only allowed 15...they have to serve 85% of their time, so in a year period, I guess, that works out to about 50 days of good time credit they can get? Is that about right?"

Johnson, Tom: "I'm not sure I understand your question, Representative Dart."

Dart: "How many days of good time credit can they get in a given year if they're required to serve 85% of their term?"

Johnson, Tom: "It would only be 15% or, I believe, 54 days."

Dart: "Okay, and has there been, I mean, any expressed funding

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source as such or is this just going to be coming out of GRF?"

Johnson, Tom: "No, I think this will have to come out of GRF and this is going to be a case, obviously, in terms of reordering priorities in this state. I do believe that the first order of government is that people be secure in their homes and be secure against crime and..."

Dart: "As far as the Department of Corrections is concerned, have they expressed any concerns that the removal of good times would, in effect, cause them more problems in administering the prison systems, because of the fact these incentives are no longer there? Have they expressed any of those concerns?"

Johnson, Tom: "I have not heard concerns over the 15% good time."

Dart: "Okay."

Johnson, Tom: "I might add, in answer to your last question, I believe that the Federal Government is currently proposing legislation to fund over \$10.5 billion over five years to reimburse states; and, obviously, I think that Illinois would certainly qualify under this type of reimbursement program."

Dart: "And did the Department of Corrections oppose this one in committee?"

Johnson, Tom: "They did not take a position in committee on any of the truth in sentencing Bills, as you're aware."

Dart: "I was not...I'm not on that committee."

Johnson, Tom: "Oh, I thought..."

Dart: "Everyone thinks I am cause I'm in it so often."

Johnson, Tom: "Oh, I thought you said you were on the committee, I'm sorry."

Dart: "No further questions."

Johnson, Tom: "Thank you."

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Speaker Flowers: "Representative Pugh."

Pugh: "Sponsor yield for a question?"

Speaker Flowers: "He indicates that he will."

Pugh: "Representative Johnson, in committee we raised some concerns regarding the Expost-Facto clause. Can you speak to that?"

Johnson, Tom: "Specifically, what are you referring to, Representative?"

Speaker Flowers: "Representative Pugh."

Pugh: "I'm sorry, I didn't hear his response."

Johnson, Tom: "Specifically, what are you referring to?"

Pugh: "The concerns regarding the Expost-Facto requirement. There's individuals...it's not a clause in the Bill, it's a concern that was raised in committee, how this Bill would impact?"

Johnson, Tom: "I'm not sure that I understand your question. I don't think that the Expost-Facto, I think what you're referring to, Representative, is where we had the three strikes and you're out Bills. That in fact, if you got your third strike now and you had already committed two, then you're running into an Expost-Facto situation. But under this type of situation, this is strictly truth in sentencing prospectively. I don't think we'd have any problem with that."

Pugh: "Representative Johnson..."

Johnson, Tom: "Yes."

Pugh: "I think it was Pat O'Malley who stated that there was some concerns regarding individuals that were currently in prison, and how this Bill would impact on them, and he stated that there would be an Amendment clarifying how this would impact those individuals, and I don't see that there's any Amendments attached to the Bill."

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Johnson, Tom: "Well, I'm not aware that there's any problem with this Bill, as it relates to that because this only goes prospectively to people who are subsequently sentenced here. This is not a three strike and you're out Bill. This is a basically one strike and you're out Bill. You're going to serve 85% of your time if you're sentenced."

Pugh: "Where in the Bill does it state that it only applies to prospective cases?"

Johnson, Tom: "Well, obviously, if you're being sentenced, how can you be sentenced if you've already been sentenced?"

Pugh: "My question is...I mean you're saying it's obvious, but the Bill doesn't state that this...addresses prospective cases, and that was a concern that was brought up in committee and...and O'Malley stated that he would add an Amendment to clarify that. Has that Amendment...has that issue been addressed?"

Johnson, Tom: "I don't believe that that's an issue. If, in fact, it is an issue, it certainly will be addressed, but I don't believe that's an issue in this Bill. I think you're referring to another Bill."

Pugh: "Well, the records will reflect in committee that, that is an issue; and if you say it will be addressed, when will it be addressed?"

Johnson, Tom: "Representative Coy, I think maybe the way to answer this at this point, I'll tell you right now, as far as legislative intent is concern, this will not apply to anybody who is currently serving, but will only apply to those people sentenced after the enactment of this law."

Pugh: "Where in the Bill does it state that?"

Johnson, Tom: "I just read it into the record for you that that is the legislative intent."

Pugh: "Thank you. The other...the other question that I had,

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Representative Tom, was..."

Johnson, Tom: "Yes, Representative Coy."

Pugh: "What's...where's the money going to come from, the \$5 billion; where we going to get the \$5 billion?"

Johnson, Tom: "Well, the Federal Government is already is proposing to fund \$10.5 billion over five years to reimburse states for up to 75% of operating and construction costs, provided we have this type of legislation. Beyond that, it is certainly going to have be a reordering of priorities within this state. But, as I said earlier, I think that the people of the State of Illinois, the first role of government is to provide security for them, and I think that that's what this Bill does."

Pugh: "Thank you, Representative Tom. To the Bill, Madam Speaker. In committee, in the Judiciary II Committee last...last year. Director Peters stated that if all of the crime enhancement penalty legislations were...that was currently on the books were put into effect that by the year 1994, which is now, that we would not have enough room to house prisoners. We are currently looking at about 70 additional crime enhancement penalty Bills. If we don't have room to house these individuals now, how can we expect to, with the \$5.8 billion program, expect to house individuals with truth in sentencing, with three strikes you're out, and with the other crime enhancement penalty Bills that are currently in the hopper. I think that we need to be courageous enough to take a pro-active approach to dealing with this crisis in Corrections and building more prisons and spending more tax dollars to house individuals is not the answer."

Speaker Flowers: "Representative Davis."

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

Speaker Flowers: "He indicates that he will."

Davis: "Representative, would you...I didn't hear you when you told what the fiscal impact would be of this legislation on the State of Illinois."

Johnson, Tom: "I stated it twice now, Representative. It's estimated the cost, \$5.6 billion over the next ten years."

Davis: "Now, is that a billion dollars?"

Johnson, Tom: "No, we said billion."

Davis: "Oh, it's million. Million."

Johnson, Tom: "Billion."

Davis: "Billion with a b."

Johnson, Tom: "B."

Davis: "B. Billion."

Johnson, Tom: "Big B."

Davis: "Representative, where does it state in this legislation or any legislation that those dollars should come from? Where should the state generate that revenue?"

Johnson, Tom: "Representative, as I've already answered the other Representative. The Federal Government currently is proposing to reimburse states up to 75% over the next five years of these types of costs provided this type of legislation is enacted. Now, in addition to that, as you are aware, this side of the aisle has proposed Amendments several times referencing at least studying the repeal of the prohibition of privatizing the Department of Corrections. Now, there is a lot of creative..."

Davis: "Representative, my question has absolutely nothing to do with privation because I know that privation..."

Johnson, Tom: "Well, you're asking me how..."

Davis: "...because I know that privation will increase this \$5 billion which is a fact that has occurred across the

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country where people have attempted privation of prisons. To continue with my questioning, Representative, does this Bill strike vocational, and substance abuse, or educational training for inmates?"

Johnson, Tom: "Does it strike it? It continues on with whatever we currently have going on in the Department of Corrections."

Davis: "Well, as I look at this legislation, it strikes the language in which educational, vocational, substance abuse, and correctional industry programs are offered."

Johnson, Tom: "What page are you looking at, Representative?"

Davis: "I'm looking at page 3."

Johnson, Tom: "The current programs that are in place will continue."

Davis: "So, these programs will not be taken out?"

Johnson, Tom: "No."

Davis: "Representative, based upon this legislation, the recent release of a lady named Mrs. Potts, who was a convicted murderer, according to her conviction, Representative, she was given a 20-year sentence on a first-degree murder charge."

Johnson, Tom: "That's correct."

Davis: "Based upon good time, she could have served more than the six that she did serve, and she could have served ten years based upon, one day for each good day of good behavior. Is that correct?"

Johnson, Tom: "I presume that's correct."

Davis: "So, you want to remove that opportunity from a person who has been sentenced to 25 or 30 years looking forward to being a good model prisoner and receiving one day of good time for each day of their sentence; you want to remove that?"

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Johnson, Tom: "If somebody has been convicted of a murder in this state, they ought...the public and the victims have a right to expect that that person is going to serve more than about currently under half of their sentence. That is correct."

Davis: "Well, Representative, your Governor has just given this woman clemency and she served less than half; she served only six years of a 20-year sentence. So, to continue with my line of questioning, Representative, are you also stating that any prisoner who is penalized for any infraction of the rules will no longer have to worry about a penalty of a...because of infractions of the rules, prisoners won't have to worry about penalties of infraction of the rules because they won't have any good day to look forward to? They won't be able to say, 'Well, this is a good day, and I got one day short of my sentence.' Is that right?"

Johnson, Tom: "Representative, maybe we ought to increase the prisoner's term if they don't behave. Why do people...why do people get to get out early, just because they are to do what we're supposed to expect people to do? Maybe we ought to keep them in longer."

Davis: "Well, your Governor..."

Johnson, Tom: "Maybe that would be a better incentive."

Davis: "Excuse me, Representative. Your Governor just gave clemency to someone who had been convicted of first-degree murder who had only served a six-year term. Are you saying..."

Johnson, Tom: "That's within the prerogative of the Governor, isn't it?"

Davis: "Are you saying that she should have served more than her 20 years?"

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Johnson, Tom: "I'm saying that, obviously, the Governor in reviewing her file, and this does not...this does not stop the Governor from granting clemency where he believes clemency is appropriate."

Davis: "Representative, are we going to end prison industries? Does your legislation end prison industry? And if it doesn't, what incentive does the prisoner have to do the work in the prison if he or she is not being given good time for the days they work on your prison industries?"

Johnson, Tom: "I would hope, Representative, that at some point you will see the light behind the whole issue of looking at privation because, in fact, that is precisely where end roads in terms of increasing prison industries have taken place across this country where there's partnership between businesses and various Departments of Corrections to get involved with prison industries that go beyond what we currently have. And I would hope that some day your side of the aisle will honestly take a look at what the world, the private sector would have to offer in terms of these kinds of partnerships."

Davis: "Madam Speaker, to the Bill. To the Bill, Representative Tom. I think it's extremely important for the taxpayers of Illinois to know that this is a tax increase Bill. It's a tax increase Bill, because currently we hardly have the dollars to educate our children, and yet we want to increase the...the building of prisons, and of the keeping people inside. This Bill is, also, a re-election Bill. It's to say to the public, and very falsely, that we have done something to decrease crime. Normally, people who have been in prison for a very long time, the statistics show, are not the new offenders who are creating havoc in our streets of Chicago and other urban areas in our state.

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If you want a tax increase, vote for this Bill because this is the Republican tax increase Bill. They've already decided what they want to do with it. They want to build prisons with it, instead of educating our children with it. Now, we have said on this side of the aisle, 'Any additional money will be towards education', and what you're saying is, 'Any additional money will be to keep people in prison until we need a geriatric unit'."

Speaker Flowers: "We would like to recognize Representative Myron Kulas in the back of the aisle. Would you please give Myron Kulas a hand? Representative Walsh, on House Bill 3252."

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

Speaker Flowers: "Yes."

Walsh: "Representative, I just would like a little clarification. I understood that this Bill just related to good conduct credit and meritorious good conduct credit and such; this doesn't deal with clemency at all, does it? The Governor can still grant clemency to any prisoner at any time, can't he?"

Johnson, Tom: "That's correct."

