

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

61st Legislative Day

May 19, 1993

Speaker McPike: "Come to Order. The House will come to order. The Chaplain, for today, is Reverend Peggy Bloesch of the United Church of Christ in Marine, Illinois. Reverend Bloesch is a guest of Representative Ron Stephens. The guests in the balcony...the guests in the balcony may wish to rise and join us for the invocation."

Reverend Bloesch: "Let us pray. Gracious Creator God, You have chosen this place to weave separate people into one Body called to make difficult decisions. We know that if those decisions are to be made faithfully, You must be present, and so we call upon You to be with us this day. To Your grace and mercy we pray that the actions taken today be one that safeguards our children and families and create a firmer foundation on which our society can stand. Remind us that it is not our own personal wants and desires that should be lifted up, but rather a much larger plan that brings Your peace and wholeness to all. Keep us selfless and humble before You. Grant all who are present insight and compassion. Make Your direction known to us that we might follow in Your ways. We pray in the name of Your Son, Jesus Christ. Amen."

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

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

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

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

Speaker McPike: "Thank you. Miss Currie?"

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

61st Legislative Day

May 19, 1993

Currie: "Thank you, Speaker. There are no excused absences among House Democrats."

Speaker McPike: "Take the record. One hundred seventeen Members answering the roll call, a quorum is present. 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 has concurred with the House of Representatives in the passage of the Bills of the following title to wit, together with attached Amendments, thereto, in the adoption of which I am instructed to ask the concurrence of the House to wit; House Bills 936, 1941, 2280, 2397, and 2408; passed the Senate as amended May 18, 1993. Jim Harry, Secretary of the Senate'."

Speaker McPike: "Yesterday, the...yesterday, the Chair got the impression that a number of Members would prefer to be here Saturday and Sunday, because they kept taking their Bills out of the record. So, you know if you're sitting next to someone that insists on taking the Bill out of the record, you might remind your seat mate that you would prefer not to be here on Saturday and Sunday, except if you are Lou Lang, and he wants to be here on Saturday and Sunday. That's a Jewish holiday this year, Saturday and Sunday of this week. Senate Bills, Third Reading. Mr. Stephens are you ready? Okay. (Senate Bill) 579, Mr. Deering. Mr. Lang, 127. Out of the record. (Senate Bill) 132, Representative DeJaegher. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 132. a Bill for an Act relating to children with disabilities. Third Reading of the Bill."

Speaker McPike: "Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. House Bill (sic - Senate Bill) 132 is a rather

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

61st Legislative Day

May 19, 1993

simplified Bill, and all it is, is a word terminology change. People are upset, so to speak, and they feel it's not proper when you use the word 'disabled', so what we're doing is making inferences and changing from that to 'handicapped' and that's truly the substance of the program and for that reason I ask for a 'yes' vote."

Speaker McPike: "The question is, 'Shall Senate Bill 132 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there is 112 'ayes' and no 'nays'. Senate Bill 132, having received the Constitutional Majority, is hereby declared passed. Representative Brunsvold, 159. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 159, a Bill for an Act amending the School Code and the Vocational Education Act. Third Reading of the Bill."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 159, as it came from the Senate...four of the current grant programs together. That was the original Bill and made some provisions dealing with those block grants, as far as reporting on the block grants twice a year. Senate Amendment #1 had to do with parenting; zero through K and K through 12 and separating those two...and those two programs. Another Amendment in the Senate on the floor dealt with cleaning up some financial situations of the Board of Education. Those provisions are technical. In the House. we added Senate Amend...House Amendment #1, 2, 3, 4, and 6. Amendment #1 removed the arts' grant item in the original Bill, which was agreed to. The second House Amendment, indicated in full, full day for parent teacher conferences as far as general state aid was

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

61st Legislative Day

May 19, 1993

concerned. Senate Amendment...House Amendment #3 had to do with a parenting program and making sure that was in two different programs; zero through K and K through 12. Amendment #4 in the House, which gives the parents protection, so that someone in that program could not come without their permission into the home for a visit, and Amendment #6 put a repeal date on the tax equivalent grants, change of the year, so, that's what the Bill does. I'll try to answer any questions and ask for the passage of Senate Bill 159."

Speaker McPike: "All right, who rises in opposition? I know Mr. Salvi does. How about Representative Cowlshaw, are you for the Bill, Representative? Miss Cowlshaw, are you for the Bill?"

Cowlshaw: "I have a question for the Sponsor on a matter of legislative intent."