Walsh: "There is nothing in the Bill that deals with clemency so if the Governor wants to give anyone clemency, he still can do it."

Johnson, Tom: "Correct."

Walsh: "Okay, thank you. To the Bill. I don't think that this Bill is about taking away opportunity from prisoners; I think this is giving opportunity back to the people in our neighborhoods. I think the people, particularly in some of the inner city neighborhoods and in the suburban areas, have the right to know that their streets are going to be safe. I think that this is a good Bill. I think we're

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deceiving the public when we sentence criminals to ten or 12 years and they're only serving five to six years. I would urge everyone's support for this Bill, and let's give...let's give the people on the streets...the people that are living...that are living a good life the opportunity...opportunity to be safe on their streets. Thank you."

Speaker Flowers: "Representative Cross."

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

Speaker Flowers: "Yes, he will."

Cross: "Representative, it's my understanding that State's Attorney O'Malley testified in committee concerning this Bill. Is that correct?"

Johnson, Tom: "That's correct."

Cross: "And State's Attorney O'Malley has been...done a lot of research and presented a great deal of information that morning concerning this Bill. Is that correct?"

Johnson, Tom: "That's correct."

Cross: "What were the estimates...cost estimates testified to by State's Attorney O'Malley for the cost of...to implement this program?"

Johnson, Tom: "Right, I believe that the State's Attorney of Cook County estimates that the total cost of this program is to be in the range of about \$800 million, over the same time period that the Department of Corrections estimates the cost to be \$5.6."

Cross: "All right, also my understanding is not only did the Cook County State's Attorney Association...or not only are they a proponent, but the DuPage County State's Attorneys Association, the State's Attorneys Association, the Illinois Association of Chiefs of Police are all supportive of this. Is that correct?"

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Johnson, Tom: "Absolutely, as are, I believe, most of the people in the State of Illinois."

Cross: "Thank you, Representative. It seems like a very, very good Bill."

Speaker Flowers: "Representative McAuliffe. Representative McAuliffe, on House Bill 3252."

McAuliffe: "Yes, I would rise in support of this Bill. I can tell you that last week in the Chicago Tribune there was an article about a man who just was released from prison, even though he was sentenced to 15 years in prison for murder, only in 1988. He was out on the streets and he raped an eight-year-old girl. Now, this is the kind of stuff that makes people absolutely outraged. This is the reason for this Bill. People see somebody get 10, 15, 20, 30, 40 years in jail, and in four years they're back out on the streets committing the same type of violent crime again. People in Chicago and people in Cook County and people in Illinois are especially fed up with the violent crime and this is one answer to it. When they get 80 years in jail or 100 years in jail, let them serve the 85% of the time and they won't be out raping eight and nine-year-old girls anymore."

Speaker Flowers: "Representative Brady. Representative Brady."

Brady: "Thank you, Madam Speaker. This...this Bill is very important. As alluded to earlier, this Bill has tremendous cost implications and we need to be very cautious about that. But let me...let me further state that, as was previously mentioned, the cost of having criminals on the street and not in the penitentiary is far more costly. Research has indicated that the cost of the criminal on the street can double or triple the cost of the criminal incarcerated. Secondly, it's time that the people of

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Illinois had a true understanding of exactly what the court system is sentencing people to. You know, when it comes to real estate transactions and financing we've got truth...truth in financing, truth in lending laws that really exasperate the situation, but it almost provides too much information. But it's high time that the citizens of Illinois understood what truth in sentencing was all about. They have a right to know what we're sentencing these individuals to, and although this is a costly Bill in the short run, I think in the long run, it may be less costly. But specifically we have got to be honest with the people; and, although I have deep concerns about the cost myself, I think it's time we were honest with the taxpayers of Illinois and started moving forward in the future for the long run of this state."

Speaker Flowers: "Representative...Representative Pankau, on House Bill 3252."

Pankau: "Yes, Madam Speaker. Will the Sponsor yield?"

Speaker Flowers: "He indicates that he will."

Pankau: "Representative Johnson, exactly who is this Bill going to affect?"

Johnson, Tom: "Excuse me?"

Pankau: "Exactly who is this Bill going to affect? Who are we talking about here that are going to get the good time?"

Johnson, Tom: "It's anyone convicted..."

Pankau: "...or not get the good time?"

Johnson, Tom: "...of a felony and sentenced through the Department of Corrections; and, as I stated, legislative intent is prospectively."

Pankau: "So, is it people already in prison or is it new people or what?"

Johnson, Tom: "No. No, this would be anyone sentenced after the

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effective date of this Act."

Pankau: "And that date is when?"

Johnson, Tom: "Whenever it passes. Whenever the Governor signs it."

Pankau: "So, it would...it would be in the future is what you're saying?"

Johnson, Tom: "That's correct."

Pankau: "And why is it that Department of Corrections seems to think that this is going to cost so much?"

Johnson, Tom: "Well, the Department of Corrections bases their estimates, and I believe there's flaws in terms of their estimates, they are basing it on the fact that what the current recidivism rate is and what the new prisoners coming into the prisons are on an annualized basis. Now, obviously, if somebody is staying in the prison, they are not back on the streets as a recidivous and coming back in. In addition, it does not calculate in the cost of crime being committed on the street by these people who ought to be in jail, and that cost is extremely high. And obviously I think that State's Attorney O'Malley is far more correct in estimating these costs be in the neighborhood of about \$800 million."

Pankau: "And if they go out on the streets and commit a crime again, then you have to prosecute them again."

Johnson, Tom: "That's true."

Pankau: "You have to go through the whole thing over again."

Johnson, Tom: "Saying nothing of the cost to society in terms of the crime itself."

Pankau: "So actually although it may cost some money, it's going to save us some money in other areas; not in correction areas, but in other areas of the judicial system."

Johnson, Tom: "I personally believe that it'll actually be a cost

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savings over this period of time if it gets implemented."

Pankau: "Sounds like a good idea. Thank you. I urge you to vote 'aye'."

Speaker Flowers: "Representative Daniels."

Daniels: "Madam Speaker, Ladies and Gentlemen of the House, before us right now we have a Bill that is commonly called Truth in Sentencing. What it says is that Truth in Sentencing is requiring persons convicted of crimes to serve a sentence that closely resembles the sentence set by a judge; and if a judge sentences a person to 20 years in prison, for example, the defendant should be required to serve that period of time. Well, how does the Truth in Sentencing then work? When you go into court today, the only people that understand what the crime penalty that the person is convicted of serving and the sentence handed out are the judge, the prosecutor, the defendant and the defendant's lawyer. No one else in that courtroom understands, nor does the public understand, the sentences that are imposed today and the amount of time that people are required to serve. It's about time that Illinois people and citizenry understand the sentences handed out to defendants. So, how does the truth in sentencing provisions that we have before us now reduce crime? In Illinois, 46% of inmates released from prison are back in prison within three years. Forty-six percent of those people that are sent to prison are back on the streets within three years. By requiring inmates to serve more of their sentence fewer will be able to re-victimize their communities. Now, that raises a quick question, and the question then becomes, 'What is involved in the crime statistics here in Illinois?' For instance, do you know that in 1991 there were 1,300 murders in this state? In

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1991, there were 47,000 robberies, 133,000 burglaries, and 71,000 car thefts? Of those crimes committed, let me tell you what the sentences were on the average. For the crime of murder, the average sentence in the United States is 32.9 years; the average time served is 10.3 years; put in a percentage basis, it's 31.3% of the time sentenced was the time served. Let's look at some of the other crimes. Armed robbery. The average sentence in Illinois for armed robbery is 11 years; the average time served is 4.3 years or 39.1% of the sentence served. In the case of residential burglary, average sentence 5.9 years; 2.4 years is the average time served or 40% of the time. In other words, people serve a greater percentage of time for crimes other than murder than they do for murder in the State of Illinois. And if you want to talk about crime statistics, then you know that those people that commit murder in this state serve a less degree of percentage of time that they're sentenced for than they do for other crimes in this state. But, Ladies and Gentlemen, it's time to stop that. Can we afford truth in sentencing? I know we've heard a lot of the debate going on right now. My opinion is, 'Yes, we can'. And while there are direct costs involved in building and operating more crimes, more prisons, there are offsets many times over by savings in the cost associated with crime. For example, treatment of a gunshot wound costs about \$26,000, typically performed at taxpayers expense at a public hospital. The cost of investigation and arrest is on the average \$2,711 per crime committed; pre-trial detention costs \$700 per offender; prosecution, defense and court costs total \$1,205 per felony case. In other words, the cost keeps adding up and adding up and the more times you have somebody out on the street committing

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other crimes, the higher the cost becomes. There are offsets. The \$5 billion figure that has been referred to as a ten year cost. There are offsets connected with the federal Truth in Sentencing crimes coming up, and the legislation that is sponsored in the Federal Government, which we believe will pass, those offsets provide dollars for states for building prisons, and provide for dollars that we would have available to us to provide the additional prisons. Furthermore, there is a movement, a discussion throughout the country that we ought to privatize our prisons; not all of them, some of them are fine the way they are. But if you need to build more prisons, then we ought to look at whether or not privation of the prisons in this state would be an effective way of reducing the cost of new construction. So, Ladies and Gentlemen of the House, as Business Week reported in its December 13, 1993 issue, crime costs the United States \$425 billion per year. It's time to get serious about this. It's time to pass the Truth in Sentencing Bill that we have before us. I want to compliment Jack O'Malley for his excellent work in bringing this to our attention, and I suggest strongly that now is the time to act on truth in sentencing in the State of Illinois. Thank you."

Speaker Flowers: "Representative Monroe Flinn. Monroe Flinn?"

Flinn: "Madam Speaker, I move the previous question."

Speaker Flowers: "The previous question is, 'Shall House Bill 3252 pass?' The question is, 'Shall the previous question be put?' All those in favor say 'aye'; opposed, 'no'. The 'ayes' have it. Representative Tom Johnson, to close."

Johnson, Tom: "Yes, this matter has been debated a number of times now in this House. I believe that this Bill is actually the best Bill that's come before the General

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Assembly; and, again, I would just urge a 'yes' vote if you believe in the safety and security of our citizens, and would ask for a Roll Call Vote."

Speaker Flowers: "The question is, 'Shall House Bill 3252 pass?' All those in favor vote 'aye'; opposed vote 'no'. The voting is now open. Representative Rutherford, you have one minute to explain your vote."

Rutherford: "Thank you, Madam Chairman. I appreciate...the opportunity. You know, this is very simple. All it is saying is to tell the truth. If somebody's going to go to prison for 20 years, you tell the truth. If somebody's going to go to prison for only three years, you tell the truth. I was in committee when the Bar Association testified that everybody in the courtroom knows how long somebody's going to go prison when they're sentenced. That's wrong. The layman, the general public does not understand when somebody is sentenced for 20 years that they do not go for 20 years. Ladies and Gentlemen, I believe if we told the truth when the question is asked, 'Where's the money going to come from', that the public would raise up and say it must be dealt with when the truth is told the people that murder only go to prison for those fewer number of years, as opposed to what they're literally sentenced to. I strongly encourage an 'aye' vote on this."

Speaker Flowers: "Representative Hoffman, one minute to explain your vote."

Hoffman: "Thank you, Speaker and Ladies and Gentlemen of the House. I find it ironic, as you know, last week or the week before we passed out my Bill that does the same thing as this. Last week, I believe, people on the other side of the aisle continually were berating us for calling Bills that they said meant nothing. They also were berating us

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saying that the deadline is over. We've already passed a Bill that does this same thing. This is a good Bill. I'm voting 'aye', but I would hope that in the future that when legislation is called, whether it's Democratic or Republican, we talk about the issue and not about whether time limits or deadlines have passed."