Speaker McPike: "All right."

Speaker McPike: "Miss, Representative Cowlshaw."

Cowlshaw: "Thank you very much. Representative Brunsvold? Will the Sponsor yield?"

Speaker McPike: "Yes."

Cowlshaw: "Thank you. Representative Brunsvold, I am sure that like myself, many of you have had calls from either home schoolers or people who have an interest in that...in that particular issue. Who have been very much concerned about what the interpretation of Amendment #4 is, and for the purposes of legislative intent, I would point out that on page 9, on line 9 of that Amendment it says the informed consent of the participating parents authorizing the home visit or in-the-home parenting training must first be obtained: Representative Brunsvold, do you mean that simply a phone call could be made and the parents says,

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

61st Legislative Day

May 19, 1993

'oh, okay, you can come over', or do they have to have permission in writing? That is, they have to have signed a form that says, it's okay for someone to come to their home."

Brunsvold: "After they've been informed, Representative, they would have to sign a document indicating that they are permitting the visit, the home visit."

Cowlshaw: "Very good. That was the principle concern of the people I talked to in the home schooling field, and I think that as long as that is the intent, then I think that any objection to this Bill would be removed. Thank you, Mr. Speaker for permitting that."

Speaker McPike: "Mr. Weaver, do you rise in opposition?"

Weaver: "Mr. Speaker, just a brief question."

Speaker McPike: "All right, fine."

Weaver: "Representative, as I understand the...in the body of the Bill it revises criteria for Special Ed reimbursement. Is that still in there, and exactly what would that provision do?"

Brunsvold: "Are you referring to Senate Bill 389? That's a Special Ed Bill."

Weaver: "No, I'm referring to Senate Bill 159."

Speaker McPike: "Would you repeat the question, please? Mr. Weaver, would you repeat the question please?"

Weaver: "Okay, it makes changes in the Special Ed reimbursement program, certain aspects of the Special Education reimbursement program. Is that...is that not still part of the Bill or..."

Brunsvold: "Those are dates, that...date changes, clarifications of dates. No major changes, min..."

Weaver: "So, it's more of a technical change than..."

Brunsvold: "Right, exactly."

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

61st Legislative Day

May 19, 1993

Weaver: "Qualification for the program? One other thing. Why are we removing the arts planning money or the arts planning program from the K through 6?"

Brunsvold: "That, that item really didn't fit into the concept of the block grants. I received a lot, personally received a lot of, of contact from...from schools around the state saying how important this fine arts program was, and I agreed with them. So, in Senate...House Amendment #1 I removed that fine arts program, \$500,000."

Weaver: "You removed it?"

Brunsvold: "Otherwise...otherwise it would have been all lumped together into...into one...one grant given out to the school districts that can then go ahead and spend that money in any...any line item..."

Weaver: "Oh, okay."

Brunsvold: "...or any area with the five block grants that they want to."

Weaver: "Yeah, I got the same kind of contacts you have, and they were worried that it was taken out entirely, but you're telling me it is not. It's simply because..."

Brunsvold: "It's separated away so the \$500,000 is going to stay there."

Weaver: "Okay."

Brunsvold: "Yeah, it's gonna stay there by itself."

Weaver: "Thank you."

Speaker McPike: "Mr. Moffitt, do you rise against this Bill? Yes, a brief question."

Moffitt: "I had a number of constituents raise the question if this Bill was going to require home schoolers to then submit lesson plans. Is that a part of it at all?"

Brunsvold: "Representative, I don't...I do not know where the home schoolers got any idea that this was gonna affect home

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

61st Legislative Day

May 19, 1993

schooling at all, because it does not."

Moffitt: "Okay, thank you."

Speaker McPike: "Mr. Black."

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

Speaker McPike: "Yes."

Black: "Representative...again for purposes of legislative intent. Is this...is this a man...a parenting mandate on the schools in any way, shape, or form?"

Brunsvold: "It's a voluntary program, Representative."

Black: "Totally voluntary."

Brunsvold: "Voluntary."

Black: "Thank you very much."

Speaker McPike: "All right and now in opposition, Mr. Salvi."