Speaker Flowers: "Representative Hassert, one minute to explain your vote."

Hassert: "Thank you, Madam Speaker. I just rise in support of this Bill for a simple reason. This is not a crime Bill, this is a victim's Bill. If you've been a victim of a crime, you're finally going to find out how long you're going to serve your time, how long that person that committed the crime against you's going to be put away. Everybody there should be...those 11 'no' votes should be green, and I think strongly support this Bill, and we should continue this. And I agree with the previous speaker that it's not a Democrat or Republican matter, it's a matter that we should get tougher on crime and make it count. If you go before the judge and you get a sentence, you should know how long you're going to serve that time and the victim of that crime should know that that person's going to be put away for so long, and not get out on the streets within a certain amount of time to commit another crime. Thank you."

Speaker Flowers: "Representative Davis, you spoke in debate. For what reason do you rise?"

Davis: "Can I explain my vote? I just wanted to say I am very glad to see..."

Speaker Flowers: "Representative Davis, no."

Davis: "All these..."

Speaker Flowers: "Representative Giles, one minute to explain

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your vote."

Giles: "Thank you, Madam Chair. I just wanted to rise. The reason I'm voting 'no' for this Bill for the simple fact this Bill's going to cost money. The other side of the aisle has been complaining that we don't have money, the state is broke; for some reason we're going to find money for this Bill. The Governor has promised that we're not going to raise taxes; this is an election year, but this Bill is going to cost a lot of money, and I would like to know where is the money coming from? We seem to can't find money for education for our children, we can't seems to find money that will prevent individuals for going to prison, so I want to know where the money is coming from? So I can't understand my colleagues voting for this Bill. I think this is a bad Bill. I think we should vote it down."

Speaker Flowers: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. One hundred voting 'aye', 11 voting 'no'; this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Novak. Representative Parke, for what reason do you rise?"

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. If you look around in the...on the floor of the House you will see an awful lot of young men and women that are here on behalf of the Special Recreation Association of Illinois. I know I am directly related to the Northwest Suburban Special Recreation, I have Marilyn McCabe with me and I also want to say hello to Sarah Holcum, who is their supervisor and we can all welcome these special young men and women to the chamber, I think it's appropriate and we thank them for being here with us."

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Speaker Flowers: "Representative Novak, on House Bill 2787.
Representative Novak. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2787, a Bill for an Act in relation to
solid waste. Third Reading of this House Bill."

Speaker Flowers: "Representative Novak."

Novak: "Yes, Madam Speaker, Ladies and Gentlemen of the House.
House Bill 2787 simply extends the deadline from December
1st of 1994 to December 1st of 1997, for the proposed and
promulgating rules concerning composting standards dealing
with a Bill that became law that we passed a few years ago.
The EPA and the Pollution Control Bar...Pollution Control
Board are required under this law to come up with rules and
regulations concerning the efficient and safe operations of
composting facilities. Since we outlawed landscape waste
back in July of 1990, individuals from the industry,
individuals from the agency, in speaking to the Pollution
Control Board, as well as, the Environmental Protection
Agency, have given me the green light on this Bill. We
need a little bit more time to put reasonable, safe, and
efficient standards into effect that will be dealing with
the business aspect of the composting industry. Which is a
fledgeling industry in the State of Illinois. I ask for
your support."

Speaker Flowers: "Representative Black."

Black: "Thank you very much, Madam Speaker. An inquiry of the
Chair. Will the Clerk...could the Clerk inform us what
Amendments are on this Bill?"

Clerk Rossi: "Floor Amendment 1 and 2 have been adopted to the
Bill."

Black: "All right. So Floor Amendment #2 has been adopted? We
didn't reflect that. Okay. Thank you very much. Madam
Speaker, will the Sponsor yield?"

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Speaker Flowers: "He indicates that he will."

Black: "Okay. Representative, does Amendment #2 become the Bill or simply adds to Amendment #1?"

Novak: "Representative, you are correct. I believe Representative Persico has an Amendment on this Bill."

Black: "That's correct."

Novak: "That was agreed to."

Black: "Okay. And all Amendment #2 does is to postpone rules and regulations for landscape waste sights, compost sights."

Novak: "Correct."

Black: "From this July to December 1, 1997?"

Novak: "Correct."

Black: "All those interested parties signed off on that like the environmental council and..."

Novak: "Yes, the environmental council, the..."

Black: "The compost council."

Novak: "The Pollution Control Board, the composting industry, as well as the EPA."

Black: "The leaf rakers of America."

Novak: "And the leaf rakers of America. Yes."

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

Novak: "And the grass snatchers of America. Yes."

Black: "Now you're talking."

Speaker Flowers: "Representative Novak, to close."

Novak: "Yes, Madam Speaker. I just ask for your support on this House Bill 2787. Thank you."

Speaker Flowers: "The question is, 'Shall House Bill 2787 pass?' All those in favor vote 'aye'; opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Representative Stroger votes 'aye'. Representative Schakowsky, 'no'. Are there anyone else seeking to change

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their votes? One Hundred and Two voting 'no', 8...102 voting 'yes', 8 voting 'no'. The Bill, will...having received the Constitutional Majority, is hereby declared passed. Representative Prussing, on House Bill 3925. Representative Prussing. House Bill 3925. House Bill 3925."

Clerk Rossi: "House Bill 3925, the Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Pedersen."

Speaker Flowers: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a simple Amendment, we ran into...we're trying to get reports on some spending from townships and counties. And the economic and fiscal commission said there were some counties and townships in the state that didn't really keep records. And all this really does is require them to do that. So I urge an 'aye' vote, are there...if anybody has any questions."

Speaker Flowers: "Representative Prussing, on the Amendment."

Prussing: "Madam Speaker and Ladies and Gentlemen of the House. I have asked the Parliamentarian for a ruling on this and he has advised me that Amendment #1 is non-germane to the Bill."

Speaker Flowers: "Representative Prussing...Prussing, are you making a point of order in regard to germaneness?"

Prussing: "I guess I am."

Speaker Flowers: "Representative Prussing, the Bill deals with the size of county boards and the Amendment deals with the expenditures by the units of local government. So therefore the Bill...the Amendment is non-germane. Are there further Amendments?"

Clerk Rossi: "Floor Amendment #2..."

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Speaker Flowers: "Representative, Representative Pedersen.
Excuse me, Mr. Clerk. Representative Pedersen."

Pedersen: "This amends the same code and it's the same subject,
and I think you're mistaken, but in spite of that I make a
Motion to overrule the Chair and ask for a Roll Call Vote.
But nevertheless this amends the same code so it is
germane."

Speaker Flowers: "The question is, 'Shall the Chair be
overruled?' All those in favor...before we get to that
question, Representative Cross, for what reason do you
rise?"

Cross: "Thank you, Speaker. An inquiry of the Chair. Am I
reading both the underlying Bill and the Amendment, they
both amend the county code. I'm extremely puzzled by the
ruling of the Chair with respect to germaneness."

Speaker Flowers: "Representative Cross, would you like to speak
to the Motion, we are on the Motion now, shall the Chair be
overruled?"

Cross: "I'm asking for an explanation from the Chair. Because as
I stated a minute ago, the Amendment deals with the county
code, the Bill deals with the county code, and to say
there...it's not germane is...makes no sense, makes no
sense."

Speaker Flowers: "Representative Rutherford, for what reason do
you rise?"

Rutherford: "Well I will speak to the Motion, I hope that I
encourage enough Members to overrule the Chair because you
know...I, the germaneness is so obvious when you are
sitting here looking at the code, you are sitting here
looking at subject matter. The point is, if you don't want
to put the Amendment on, vote it down. But to go through
the shenigans, and this parliamentary procedure, and

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construdation in debate with the Chair in regards to whether this thing is germane or not. It just flies in the face of what truth and reality is, I mean, you look at this stuff and it's got to be there. I do hope we override the Chair on this because, you know, just go out and vote the thing, if you don't want it, vote it down."

Speaker Flowers: "The question is, 'Shall the Chair be overruled?' All those in favor vote 'aye'; opposed vote 'no'. The voting is now open. This question takes 71 votes. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there is 51 'ayes' and 64 'noes'. The Motion fails. Third Reading. Further Amendments?"

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

Speaker Flowers: "Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 2 authorizes..."

Speaker Flowers: "Excuse me, excuse me, Representative Deuchler. Representative Dart, for what reason do you rise?"

Dart: "Thank you, Madam Speaker. I...a point of order, I question the germaneness since this deals with two separate codes."

Speaker Flowers: "Representative Dart, your point is well taken, the Bill deals with a county board, the Amendment deals with quick take condemnation. Representative Black, for what reason do you rise?"

Black: "Thank you, Madam Speaker. An inquiry of the Chair. Can you tell me what chapter quick take procedure is in in the complied statutes? I don't think the Amendment deals with quick take procedure."

Speaker Flowers: "Representative Black, I think that question is

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for the Sponsor."

Black: "I'm sure the Sponsor of the Amendment agrees with me."

Speaker Flowers: "Representative Kubik, for what reason do you rise?"

Kubik: "Well, Madam Speaker. Two points; the first is I wonder if possibly the Parliamentarian could ask...could respond to Representative Black's inquiry, which I think was a fair inquiry. What Representative Black was asking was based upon the Amendment, its got nothing to do with the Sponsor. He is asking the question to determine whether your ruling on germaneness or not is correct. And I am glad to see that Representative Dart didn't check with the Parliamentarian before he made a point of order by Representative Prussing did. So at least the signals were a little bit better on that one. But I would like the response to Representative Black's inquiry because I think it's a fair inquiry."

Speaker Flowers: "Representative Sue Deuchler."

Deuchler: "Well, Mr. Speaker. Since this deals with an inner governmental situation between the county, the township, and the City of Aurora for a long term flood control project that has been in process for 8 years, this is very critical need in my district, and certainly to address long term flooding. So I would certainly hope that, that ruling on germaneness could be overruled."

Speaker Flowers: "Representative Skinner."

Skinner: "Yes, the Lady was attempting to move to override the ruling of the Chair, did you hear her do that? Would you like to recognize her again so she can do it?"

Speaker Flowers: "Representative Sue Deuchler."

Deuchler: "I move to overrule the Chair."

Speaker Flowers: "The Lady moves to overrule the Chair. The

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question is, 'Shall the Chair be overruled?' All those in favor...On that question, Representative Black."

Black: "Well, thank you very much, Madam Speaker. I am being very patient and I appreciate the help of Representative Kubik. I simply asked the Chair for a response to the Amendment that was ruled non-germane. We were told that the underlying Bill amends the county's code and the Amendment amends the quick take code. And I simply asked what chapter the quick take code was in because I don't think there is any such chapter, and I question whether you can rule something germane that doesn't exist in the statutes. I don't think there is any quick take code."

Speaker Flowers: "Representative Black, would you wish to address the Motion?"

Black: "Well I thought I was addressing the Motion. The Chair said, the Amendment was not germane, because it dealt with quick take code. I'm asking the Chair to enlighten us on what chapter that appears. I don't think there is any quick take code so how in the world can you rule an Amendment non-germane when you don't even have the title of the Amendment in proper form? I think the Lady's already made the Motion to overrule and I don't blame her. But we can't even get our questions answered."

Speaker Flowers: "Representative Skinner."