Salvi: "Thank you, Mr. Speaker. This...this Bill is similar to Bills that have been submitted in other states over the years and they've...this program is known as a 'Parents as Teachers' program or PAT program. I...I believe the Sponsors of this Bill are well intentioned, but I want the Members, of this Body, to understand what they're voting for or against when they vote on Senate Bill 159. The PAT programs throughout the country has been a failure. They've cost states a lot of money. They've been intrusive, and that is the reason that this Bill is not being presented to us as a quote, unquote "PAT program"; Parents as Teachers program. In substance, it is a PAT program, but in name, it is not. Why are they afraid to call it a PAT program? The reason is because PAT programs have failed. In Missouri, for example, just as in Illinois, just as...the PAT program began as a voluntary project and it cost states in all just a pittance \$30,000. The cost now is \$15 million and going up and it's becoming

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

61st Legislative Day

May 19, 1993

more and more intrusive and it's being expanded. Yesterday, I asked that a Amendment be placed on Senate Bill 159. To me, if in fact, the people behind this Bill truly only want to teach parents how to do diapers and be good parents, if it's just a little program that they just want to do a little thing here and there to help parents learn how to be parents, which would be good, then my Amendment should not have been offensive to anybody, but they...they oppose it and I think that's very revealing. They opposed my Amendment which simply said, "None of these soviet styled intrusions into the home and into the family, #1, #2 is; 'you're not going to have the authority to punish parents, if they fail to follow the dictates of the commissar being set up by this...this Body.' It's gonna be..."

Speaker McPike: "The question is, 'Shall Senate Bill 159 pass?' All in favor vote 'aye'; opposed vote 'no'. All right, Representative Salvi is asking for a verification if this gets over a 100 votes. Have all voted? Have all voted who wish? Have all voted who wish? Mr. Skinner to explain his vote."

Skinner: "I merely wanted to ask, Mr. Speaker, if we had changed the number of minutes that a Member is will...is able to address a Bill. Is it only five minutes?"

Speaker McPike: "Only...it depends on who's in the Chair."

Skinner: "Thank you, Sir."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Mr. Salvi has asked for a verification. Mr. Salvi, do you persist on your verification? This has 92 votes. All right, the Gentleman withdraws his request for a verification. On this Motion there are 92 'ayes', 19



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

61st Legislative Day

May 19, 1993

'noes'. Senate Bill 159, having received the Constitutional Majority, is hereby declared passed. Senate Bill 389, Mr. Brunsvold. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 389, a Bill for an Act amending the School Code. Third Reading of the Bill."

Speaker McPike: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. (Senate Bill) 389 is a Special Ed Bill of...thank you. Senate Bill 389 is a Special Ed Bill. There has been a Gentleman's agreement, on the funding of the extraordinary Special Ed child, the handicapped, severely handicapped child and that agreement had pretty much been adhered to over the years, however, because of money constraints here in Springfield, over the last year there has been a lot of kids that have been designated as extraordinary as far as needing help and that number has bloomed to 113,000 children on the program. Well, there's only so much money in this program, so the funding level now has dropped to...to a little over 30% when it used to be a 100% funding for these Special Ed children. This Bill simply puts the Gentleman's agreement in the formula to get back to what was originally used to designate these Special Ed children and it would in fact reduce the number that are on the...on the list to about 57,000 which would be funded at a much higher rate than the present 30 approximately 35% of the funding and it would get it back up over 60%, which would be about \$62 million for these Special Ed children. So, that's what the Bill does and we're working right now with the state board to try to come up with a new formula for these children. So it...I'd be happy to answer any questions, and ask for the passage of Senate Bill 389."

Speaker McPike: "And on that Motion, Representative Black."

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

61st Legislative Day

May 19, 1993

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

Speaker McPike: "Yes."

Black: "Our file shows an extensive Amendment. Amendment #1, Sponsored by Representative Brunsvold-Cowlishaw, to this Bill. Has that Amendment been adopted?"

Speaker McPike: "Mr. Clerk."

Clerk Rossi: "That Amendment has not been adopted."

Black: "It has not been adopted. Will the Sponsor yield, Mr. Speaker?"

Speaker McPike: "Yes. There are no Amendments on this Bill."

Black: "Representative Brunsvold?"

Brunsvold: "Yes."

Black: "The Speaker has informed me that there are no Amendments on the Bill."

Brunsvold: "Correct."

Black: "At one time we had talked about the Educational Service Center Amendment was going to be on this Bill. That is no longer the case, and the Bill strictly does what it was intended to do on introduction. Correct."

Brunsvold: "Now, this Bill's clean. It has nothing else on it. We were looking for a vehicle for the Regional Superintendent's Bill, but are not going to do that on this Bill."