Skinner: "Madam Speaker. This is another interesting ruling by the Parliamentarian, the first Amendment was ruled out of order because it was in the same code, if I understand correctly. And now this one is ruled out of order, because it is not in the same code. This seems similar to the ruling of last week of another female Speaker and the ruling then, if I remember correctly...I hear cat calls I don't understand why. I'm criticizing the male

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Parliamentarian not the female Speaker. I believe the last ruling was that an Amendment couldn't be offered to a Bill which had no content because the Amendment had content but the Bill didn't have content. And subsequently an Amendment was offered which was ruled germane. The Amendment, of course, had content where the Bill had not. I don't understand, Madam Speaker, the Amendment is to the Counties Code, the original Bill is to the county's code. Now I am contemplating, voting for the original Bill, but if you alienate me and lots of other Republicans that have a semblance of an idea what the underlying Sponsors Bill does and why it might be a good idea, how do you expect to get it passed? That's the reason we ought to overrule the ruling of the Chair. It's so we won't endanger the original Sponsor's Bill."

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

Brady: "Thank you, Madam Speaker. I rise to speak to the question of whether or not the Chair ought to be overruled. Madam Speaker, I have heard this question asked numerous times of the Parliamentarian and I think that if we're going to deal with this effectively and efficiently we need to know the answer to Representative Black's question about the chapter in which the quick take provisions are in and exactly what the rationale is. I have sat in this chamber for the last three or four weeks, Madam Speaker, and listened to the Chair's ruling on germaneness, on dilatory, and I think if there is going to be any responsible action of this chamber and this Chair we have got to come to grips with what those definitions are, and if we can't have a ruling from the Parliamentarian on chapter and to give us more specifics, I don't know how anyone in this chamber

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could possibly vote on whether or not to overrule the Chair. Nor do I know how we can further the dialogue and...try to come to some terms about whether or not something is germane or non-germane. And until we start understanding the...understanding of the Parliamentarian as to why the Parliamentarian comes up with exactly the rulings the Parliamentarian comes up with and gives us the detail, we're going to have to continue asking questions, because there is just no way we can know what that Gentleman is thinking. And until we know what the Parliamentarian is thinking we're never going to go anywhere and its so critically important, Madam Speaker, and I see you agree with me, you are shaking your head up and down and I'm glad to see that we are in agreement now. If we could just get the Parliamentarian to shake his head up and down annd give us a serious answer to a very serious question, we would all be better off, not just on this issue but on the future issues."

Speaker Flowers: "Thank you. Representative Moffitt, for what reason do you rise? Representative Moffitt."

Moffitt: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just want to echo those questions that have been raised and I'm still waiting for the answer. I have been listening intently just thinking that there would be suddenly some enlightenment, that we have been waiting for weeks now to see if there was some logic, rhyme, or reason and today I think the start of this legislative week would be an excellent time. The main Bill deals with the county code and the Amendment does too and it just...it defies logic, it defies gravity, or whatever that this would be ruled that it would not be germane. And I am looking forward to your explanation. Madam Speaker, could you

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indicate when we might expect to hear the explanation?"

Speaker Flowers: "Representative Roskam, for what reason do you rise?"

Roskam: "Thank you, Madam Speaker. I would just encourage you to inquire again of the Parliamentarian. Maybe his compensation should be included in the merit commission and maybe we're not compensating him at a high enough level. But it seems to me that it would be an easy thing for us to...for you to allow this Amendment to be considered on its merits and to stop the procedural of hustle."

Speaker Flowers: "Representative Hughes, for what reason do you rise?"

Hughes: "I rise to urge a vote in support of overruling the Chair and ask the Chair to consider that this is an Amendment which deals with an area covered under the base Bill, that the merits should be argued. Once again, we're not able to debate an Amendment, we are hung up in procedure, and I would urge that we overrule so we can debate the merits of the Amendment. Thank you."

Speaker Flowers: "Representative Cross."

Cross: "Thank you, Speaker. Thank you, Speaker. We just spent an hour debating a Truth in Sentencing Bill, I think its time we have truth in germaneness. And truth in quick take, truth in germaneness and we need an answer from the Parliamentarian now. Thank you very much, Speaker."

Speaker Flowers: "Representative Biggert."

Biggert: "Thank you, Madam Speaker. I also will speak to whether the Chair should be overruled, and urge you that we just consider...just go to the question, we have talked about counties we keep talking about it, we would probably been over the question whether the Amendment should be considered or not rather than discussing germaneness and

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urge you to reconsider."

Speaker Flowers: "Representative Lindner."

Lindner: "Thank you, Madam Chairman. I too urge that the Chair should be overruled. When we look at the fifth edition of Black's law dictionary, germane means, 'in close relationship appropriate, relative or pertinent.' Now I wonder if you could take all of those terms and explain to us certainly why this Amendment is not germane. And I think we deserve that kind of explanation after all of these challenges to the germaneness of all these Amendments. So I would urge you to take all of those terms please and explain to us why this is not germane."

Speaker Flowers: "Representative Kubik."

Kubik: "Well, thank you, Madam Speaker. Maybe my hearing is really, really bad, I know it's not good, but I didn't hear the answer to Representative Black's question. And...Madam Speaker, and I am...I do not hold you accountable for this, I think we will bash the Parliamentarian today. But the truth is, that this is outrageous, I mean you can have convoluted logic for the kinds of ruling you want to make. But when you won't even give a reason as to why your ruling on the germaneness, because you don't want to sight a particular section of a statute, which doesn't exist. We now have what we would call a phantom germaneness, and it's just hard to believe that even the Parliamentarian, even the Parliamentarian and I'm sure he got a lot of rest over the weekend so he is alert and he is ready to go, even the Parliamentarian is really stretching this one. And I would...I will turn my aids up a little bit and wait patiently for your answer."

Speaker Flowers: "Representative Sue Deuchler to close."

Deuchler: "Mr. Speaker. This question of germaneness begs to be

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answered, and I ask that you direct the Parliamentarian to please give us an answer. We are certainly deserving of that courtesy on his part and I wait his response prior to the calling of the Motion to overrule."

Speaker Flowers: "The question is, 'Shall the Chair be overruled?' All those in favor vote 'aye'; opposed vote 'no'. Representative Walsh, you have one minute to explain your vote."

Walsh: "Thank you, Madam Speaker. I support the Motion to overrule the Chair. The woman has a serious problem in her district with flooding, she is making a sincere effort to do something about the problem that she has. If you don't agree with the Amendment, vote the Amendment down but let's at least give the woman a chance to help the people in her district which is what I hope we're all down here trying to do. Let's talk about the Amendment, let's debate the Amendment, and it sounds to me like it is a simple issue, you are either for flooding or you are against flooding. If you are against flooding, vote 'yes', if you are for flooding, vote 'no'."

Speaker Flowers: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Fifty-One voting 'aye', 65 voting 'no'. This Motion failed. Mr. Clerk, are there anymore Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 3925, a Bill for an Act amending the Counties Code. Third Reading of this Bill."

Speaker Flowers: "Representative Prussing."

Prussing: "Madam Speaker and Ladies and Gentlemen of the House. House Bill 3925 passed the House last year by an overwhelming majority. The purpose of the Bill is to allow

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the public to choose the size of county board's. Currently only the county board can choose its own size and we have ended up with some very large county boards', for example, Champaign County with a population of 170,000 people has a 27 member board, compared with Cook County with 5 million people which has a 17 member board. This Bill has bipartisan support, it has been endorsed by the Taxpayers Federation of Illinois, and by the League of Women Voters and I urge your support. Thank you."

Speaker Flowers: "Representative Ackerman, on the question. Representative Ackerman. Representative Hughes."

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

Speaker Flowers: "She indicates ..."

Hughes: "I have several question regarding this Bill. The first is, are there any other provisions currently available to the public for having input through referendum on county board structure?"

Prussing: "No, there are not."

Hughes: "Not even under an advisory referendum prior to the decennial restructuring?"

Prussing: "Well, there's a possibility of a non binding referendum, but there is nothing that allows the public to make the decision."

Hughes: "Under the provisions of the Bill it would require 2% of the registered voters to file a petition, is 2% the number typical in getting an issue on a ballot in a county?"

Prussing: "That is the number that is used for county executive."

Hughes: "How about other issues on a ballot typically?"

Prussing: "I think other issues have higher requirements but...in accordance with the League of Women Voters, they would like to have more access to public decisions on governmental structure."

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Hughes: "Is 5% probably a more usual number for issues to be put on a ballot?"

Prussing: "This is a number that was agreed upon last year and I think...I believe it was at your request."

Hughes: "Agreed upon by whom?"

Prussing: "I think it was at your request that I changed the Bill."

Hughes: "Okay. Last year, as I recall, or 500 whichever was fewer."

Prussing: "Right."

Hughes: "Okay. So there is a referendum and this...if this referendum passes, the voters will say yes or no to number of members, how many districts, how many members from each district. In the event that it passes, the Bill provides for reapportionment to the extent necessary, does that mean that if these...if this referendum passes the county board will undergo the expense of determining a current census?"

Prussing: "I believe that the county board would use the existing census unless there is some reason to make a major adjustment."

Hughes: "So it's conceivable that this referendum could take place 8 years after the decennial census and it could be reapportioned on a basis of an 8 year old census?"

Prussing: "Well, I think it has to be done according to whatever seems reasonable."

Hughes: "That's not very clear to me, we have counties that are growing at the rate of 10, 20% in a ten year period and some very dramatic things can happen to population distribution there. That was a statement, I'm sorry, not a question. If this is passed, does it in any way diminish the powers of the county board as they currently stand?"

Prussing: "The only thing that it changes is it shifts the power

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to the side, the size of the county board and whether they are single or multi-membered districts from the existing county board to the public at large."

Hughes: "So, it does remove from the county board the authority to determine the size and structure of the county board."

Prussing: "It is consistent with the Illinois Constitution which allows the voters to choose, the form and structure of local government."

Hughes: "But, currently is it not true that county boards have the authority to ..."

Prussing: "That is correct. That is why I have introduced this Bill, because there's a dissatisfaction that only a small group of people can decide this question, and that they seem to have a conflict of interest."

Hughes: "If the Bill, if the referendum does not pass, how soon before a subsequent referendum can be put on the Bill."

Prussing: "I believe that there is a two year wait."

Hughes: "So, it would be conceivable again if a referendum does not pass, but every two years this issue could be put to the voters at a cost to the voters?"

Prussing: "It's up to the people in the county if they want to put it on the ballot. But, the potential is there to have a referendum every two years at taxpayer's expense."

Hughes: "If the question passes, there would have to be at least a four year delay. Under current statutes, there are provisions that restrict the numbers of county board members to between five and 29, I believe. Does this impact on that?"

Prussing: "No, it does not."

Speaker Flowers: "Representative Hughes could you please bring your remarks to a close?"

Hughes: "Yes, Madam Chairman."

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Speaker Flowers: "Thank you."

Hughes: "I would argue that this Bill is a mandate of the state on local government because of the requirements to have potentially five elections in a ten year period, it also has the potential of requiring that census figures to be reestablished in between the ten year decennial federal census that...also..."

Speaker Flowers: "Representative Brady."

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

Speaker Flowers: "She indicates that she will."

Brady: "Representative, I'm, I'm not as attuned into county government as you are, but a couple of quick questions. How many county boards other than Cook have township form?"

Prussing: "There are 17 that have commission form so, if you want to subtract that from 101 that would be the answer."

Brady: "Thank you. Now, present law says that counties by ordinance, shall determine the number of members they will consist of, and it can't be more than, what was existing in 1969 nor less than five, is that right?"

Prussing: "That does not change the maximum and minimum, this just opens the process up to the voters."

Brady: "I know, but, we're opening the process to voters on how many members and how those members will be elected be it at large, or within a, district is that right?"

Prussing: "No, it's by district whether they should be single or multi-member districts. It does not make it at large."

Brady: "Okay. But what your, okay so at large within the district, excuse me, but as I understand the existing statute, counties by ordinance determine how many districts and how many people will be elected from each district, is that right, and that that cannot exceed the 1969 number nor be less than five."

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Prussing: "That is correct."

Brady: "And what you're wanting to do and tomorrow if Champaign County Board wished to change the number of districts they had and how many people were to be elected from it's district, that board by ordinance could change that, is that not right?"

Prussing: "That is incorrect. They can only change it every ten years."

Brady: "So, every ten years, but the board does that every ten years, right?"

Prussing: "That's correct."

Brady: "And, what you want to do is you want every year, okay, but you want a petition to be able to be filed, signatures of 5%?"

Prussing: "Two percent."

Brady: "Two percent, and with 2% signatures on a referendum of a certain size and district, you want that to be able to be filed and how often can that petition be filed?"

Prussing: "If it's, if the question is voted on, and fails, another petition can be filed in 23 months if the question is voted on and passes, it would take another four years before the question could be brought up again."

Brady: "So, basically two years or..."

Prussing: "I believe that we've answered that before."

Brady: "Okay, I'm sorry, but I can't, the noise level is rather high."

Speaker Flowers: "Representative Brady, could you please..."

Brady: "Let me ask you, let me ask you this question. Sure..."

Speaker Flowers: "Could you please, thank you."

Brady: "If it changes, and right now county board members in your county, I believe, are elected on staggering terms, is that not right?"

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Prussing: "That's correct. That is dealt with in this Bill. The mechanism of shifting from the current system to the proposed system is, is spelled out in the Bill."

Brady: "Could you briefly outline, because I didn't quite understand that."

Prussing: "Well, there's a transition period and people who would be losing their district can serve out their term."

Brady: "So, would that be possible then to have people representing more than, more people representing than what the past referendum would allow for or more people within a district than what they asked for..."

Prussing: "I don't, I don't believe that's a problem. The whole point of this Bill is to allow streamlining of government."

Brady: "But, if I'm elected, if I'm an elected county board member at the present election, under the present form and they have so dramatically altered the, the new form, and I'm elected at this election, at the same election that the referendum is put on. Follow what I'm saying? So, now we've elected a whole new slate and we now change. So, what's the effective date going to be?"

Prussing: "That's all spelled out in this, in this Bill."

Brady: "What's your understanding?"

Prussing: "The mechanism of it is spelled out, that people who have an existing term that is not completed will finish their term. And, then if they don't have a district anymore, they will not be on the board. They would have to run again from a new district."

Brady: "So, if they are elected by the people, and the referendum passes that puts them in a district that's not capable then they're not elected. Is that what you're saying?"

Prussing: "I'm saying that they have a transition period to fill out their term."

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Brady: "But that could be two months."

Prussing: "It would probably be no more than two years, because you either have a two year term or a four year term."

Brady: "To the Bill. I apologize, I have to tell you, I don't necessarily understand this transition period, I hope that someone else will have more time and be able to get more details."

Speaker Flowers: "Representative Black."

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

Speaker Flowers: "She indicates that she will."

Black: "Representative, I, you may have answered this before, but it's so noisy in here I can't hear. Is there a particular reason why the County of Cook is specifically excluded in this Bill?"

Prussing: "Yes, Cook County was not under the statute that we are amending. They have their own statute, and they also, incidentally have adopted single member districts."

Black: "Would you be amenable to a to an Amendment later in the process that would put Cook County under this?"

Prussing: "Are you serious?"

Black: "Well, I, it always bothered me that when Cook County isn't included. I mean, those folks up there seem to take politics so seriously that maybe they should be included in this too."

Prussing: "I think their existing statute is adequate for Cook County. I'm trying to deal with the other counties under township organization."

Black: "Okay, is it your, is it your understanding then that all, all other counties would comply with this?"

Prussing: "All the counties that are under township organization that does not include the seventeen commission form

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counties."

Black: "Okay. I know I heard, I heard the answers, but I had forgotten if I didn't hear it in fact, the Bill takes affect, when? I'm sorry, when does the Bill take affect upon, on signing or some date in the future?"

Prussing: "It would take affect within a year after it is signed."

Black: "Okay. Thank you very much."

Speaker Flowers: "Representative Novak."

Novak: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I find it incredible to see all this debate about this Bill. This Bill has been deliberated on last session, and I think the session before that. This Bill signifies good government. It is not a mandate, it's permissive. If the people in a respective county wished to reduce the size of their government leaders, they can simply petition, put the question on the ballot, and let the people decide. What form of democracy is not better than that, I don't know. I don't see why there's so much constrenation in debate about this Bill. The previous speaker from Vermillion County, the Vermillion County is, is a large county, I think they have maybe five county commissioners, maybe even less than that. Some, some rural counties downstate like Iroquois County has 30,000 population, but they have 25 board members. Cook, Cook County doesn't even have 25 board members. So, let's put a little logic in reasoning into this, let's support this Bill, and move on with the business of the House."

Speaker Flowers: "Representative Andrea Moore."

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

Speaker Flowers: "She indicates that she will."

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Moore, A.: "You've mentioned support that had been garnered for this Bill, and I do recollect that that the League of Women Voters would be supporting this, because they were defeated in court because of a similar situation where they tried to put something on the ballot in Peoria, and it was not allowed. Did I understand you to say that this will affect 84 counties?"

Prussing: "It affects all the counties under township organizations."

Moore, M.: "Which is how many?"

Prussing: "Subtract 17 from 101."

Moore, A.: "Okay, that's, all right, so you, I am in support of this Bill, but I would like everybody on this floor to understand what's really happening with this Bill. All of you that have not been in contact with your county board members will find that metra counties are against this Bill, urban counties council is against this Bill, because it drastically changes the way county government will be structured. I support it, because I think your county board members would be nice. I served on the National Association of Counties Board of Directors where most of the country has about five county board members. Each county board member in these larger counties gets to hire three or four staff members. They really have a very strong position and that's what we are intending to do by supporting this Bill, is to strengthen county government by reducing it's size, then I think you should support this Bill. Understand seriously, Illinois, with it's complicated form of government, is one that believes in a good cross reference of representation, especially with diversity that we have. So, please be aware of what you're supporting, this drastically changes the structure of

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counties."

Speaker Flowers: "Representative Rutherford."

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

Speaker Flowers: "She indicates that she will."

Rutherford: "Thank you. What, Representative, what is, what is the genesis of this legislation, or do you have a specific situation in your district or area?"

Prussing: "The people in my county, the League of Woman Voters studied this and recommended that the public be allowed to choose the size of county boards, and the statewide League of Women Voters also studied it. The tax payer's federation is in agreement, and I think anybody whose a student of local government would support the public having a voice in being able to streamline local government."

Rutherford: "So, it is a specific situation that Champaign is called for."

Prussing: "It's a statewide situation."

Rutherford: "Okay. Are there any other, is this the only means to go through to cause this to happen is statutorily changing the law just, like there's nothing in the provisions today that would allow Champaign County to..."

Prussing: "It's not just for Champaign County, it's a statewide issue, and this apparently is the only route to change the method, because there was a court case in Peoria County where the judge ruled there had to be a law, and that is the purpose of introducing this Bill."

Rutherford: "Great. Thank you, Representative."

Speaker Flowers: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Madam Speaker. Will the Sponsor yield for a couple of questions, please?"

Speaker Flowers: "Yes, she will."

Cowlshaw: "Thank you. I believe that you had a Bill similar to

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this last year, is that correct?"

Prussing: "It was identical."

Cowlshaw: "Okay, very good. I, I wondered if you could perhaps explain to us, since I know that most of us who have a specific legislative proposal usually came to that proposal through some situation in our own district. I wondered if there was some occasion or situation in your own district that caused you to want to do something like this?"

Prussing: "Yes, it was the study of county government by the Champaign League of Women Voters."

Cowlshaw: "Very good, I'm really pleased to hear that. So, you are responding, through this legislation, to initiative for your own district, that came from your own district, is that, is that a fairly accurate assessment of this legislation?"

Prussing: "It also has been endorsed statewide by the League Women Voters, because it's a topic that is that has come up in many counties."

Cowlshaw: "Well, as a long time member of League of Women Voters I think it's wonderful that their national, their statewide organization has responded so favorably to this proposal generated by the Champaign County League. However, Madam Speaker, to the Bill. The Sponsor has just mentioned that due to something that had occurred in her own district she was inspired to, to offer this legislation. It seems to me that just a few moments ago we had an Amendment sponsored by Representative Deuchler as a result of something that occurred in her own district that she was trying to be helpful about and, this problem in her own district that she was trying to solve. It is, it is apparent that this whole session has degenerated to the point now where we are not even courteous to one another, we have always made it a

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practice here to be thoughtful about the individual problems in one another's districts and that is one thing that has never, in all the years I have served here, that has never been an issue of partisanship. It is most unfortunate that this whole thing has degenerated to the point where we declare something that Representative Deuchler is doing that is totally inspired by her own district and we vote it down. Well, if that's the way we are now playing this game, I don't think the merit of this Bill has anything to do with the way I intend to vote. I intend to vote 'no' on this, because apparently we no longer respect the needs of individual Representatives and their individual districts. That is a terrible affront not only to Representative Deuchler, but to every single Member of this chamber and all of the citizens of the State of Illinois."

Speaker Flowers: "Representative Santiago."

Santiago: "Madam Speaker, I move to the previous question."

Speaker Flowers: "The Gentleman moves to the previous question. The question is, Shall, the previous question be put. All those in favor vote 'aye', opposed, 'no!'. The, the voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Sixty Seven voting 'aye', 48 voting 'no'. The Motion fails. Representative Tim Johnson for what reason do you rise?"

Johnson, Tim: "To talk about the Bill, is that all right?"

Speaker Flowers: "Proceed."

Johnson, Tim: "This is an issue that I will talk about the merits of, but I, this is simply an issue that Representative Prussing and I and perhaps others have a philosophical disagreement on. I believe that a diverse county board as we have in Champaign County serves the taxpayers very well.

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I believe that reduction of the county board would serve to diminish the diversity, not only on our county board, but county boards throughout the state. We have a board now that represents rural areas quite well, it represents urban areas quite well, it has good representation, and for minorities, the ability for minorities to be represented in the board, I'm sure, argue the merits one way or the other, but I believe strongly that our board as it constituted now, and I believe most boards around the state with the numbers as they are are ones that are, that are allowed to, to and do have geographical, ethnic, and other diversity that's good, and I think when you carry a limitation to the degree that this has a potential for that you at least have the, the ground work for eliminating some of the mix and diversity that I think makes for an affective county board. So, with all do respect to the Sponsor, who I know believes strongly in this concept it's something that I don't, and I believe that we should defeat that Bill accordingly."

Speaker Flowers: "Representative Balthis."

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

Speaker Flowers: "She indicates that she will."

Balthis: "Representative, how often can that single individual put together a petition and change the size of the county board?"

Prussing: "Now, they cannot."

Balthis: "I'm speaking to your Bill."

Prussing: "Under the Bill, they could put it on the ballot and if it passes someone else could put it on the ballot or that person could put it on the ballot again if they want to, which doesn't make any sense in four years. But, they would have to get the signatures of the voters in order to do that."

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Balthis: "So, currently there are a certain number of Members of the county board that decide the size of the districts, the number of population in those districts, and the number of people on the board, and you want it now take that and leave that to one individual who decides to circulate a petition to take the effort and the time to do that, and that's going to make the county government more effective by one person making that decision?"

Prussing: "I believe that any referendum question is put on the ballot the same way as this is, it is not one person, it has to be voted on, provided there are enough signatures, so it cannot possibly be one person."

Balthis: "But the one person is the one that creates the petition, and decides that..."

Prussing: "That's true of any, that's true of any question on any ballot."

Balthis: "Okay. Do you think that's more effective than having the current number of county board members making that decision?"