Black: "Do we have any lists of those districts that might be adversely affected by...by this Gentleman's agreement, quote, unquote?"

Brunsvold: "Well, any district and I don't have the list in front of me, Representative, any district that is...has increased the number on the Special Ed reimbursement beyond what the Gentleman's agreement was, is going to probably lose that money."

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

61st Legislative Day

May 19, 1993

Black: "Okay, thank you very much."

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

Granberg: "Representative Brunsvold, if you would. There have been some concerns expressed that this would in fact be a drop in Special Education funds of approximately \$60 million. From my understanding of how you explained the Bill, the funds wouldn't necessarily drop, the increase, the amount per student would increase, but that doesn't necessarily mean the amount of funding for special education would drop."

Brunsvold: "No, the...I mean if we funded this at 100%, we're talking about \$160 million. If...you know and if we drop...if we drop this down to...to funding below that, there's a difference of about 95 or down to \$95 million which is about what \$70 million, but the fact is if we funded...we funded this at 100% with 113,000 kids or funded at 100% with...with the 57,000 that would qualify, that's one thing, but the fact is that we're only giving so much money in this line item, about \$62 million, so it doesn't make any difference. Do you want to fund a 100 kids at a certain rate or 50 kids at a certain rate? That's what the question becomes."

Granberg: "So, there's...so just for clarification, there is no reduction in the funding amount."

Brunsvold: "No. The funding gener...the funding remains the same, it's just that reducing the number of kids that would be extraordinary, as far as the handicapped and...would be...would fund it at a much higher rate. So. school districts really if they qualified more kids, that probably shouldn't be qualified under this extraordinary situation, then they are going to lose probably what they've put on the list."

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

61st Legislative Day

May 19, 1993

Granberg: "Thank you."

Speaker McPike: "Miss Lindner."

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

Speaker McPike: "Yes."

Lindner: "Can you tell me please how this affects the inclusion issue?"

Brunsvold: "It does not affect the inclusion issue, Representative. It does not do that."

Lindner: "By funding, though, the Special Ed program less is that going to make more students go into the inclusion program?"

Brunsvold: "It has nothing to do with that, Representative."

Lindner: "All right, thank you."

Speaker McPike: "Representative Moseley."

Moseley: "Thank you, Mr. Chairman. I rise in opposition to this Bill. I understand that the Sponsor is well intentioned when he is bringing forth a proposal from the State Board of Education, but as I understand this Bill, and as I've read the fiscal note that has been given to us by the State Board of Education, what this Bill actually does is simply make the State Board of Education look good. They are not reducing the number of handicapped students to raise the rate that the students will be receiving, they're reducing the number to raise the rates that they are impacting. In other words, to make them look better. Actually, we are not meeting our commitment in Special Education and this Bill only helps to mask that. I understand that there's been several references to a Gentleman's agreement. It's been my understanding in many years that a Gentleman's agreement usually doesn't involve Gentlemen, and I would urge a 'no' vote on this Bill. Thank you."

Speaker McPike: "Representative Davis."

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

61st Legislative Day

May 19, 1993

Davis: "Thank you, Mr. Chairman. I would just like some clarity from the Sponsor. Representative Brunsvold, could you kind of define for us the impact this legislation will have on Special Ed kids in the city?"

Brunsvold: "Yes, Representative. This...this Bill would in fact set the...the Gentleman's agreement into law which would in fact indicate that only certain reimbursement levels would qualify for...for the school districts and would reduce the number of children that have been turned in. Now, the previous Speaker indicated, Representative Davis that...that this is a Gentleman's agreement and there are not any Gentlemen here. Well, what's happening. I don't disagree with...with Representative Moseley, about this issue. We ought to be funding Special Ed with a lot more money, but we don't have that money. We haven't got it right now. So, what some of the school districts have done is they have put a lot of kids that really aren't qualifying for this program on the program and so they have expanded the number and reduces the amount of money going back to the school districts. We're down...we're at a 30% funding level now and the local school districts thought this would be a way to raise money. That's what it comes down to. This is a way of raising money."

Davis: "I see. Also, Representative where you refer to the 'regional office of education', would that be the Regional Superintendent's office?"

Brunsvold: "Yes."

Davis: "What would that be in Chicago?"

Brunsvold: "Could be your ESC's."

Davis: "The Educational Service Centers taking the responsibility..."

Brunsvold: "Yes. The Educational Service Centers replace the

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

61st Legislative Day

May 19, 1993

Regional Superintendent in Cook County."