Prussing: "Well, one person on the county board can make a decision and ask the rest of the county board to vote on it. Nothing is in these, in this Bill is to be decided by one person."

Balthis: "Does this Bill require the county to redistrict after we've gone by over the ten year census?"

Prussing: "Right, they would have, they would do that from then on, on the new structure."

Balthis: "Is that required?"

Prussing: "That is under current law and that does not change."

Balthis: "Under your Bill, on line 12 of page 3, it says a county board may, it doesn't say the county board shall."

Prussing: "What was the page and line again, please?"

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Balthis: "Page 3, line 12."

Prussing: "I believe that's consistent with the current requirement that the government has to take into account the census changes after ten years."

Balthis: "So, by this language, they do not have to redistrict?"

Prussing: "No, that is not correct. They have to have equal population in each district."

Balthis: "Then, why don't we save..."

Prussing: "By existing law, not by this law. This law does not change that requirement."

Balthis: "It speaks to the issue of saying the county board may, not shall."

Prussing: "But, that is a separate statute, which this does not revise."

Balthis: "To the Bill. I think the Representative has a good idea, the unfortunate part is that every four years a single individual can decide to change county government, I think that's a bit much on any local government. I think it's about time that we tried to give some of these issues back to the people on the street, and not try to micromanage from Springfield everything that happens in a county or local level."

Speaker Flowers: "Representative Biggert."

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

Speaker Flowers: "Yes, she will."

Biggert: "Representative, if, you spoke about the League of Women Voters suggesting this change. What about the Champaign County Board, are they in favor of this?"

Prussing: "I don't believe they are. I think you find the organizations of county boards have opposed it, that does not to say that individual members are not in favor of it, I did have a county board member come and testify in favor

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of it."

Biggert: "Okay, but your county board, are there any county boards that are in favor of it, that you know of?"

Prussing: "I have not contacted every board in this state. I'm sure there are, I have talked to a number of county board members and previous county board members who very much support this, and I will say that the Macon County Chamber of Commerce supports this which is why Representative Noland is a Sponsor."

Biggert: "Thank you. To the Bill, Madam Speaker. I think that, that local government is the most effective government and I know that we as the State Legislators are always changing the laws which really affect local government, and I would urge us to be very cautious against this, and I don't, I really don't see the reason for making such a dramatic change unless there is a hue and cry from our local governments and I would urge opposition to this Bill."

Speaker Flowers: "Representative Persico."

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

Speaker Flowers: "Yes, she will."

Persico: "Representative, according to your Bill it would need 2% of the voting electorate to put this petition on the ballot?"

Prussing: "That's correct."

Persico: "What is the normal amount of percentage before you could put something on the ballot?"

Prussing: "The percentages vary, depending on the question."

Persico: "Are there any..."

Prussing: "This is consistent with the requirement for elected county executive, which also changes the form of county government."

Persico: "But, basically we're not dealing with elective and

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executive for county board, we're dealing with the county board members themselves. What, what, how are county boards currently structured?"

Prussing: "There are seventeen, there are seventeen counties with the commission form of government, Cook County has seventeen members elected from single member districts and the other counties that are on the township form of government have anywhere from five to 29 members."

Persico: "Can a county board such as DuPage, which I believe have, has 24 members. Can they buy county board vote, reduce that to 20, or do they need state allotment."

Prussing: "They could only do it ten years, and I do have support from members of the DuPage county board and former members of DuPage county board."

Persico: "DuPage county board has officially adopted a Resolution..."

Prussing: "No, this is just individuals, individuals. I think you should talk to individuals if your from DuPage County."

Persico: "According to the sources that I had, they filed a, you know that they were against this particular Bill in Committee. Maybe individual members your saying, have indicated their support for this. If your, let's say that you put a petition on the ballot for single membered districts in DuPage County, because we have multiple number of districts there. Who draws the district then if the referendum is approved?"

Prussing: "I believe the county board, but they have to do it within the legal requirements of one person, one vote."

Persico: "Okay. If, let's say that they decide by referendum by you know, through your petition that they would like to go to single membered districts and they find out that or some people feel that it is no law, that it doesn't work after

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they try it. Can they go another two years later and go back to multiple membered districts, according to your Bill?"

Prussing: "If, if it passes approval of the voters."

Persico: "If it, the first one passes the approval of the vote."

Prussing: "No, actually they'd have to wait for four years."

Persico: "So, four years."

Prussing: "Four years."

Persico: "But if it fails, they can go back in two years."

Prussing: "In two years, that's correct."

Persico: "So, conceivably every ten years or every census year you could, decade, you could have five petitions put on a ballot?"

Prussing: "I think that the best answer to your question is that right now people can change the size of their city councils. You do not see a referendum every two years, or every four years. I mean it's infrequent people have that opportunity now, and they do not use it every two or four years, it is something that happens rarely."

Persico: "But, certain individuals could do that if they're dissatisfied for whatever reason that they might have."

Prussing: "Well, I mean, you have, you have the history of Illinois, you don't see constant changes in the size of, of City Councils. So, I don't, I don't think it's a realistic fear to think that there's going to be a constant change in the size of county boards. I think that people can ask for a specific change, it's either voted up or voted down."

Persico: "But, conceivably this could happen. There could be..."

Prussing: "Conceivably we could have these kinds of things every year but we don't."

Persico: "And one final question. Have you estimated how much it would cost the county board at each level, what this, if

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your Bill became law?"

Prussing: "I don't think that the cost is significant, and I think there are significant savings in streamlining local government."

Persico: "Thank you very much."

Speaker Flowers: "Representative Skinner."

Skinner: "I would like to know how in a county like McHenry which is the fastest growing county in the State of Illinois that local censuses by municipalities would be taken into account under reapportionment in mid-term?"

Prussing: "I think that every government in McHenry County has to deal with the question of changing population. This is no different from what any other government has to deal with."

Skinner: "Well, it certainly is. County, county boards are only reapportioned once every ten years at the current time, and this would require a reapportionment between censuses."

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

Skinner: "I denied what you said was correct."

Prussing: "That's fine."

Skinner: "I pointed out that at the current time county boards only reapportion once in every ten years, just as a Legislator is reapportioned once every ten years. Now, somehow one has to cope with differential growth in different parts of the county, and one won't have a, any more recent census data. So, what is a county board to do? Should your, should a Resolution pass? Should a referendum pass, such as you're proposing?"

Prussing: "They would have to deal with restructuring this system according to the best census information they have."

Skinner: "And, that means..."

Prussing: "Whatever they would like to get."

Skinner: "A 1990, a 1990 census then."

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Prussing: "You know if they have an update, I imagine McHenry County does have to get updates. They probably want to get adequate income tax from the State of Illinois, so they probably pay for updates on their census."

Skinner: "Actually, they don't. The only, the only entities in McHenry County that are asking for interim censuses are municipalities. County government has never done it, to the best of my knowledge county government throughout Illinois do not regularly do this. So, you have no solution?"

Prussing: "No, I think that if you use whatever information is available if you feel that it's inadequate you try to get an update."

Skinner: "Well, of course updates cost money. I'd like to point out that I'm a member of the League of Women Voters, and I've been a member of the League of Women Voters since 1975, the first year they allowed men join, and no one from the League of Women Voters has approached me in favor of this proposal. So, if the Illinois League of Women Voters is in favor of this, their doing an abysmal job of lobbying. They can't even find their own member to tell them what position they stand. I'd like to point out that I voted for this Bill last year..."

Prussing: "Thank you. I was just going to point that out."

Skinner: "And I did so, that was not a question. I have no further questions. You can turn her mic off. I voted for this Bill last year, and I voted for it because it seems to me that perhaps more than just the county board members ought to have a say on how large a county board is, and how many people are in a given district. Those decisions have, are intensely political decisions, as anyone familiar with the voting rights law litigation of the southern part of

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the United States can tell you. However, there is a long tradition in the Illinois House that goes back a lot longer than the 40% of the members who are first termers in this Body, can remember, and it has to do with assisting members in other districts who have a strictly local problem that have no impact whatsoever on your Bill to accomplish their goals. Representative Deuchler stood up here with a proposal that will save the State of Illinois in General Revenue Fund Monies. That's money that can go to state education folks if it doesn't go for the purpose that it will have to go because the Representative would not accept the Amendment, that Representative Deuchler offered. We're talking \$200,000 that the state could of saved in general revenue fund monies had she excepted the Amendment for quick take in the City of Aurora for a flood control project. Charlie Wheeler I think put it best in a recent article, I think it was in the Illinois Issues, in which he commented on the, the severe decline in civility in the Illinois General Assembly. The Sponsors refusal to except Representative Deuchler's Amendment is a prime example of decline in civility in the Illinois House of Representatives during the last two years. Because of that decline in civility, I am not going to vote for this Bill this time, I'm going to vote 'present', if she wishes to take it back to Second Reading and put Second Reading, and put it, Representative Deuchler's Amendment on, I'll be happy to vote for the Bill."

Speaker Flowers: "The question is, 'Shall House Bill', I'm sorry Representative Prussing to close."

Prussing: "I'm happy that two members have brought up the question of civility, and I would like to point out that the second Amendment by Representative Deuchler would of

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guttet this Bill, and replace it entirely with that Amendment. So, I'm certainly willing to listen to the concerns of her district, but I don't think it's a question of courtesy, when you completely try to completely gut this Bill. I think this is common sense, I think the public wants streamlining of government, and I urge you to vote 'yes'."

Speaker Flowers: "The question is, 'Shall House Bill 3925 pass?' All those in favor vote 'aye'; opposed, vote 'no'. The voting is now open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. There are 65 voting 'aye', 42 voting 'no', and on this question, Representative Black."

Black: "Yes, thank you very much, Madam Speaker. I'll try to be as civil as I can. I'd like to request a verification of the affirmative vote. Thank you."

Speaker Flowers: "The Gentleman has requested a verification. Mr. Clerk, would you please pull the absentees."

Clerk McLennand: "Those not voting, Representative Flinn."

Speaker Flowers: "Mr. Clerk, would you please pull the affirmative."

Clerk McLennand: "Those voting in the affirmative. Balanoff. Blagojevich. Brunsvold. Bugielski. Burke."

Speaker Flowers: "Excuse me, Mr. Clerk. Representative Flinn, votes 'aye'. Would you please record him as such. Representative Leitch wants to be recorded as voting 'no'. Continue, Mr. Clerk."

Clerk McLennand: "Capparelli. Curran. Currie. Dart. Davis. Deering. DeJaegher. Edley. Erwin. Flinn. Flowers. Frias. Gash. Giglio. Giles. Giolitto. Granberg. Hannig. Hartke. Hawkins. Hicks. Homer. Jones, Lou. Jones, Shirley. Kaszak. Kotlarz. Lang. Laurino. Levin.

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Lopez. Martinez. McAfee. McGuire. McPike. Moore,
Andrea. Moore, Eugene. Morrow. Moseley. Murphy, H.
Noland. Novak. Phelan. Phelps. Prussing. Pugh.
Raschke-Lind. Ronen. Rotello. Santiago. Schakowsky.
Sheehy. Steczo. Stroger. Turner. von Bergen-Wessels.
Weaver. Woolard. Younge and Mr. Speaker."

Speaker Flowers: "Any questions of the Affirmative Roll Call, Mr. Black?"

Black: "Yes, thank you very much, Madam Speaker. Representative Hannig."

Speaker Flowers: "Representative Hannig. Is the Gentleman in the chamber? Mr. Clerk remove him. Representative Phelps would like to have leave, to be verified. He has leave. Representative Dunn would like to be recorded as voting 'aye'. Are there any further questions?"

Black: "Oh yes, I'm sorry, Madam Speaker. Representative Brunsvold."

Speaker Flowers: "Representative Brunsvold. Is the Gentleman in the chamber? Mr. Clerk, remove him."

Black: "Thank you, Madam Speaker. Representative Harold Murphy."

Speaker Flowers: "Representative Harold Murphy is in the aisle."

Black: "Okay, I see him, okay. Thank you. Representative Hawkins."

Speaker Flowers: "Representative Hawkins. Representative Hawkins, is the Gentleman in the chamber. He's not. Representative Hawkins. Remove him."

Black: "Thank you very much, Madam Speaker. Representative Giglio?"

Speaker Flowers: "Representative Giglio. Is the Gentleman in the chambers? Mr. Clerk, remove him."

Black: "Thank you very much, Madam Speaker. Representative Woolard?"

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Speaker Flowers: "Representative Brunsvold and Representative Giglio has now returned to the chambers. Mr. Clerk, would you please record them as voting 'aye'. Representative Hawkins has returned to the chambers. Hawkins. Mr. Clerk, would you please record him as voting 'aye'."

Black: "Did we call Senator Hawkinson, or Representative Hawkins?"

Speaker Flowers: "Representative Hawkins."

Black: "Okay, there he is. Representative Woolard?"

Speaker Flowers: "Representative Woolard. He's in the back of the chambers."

Black: "Oh, I'm sorry, I didn't see him back there. Representative Martinez?"

Speaker Flowers: "Representative Martinez. Representative Hannig would like to be recorded as voting 'aye'. Representative Ben Martinez. He's in the back of the chambers."

Black: "Representative Dart?"

Speaker Flowers: "Representative Lang would like to have leave to be verified, he's in the telephone booth."

Black: "I see."

Speaker Flowers: "Representative Dart. Representative Dart. Mr. Clerk, remove Representative Dart, please?"

Black: "Representative Bugielski?"

Speaker Flowers: "Representative Judy Erwin would like to be verified, Mr. Black."

Black: "Fine."

Speaker Flowers: "Representative Bugielski, he's in the rear of the chambers."

Black: "I couldn't see him for all the smoke back there, Madam Speaker. Perhaps we could get a fan back there so it would be easier to see them. All right. Representative Edley?"

Speaker Flowers: "Representative Edley. Representative Edley."

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Mr. Clerk. He's in the rear of the chambers. Mr. Black, Mr. Edley's in the rear of the chambers."

Black: "He's back there in that smoke, too, okay. Representative Laurino."

Speaker Flowers: "Representative Laurino. Representative Laurino. Mr. Clerk, please remove him."

Black: "Representative Gash?"

Speaker Flowers: "Representative Gash is sitting in her seat, or someones seat."

Black: "Yes, okay."

Speaker Flowers: "Representative Giles would like to have leave for verification. Representative Novak would like to have leave for verification. Are there any further questions, Mr. Black?"

Black: "I have no further questions. Thank you, Madam Speaker."

Speaker Flowers: "Thank you. On this question there are 64 voting 'aye', 42 voting 'no'. This Bill having received the required Constitutional Majority is hereby declared passed. In the Order of Concurrence, we have House Bill 4, Representative Ryder. Representative Ryder."

Ryder: "Thank you, Madam Speaker. I would move to nonconcur with Senate Amendment #1."

Speaker Flowers: "The Gentleman moves to nonconcur with House Bill, with, with, the Gentleman moved to nonconcur with Senate Amendment #1 to House Bill 4. All those in favor vote 'aye', say 'aye'; opposed, 'no'. The 'ayes' have it. The House does not concur with Senate Amendment #1 to House Bill 4. The House is prepared to adjourn. The committees will meet at 3:30. The 2:00 committees will meet at 3:30, Representative Parke for what reason do you rise?"

Parke: "Yes, Madam Speaker, Ladies and Gentlemen of the House. I want to remind everybody that the House baseball game will

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start at 5:30, not 6:30, it's showing on the tickets. It will start at 5:30, and we'd hope that everybody be there to support the House so that we can woop on those Senate Members."

Speaker Flowers: "Representative, Representative Hartke, for what reason do you rise?"

Hartke: "Well, I have an inquire. Why are we waiting until 3:30 to meet with committees, if we're going to adjourn now? House Transportation Committee would like to meet at 3:00, immediately."

Speaker Flowers: "Representative Monroe Flinn."

Flinn: "Madam Speaker, there's so much noise I can't understand, I understood you to say the 4:00 committees would be meeting at 3:30?"

Speaker Flowers: "No, we said the 2:30, the 2:00 committees will be meeting at 3:30."

Flinn: "All right, what time is the 4:00 committee meet? Four o'clock?"

Speaker Flowers: "We'll get there."

Flinn: "Well, I've, if anybody's in my room I'm kicking them out."

Speaker Flowers: "Representative Black."

Black: "Yes, an inquiry of the Chair. I, my Chairman, the Chairman of the Transportation Committee said we were convening at 3:00, now I'm confused. Do we have, is there trouble brewing right here in the capitol city?"

Speaker Flowers: "No..."

Black: "It's a very important committee, and I don't want to be late."

Speaker Flowers: "Never."

Black: "Oh. Representative Hartke."

Speaker Flowers: "Resolutions, Mr. Clerk."

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Black: "Uh Oh.:

Clerk Rossi: "House Resolution 2700, offered by Speaker Madigan. WHEREAS, The members of this Body are pleased to recognize Illinois citizens who have distinguished themselves in service to their community and this State; and WHEREAS, It has come to our attention that David E. Carey of Elgin has announced his retirement as State Liaison Officer with the Illinois State Board of Education; and WHEREAS, David Carey was born on January 11, 1939 in Elgin; he attended Elgin public schools and graduated from Elgin High School; he attended Elgin Community College, Iowa State University, and Northern Illinois University, where he earned a B.S. and M.A.P.A.; and WHEREAS, David Carey began his career in education as a Math and Social Studies teacher at St. Mary's Grade School in Elgin, and later taught Social Studies at Teft Junior High School; from 1967 until 1971, he served as Legislative Staff Assistant with the Illinois House of Representatives, and from 1971 until 1975 he served as Assistant Superintendent, Governmental Relations with the Office of the Superintendent of Public Instruction; and WHEREAS, He became State Liaison Officer in 1975; and WHEREAS, David Carey's enthusiastic support of community activities will long be remembered; he has been active with the Boy Scouts of America and various civic and fraternal organizations; he has served on the Hanover Township Youth Commission and various committees for the St. Edward's High School and St. Mary's Church; and WHEREAS, David Carey has received numerous awards, including the Eagle Scout Award, an outstanding achievement award from the Illinois Council for the Hearing Impaired, the President's Certificate of Appreciation from the Illinois Council of Exceptional Children, and the

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Distinguished Alumni Award from Elgin Community College; he was cited by the Disabled American Veterans and the Veterans of Foreign Wars for his outstanding service and he was named Outstanding Young Man of the Year by the Jaycees; and WHEREAS, David Carey has contributed greatly to his community and this State; therefore, be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate David Carey on his retirement; that we commend him for his many years of community service, and that we extend to him our sincere best wishes for the future; and be it further RESOLVED, That a suitable copy of this resolution be presented to him as an expression of our respect and esteem."

Speaker Flowers: "Representative Terry Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. It's always a sad day when a good friend of ours, a good friend of the legislative decides to announce their retirement, and a sad day for me. Dave Carey who has served as the state Liaison Officer to this House of Representatives since 1971, has decided to leave his position at the state board as of June 30, and I'm not sure about anybody here, but I'm sure everybody and especially those who, who deal with education issues are familiar with Dave Carey, and his works at the state board. I first met Dave Carey way back about 20 years ago when I walked into the lounge of the St. Nicholas Hotel one day and Dave was giving his rendition of a song called 'Bird in the Gilded Cage', and it was such an incredible rendition, you had to sit back and listen to it, and ironically at that same moment at that same time, there happened to be a Gentleman from ASCAP that collects royalties in the lounge of the St. Nick as well, and rather

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than collect royalties from Dave, he gave Dave a check and said, 'we hope you'll never sing this song again.' That's the kind of, that's the kind of guy Dave Carey is. But for those of you who served on the, the Elementary and Secondary Education Committee and know the kind of work he has done, providing you with information about education related issues and always putting you in touch with the proper individuals at the state board and, and how he helps make your job a whole lot easier, we should all take a moment to commend him on his, on his upcoming retirement. Wish Dave Godspeed and nothing but the best in the future. And, Mr. Speaker, I would move that each and every Member of this House be added to this Resolution as a Co-Sponsor to honor Dave Carey's many years of service to the State of Illinois and to we in the General Assembly."

Speaker Flowers: "Representative Curran."

Curran: "Thank you, Madam Speaker. I had my 20 minute Dave Carey retirement speech, but Chuck Hartke tells me that he wants his committee to start right now, and that I better not make this any longer than a minute. I can do some justice but not enough justice to Dave Carey in a minute. Everybody in this room understands how important it is to be able to gather votes on this floor. A few years ago a Bill was presented to me which, which was quite a difficult Bill, quite a difficult Bill to pass out of committee and quite a bit difficult Bill to pass out of the House. And yet with Dave Carey's help we got a Bill passed out of this House with 73 votes that you probably couldn't get 25 votes for now. The reason is that the most persuasive person in this room, in my opinion and I don't care who else is here, is Dave Carey, because I have watched over the 12 years I have been in the General Assembly and I have seen him do

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magic with the people on this floor, the egos on this floor, and the issues before this floor. There is going to be a party for him this evening at the Illinois Federation of Teachers building. I know that most of you want to come. I know that you're all welcome, and I hope to see you there and I hope Dave that you have the greatest, you know, Terry Steczo said I wish you Godspeed, I think you're going to spend most of your time on a ten speed. Have a great time Dave, and I look forward to seeing you this evening."

Speaker Flowers: "Representative Ryder. Representative Ryder."

Ryder: "Thank you, Speaker. I join with my colleagues in congratulating Dave Carey on his retirement. He's always been a good friend to me, the source of valuable and accurate information. A persuasive fellow when necessary, a cooperative person when required, but I believe that he believes in what it is that he does. He believes that being a public servant means to be well-informed and to be able to have the information necessary to cast intelligent votes. He believes that reasonable people can differ. He believes that politics is as much a part of us, as the air that we breathe and that while we may not always agree on issues, we don't necessarily have to be disagreeable. I for one will miss him, will miss the service that he provides to the State of Illinois, to the State Board of Education, but more importantly, I will miss him as a friend. And so I would ask to be added, as those who wish him well, Godspeed, and an enjoyable retirement."

Speaker Flowers: "Representative Cowlshaw."

Cowlshaw: "Thank you, thank you very much, Madam Chairman. I would like to begin by suggesting that all Members of the House be added as Co-Sponsors of this Resolution, if

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Speaker Madigan would approve of that, and I can see no reason why he would be opposed. I think we all join together in wanting to honor Dave, not only during for the years that he has represented the interest of the state board of education and pleaded their causes for us, but simply because, as others have said, he has been a friend. If there is anything that those of us who serve here, whether we are elected to serve here or we serve in some other capacity, if there's anything that we all understand it is that the only coinage we have to spend here is our word, Dave Carey's word has always been good. He has always told a straight story, he has always given us the facts to the best of his capacity to unearthum, he has always been straightforward, forthright, and honest. We need more people like that in our State Government. We need more people like that in our nation and our world. Dave Carey, much as I really am reluctant to say goodbye, I think deserves to have us say, lots of health and happiness during your retirement. You have earned it, and to say to him one thing we will always, when the name Dave Carey comes before us that we will always think of, that David Carey is a man of worth."

Speaker Flowers: "Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. The words you have heard from all the speakers are true about David Carey, and I just want to, want to echo those comments and say, 'thanks, Dave, for being a good friend over the years and helping me on the educational issues and especially David, thank you for knowing where the politics ended and the good of the children began.' Thanks, Dave."

Speaker Flowers: "Representative Edley. Representative Edley."

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Edley: "Thank you, thank you very much, Madam Speaker. I'd also like to add some of my support and thanks to Dave Carey as Chairman of the House Education Appropriations Committee. He's been very helpful to myself, as well as all of our Members. The only thing that the, the only caveat that I would have, when we passed that early retirement, I think we gave Dave Carey the opportunity to leave. I've got second thoughts about that and Dave Carey's a good example of the brain power that we're going to lose with that program."

Speaker Flowers: "Representative Hicks."

Hicks: "Thank you, Madam Speaker. I join with my colleagues in congratulating Dave on his retirement. You know, the one big thing we do around here that so often the don't get done is accomplish anything. But certainly over the years, I think many of us in this room have been able to accomplish things because of the help and the guidance and the counsel that Dave has been able to provide. And, Dave, I want to thank you personally for the guidance and counseling you've given to me. It's helped me accomplish things and things from my district and things for the people of Illinois, and I know other Members here you've done the same with. My congratulations to you."

Speaker Flowers: "Representative Davis."

Davis: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I don't know how many years Dave Carey has served as the Liaison Officer of the Illinois State Board of Ed, but I do know of the eight years that I served on the vice, as Vice-Chair on the Elementary Secondary Education Committee, he has always provided unbiased, impartial, accurate information. I find that one who can easily, very quickly provide the answer to the questions that you have

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they're worth in this Body their weight in gold. His information has always been accurate, it has always been timely, and I must say in order to be successful, all of us need that kind of individual who acts as liaison. God bless you Dave, and I'm so glad to see you going to enjoy perhaps a more productive and happy life. To you and your family, I wish you the best."

Speaker Flowers: "Representative Turner."

Turner: "Thank you, Madam Chairman. Now, I understand why they pushed the committees back to 3:30, knowing that we were all going to be singing Dave Carey's praises here. But, I, too, join the rest of this Body in, in honoring Dave as he gets ready to go into what's called early retirement. I remember when I first met Dave, it was some 14 years ago, former Representative then Jesse White, introduced me to Dave, and I know if he was here today he'd probably echo these same words, and he told me, 'Listen man, Carey is the guy who knows education here', and certainly as we talk about educations and the problems that the Chicago public schools are confronted with, Jesse reminded me, 'Just listen to Dave, he can help get this thing cleared for you, and tell you what's the right way'. In Jesse's absence, who's not here today, and just in my own way, I want to tell Dave how happy and what a joy it's been working with him for the last 14 years, and as I said earlier, we wish him Godspeed on a ten speed."

Speaker Flowers: "Representative Hoeft."

Hoeft: "Thank you, Madam Chairman. I'd like to also go to the chorus of people who are saying, 'Good luck, David'. David served the children well, the state board well, and he helped this state's public policy in a number of ways. I would like to point out that he is retiring to that palace

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in the sky, the wonderful town of Elgin."

Speaker Flowers: "Representative Dunn."

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, am one of these people who have know Dave Carey for a long time. As a matter of fact, I knew him back when my hair was the color his, still is. I don't know what he does, what bottle he pours on his head in the morning before he comes over here, but he, but my hair is white, and his isn't. Dave has been consistent through the 20 years I have known him, a good friend, an enjoyable person to be around, a steady person, one who is always trustworthy, and in whom you can place your confidence. David, we will miss you greatly here, and I hope you enjoy it as you ride off into the sunset on your bicycle of course. Best wishes to you."

Speaker Flowers: "Representative Giolitto."

Giolitto: "Thank you, Speaker. I just wanted to say I haven't know Dave as long as a lot of you, but in the very short time that I have known him, he's been a great help to me in my freshman year. When I didn't know which end was up, he was there to guide me right through and get the job done, and I just really want to tell you, I hope you have a wonderful retirement, Dave. It's been great knowing you and working with you here in the General Assembly."

Speaker Flowers: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, want to join the group in congratulating Dave on his retirement, early retirement. Thank him for the help he's given me, when I was a Member of the Education Committee, probably one of the most significant Bills I passed was affected the Galvin County school consolidation, and Dave was a great assistant why that, and

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I'll never forget his help. Good luck to you and God bless you."

Speaker Flowers: "Representative Virginia Frederick."

Frederick: "Thank you, Madam Speaker..."

Speaker Flowers: "Representative Frederick. Virginia Frederick. Representative Frederick, would you use Representative Mulligan's, please?"

Frederick: "Thank you, Madam Speaker. I rise also to salute Dave Carey. Although I never served on Elementary and Secondary Ed. Committee, I have school districts that have the worst problems you could imagine. One school district burned to the ground, another threatened dissolution, and it was to Dave Carey that I turned for advice. I wish him the best in his retirement. I'm sure that he will have all good things happening to him. Good luck, Dave."

Speaker Flowers: "Representative Terry Steczo asks that all Members be added as Co-Sponsors. Is leave granted? Leave is granted. All Members are added as Co-Sponsors. All in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it, the Resolution is adopted. General Resolutions. Excuse me, Mr. Clerk. Representative Hicks for what reason do you rise."

Hicks: "Thank you, Madam Speaker. Just to announce that the House Insurance Committee will meet immediately following adjournment."

Speaker Flowers: "Thank you. Mr. Clerk, General Resolutions."

Clerk McLennand: "House Resolution 2697, offered by Representative Blagojevich."

Speaker Flowers: "Committee on Assignment. Representative McPike moves that the House stands adjourned, allowing Perfunctory time. The House stands adjourned until 12:00 noon on Wednesday, May 18th. All those in favor say 'aye'; opposed

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'nay'. The 'ayes' have it. The House stands adjourned."

Clerk McLennand: "House Perfunctory Session will be in order. Messages from the Senate."

Clerk McLennand: "A Message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate Mr. Speaker I'm directed to inform the House or Representatives that the Senate is concurred with the House of Representatives in the passage of House Bill 3997, together with Senate Amendment #1, and instructed to ask the concurrence of the House. I'm direct to inform the House of Representatives that the Senate is concurred with the House of Representatives in the passage of House Bill 3518, together with Senate Amendment #1, and instructed to ask the concurrence of the House. The Senate has concurred to House of Representatives in the passage of House Bill 2799, together with Senate Amendment #1, and am instructed to ask the concurrence of the House. The Senate has concurred with the House of Representatives of House Bill 1066 together with Senate Amendment #1 and #2, which I'm instructed to ask concurrence of the House. The Senate has concurred with the House of Representatives in the passage of House Bill 1293 together with Senate Amendment #1, for which I am instructed to ask the concurrence of the House. The Senate does concur with the House of Representatives in the passage of House Bill 2645, together with Senate Amendment #1, to which I'm instructed to ask concurrence of the House. The Senate has concurred with the House of Representatives in the passage of House Bill 2794, together with Senate Amendment #1, to which I'm instructed to ask concurrence of the House. These Bill's passed the Senate on May 13th, 1994. Jim Harry, Secretary of the Senate'."

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Clerk McLennand: "The House Perfunctory Session will be in recess. The House Perfunctory Session will be in recess until the call of the Chair."

Clerk Rossi: "The House Perfunctory Session will come to order. Committee Reports. Representative Hartke, Chairman from the Committee on Transportation and Motor Vehicles, to which the following Bills and Resolutions were referred, action taken on May 17, 1994, reported the same back with the following recommendations: 'do pass as amended Short Debate' Senate Bill 1200. Representative Shirley Jones, Chairman from the Committee on Public Utilities, to which the following Bills and Resolutions were referred, action taken on May 17, 1994, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 1326."

Clerk Rossi: "Messages from the Senate. A Message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolutions. In the adoption of which I'm instructed to ask the concurrence of the House of Representatives, to wit Senate Joint Resolution 111, Senate Joint Resolution 112, Senate Joint Resolution 138, Senate Joint Resolution 133, Senate Joint Resolution 115. Jim Harry, Secretary of the Senate'."

Clerk Rossi: "A Message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a Bill of the following title, to with House Bill 2108, together with Senate Amendment #1. In the adoption of which I'm instructed to ask the concurrence of the House. House Bill 2339, together with Senate Amendment #1, in the adoption of

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which I'm instructed to ask the concurrence of the House. House Bill 3328, together with Senate Amendment #2, to House Bill 3328 in the adoption of which I am instructed to ask the concurrence of the House. House Bill 3779 together with Senate Amendment #1, in the adoption of which I'm instructed to ask the concurrence of the House. House Bill 1809, together with Senate Amendment #1 in the adoption of which I'm instructed to ask concurrence of the House. Pass the Senate as amended May 17, 1994. Jim Harry, Secretary of the Senate."

Clerk Rossi: "Perfunctory Session will come to order. Messages from the Senate."

Clerk Rossi: "A Message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate is adopted the following Senate Joint Resolutions in the adoption in which I'm instructed to ask the concurrence of the House of Representatives to with Senate Joint Resolution 100, Senate Joint Resolution 113, and Senate Joint Resolution 122, adopted by the Senate May 17, 1994. Jim Harry, Secretary of the Senate'."

Clerk Rossi: "Committee Reports. Representative Hicks, Chairman from the Committee on Insurance, to which the following Bills and Resolutions were referred, action taken on May 17, 1994, reported the same back with the following recommendations: 'do pass as amended Short Debate' Senate Bill 1706; 'do pass as amended Consent Calendar' Senate Bill 1479."

Clerk Rossi: "The House Perfunctory Session will come to order. Committee Reports. Representative Balanoff, Chairman from the Committee on Cities and Villages, to which the following Bills and Resolutions were referred, action taken

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on May 17,1994, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bills 1376, 1285;; 'do pass as amended Short Debate' Senate Bill 1367."

Clerk Rossi: "Perfunctory Session will come to order. Committee Reports. Representative Davis, Chairman from the Committee on Labor and Commerce, to which the following Bills and Resolutions were referred, action taken on May 17,1994, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 481."

Clerk Rossi: "The Perfunctory Session will come to order. Committee Reports. Representative Flinn, Chairman from the Committee on Financial Institutions, to which the following Bills and Resolutions were referred, action taken on May 17,1994, reported the same back with the following recommendations: 'do pass as amended' Senate Bill 1397; 'do pass Consent Calendar' Senate Bill 1468; 'do pass as amended Consent Calendar' Senate Bill 1311."

Clerk McLennand: "The Perfunctory Session will come to order. Committee Reports. Representative Lou Davis, Chairman from the Committee on Registration Regulation, to which the following Bills and Resolutions were referred, action taken on May 17, 1994, reported the same back with the following recommendations: 'do pass Consent Calendar' Senate Bills 1448, 1502, 1624; 'do pass as amended Consent Calendar' Senate Bills 1329, 1332."

Clerk McLennand: "The Perfunctory Session will be in order. Committee Reports. Representative Woolard, Chairman from the Committee on Agriculture and Conservation, to which the following Bills and Resolutions were referred, action taken on May 17,1994, reported the same back with the following recommendation/s: 'do pass' Senate Bill 1528; 'do pass as amended' Senate Bill 1260; 'do pass Short Debate' Senate

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Bill 1708; 'do pass as amended Short Debate' Senate Bill
1267; 'do pass Consent Calendar' Senate Bill 1230."

Clerk McLennand: "Being no further business, the House
Perfunctory Session will be adjourned, and the House will
reconvene on Wednesday, May 18, at the hour of 12:00 noon."

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