Davis: "Representative Brunsvold, did you have several Amendments to this Bill?"

Brunsvold: "No. There's no Amendments to the Bill, Representative."

Davis: "Thank you very much."

Brunsvold: "Thank you, Representative."

Davis: "Thank you for your clarity, and I think we can support this."

Brunsvold: "Thank you."

Speaker McPike: "The question is, 'Shall Senate Bill 389 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Mr. Morrow votes 'aye'. Have all voted who wish? The Clerk will take the record. On this Motion, there are 107 'ayes', 7 'noes'. Senate Bill 389, having received the Constitutional Majority, is hereby declared passed. Senate Bill 730, Mr. Brunsvold. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 730, a Bill for an Act amending the School Code. Third Reading of the Bill."

Speaker McPike: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Farm Bureau initiative. It would require the State Board of Education from funds appropriated thereafter, there is no funds appropriated for this Bill right now, to develop, implement, administer, conduct, and operate during the 1994, 1995 school year, a pilot telecommunications instruction program for pupil...pupils in participating school districts located predominately in rural areas of the state. This initiative by the Farm Bureau to try to get some of the high tech learning that's going on in some of the metropolitan areas out to the rural

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

61st Legislative Day

May 19, 1993

areas where you can have a...a back and forth through a telecommunications network, between the teacher and students in these participating school districts."

Speaker McPike: "The question is, 'Shall Senate Bill 730 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 112 'ayes' and no 'nays'. Senate Bill 730, having received the Constitutional Majority, is hereby declared passed. Senate Bill 157, Mr. Curran. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 157, a Bill for an Act in relation to State Government. Third Reading of the Bill."

Speaker McPike: "Mr. Curran? Where's Mr. Curran? Representative Moseley, did you wish to handle this Bill? Representative Moseley? Mr. Clerk, has this Bill been read a third time? Mr. Clerk? Has the Bill been read a third time?"

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

Speaker McPike: "Representative Moseley."

Moseley: "Thank you, Mr. Speaker. As I remember this Bill, when Representative Curran has discussed it in committee, this Bill is allowing state employees to...this Bill requires the Secretary of State to conduct a feasibility study of adopting a...of adopting a uniform traffic ordinance numbering systems of all municipalities...I'm sorry, this can't be it. Can we take the Bill out of the record for a moment, Mr. Speaker, while we find the correct analysis?"

Speaker McPike: "For what? No, that's all right. Proceed."

Moseley: "Okay."

Speaker McPike: "Proceed."

Moseley: "It further amends the State Employees Insurance Act of 1971 to permit the Director of Central Management Services to adopt rules governing waiver or termination of sex

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

61st Legislative Day

May 19, 1993

appointed enrollment or reenrollment of health insurance coverage for state employees. In other words, for the Members of the General Assembly, the state employees would now be able to opt in or out of their group empl...group insurance policies. They can opt to take the employment, the insurance policies of their spouses or come back into the system. This is simply setting up the procedures to allow that to be done."

Speaker McPike: "The question is, 'Shall Senate Bill...'"

Moseley: "And I ask your favorable consideration."

Speaker McPike: "(Senate Bill) 157 pass? All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 112 'ayes' and no 'nays'. Senate Bill 157, having received the Constitutional Majority, is hereby declared passed. (Senate Bill) 188, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 188, a Bill for an Act amending the Illinois Solid Waste Management Act. Third Reading of the Bill."

Speaker McPike: "Representative Currie. Currie? Mr. Balanoff? Representative Prussing? Representative Prussing? Prussing, would you like to handle this Bill? You're the Co-Sponsor. Representative Prussing? Miss Prussing? Oh, she does. All right. Take this out of the record. There's an Amendment filed. Representative Levin, 118. (Senate Bill) 118. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 118, a Bill for an Act amending the Nursing Home Care Act. Third Reading of the Bill."

Speaker McPike: "Mr. Levin. Are there any Amendments filed? There are. All right. There's Amendments filed. Out of the record. Mr. Brunsvold, we found another one of your



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

61st Legislative Day

May 19, 1993

Bills. (Senate Bill) 411. Read the Bill, Mr. Clerk. Out of the record. Representative Salvi, 964. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 964, a Bill for an Act amending the Illinois Health Finance Reform Act. Third Reading of the Bill."

Speaker McPike: "Representative Salvi."

Salvi: "Thank you, Mr. Speaker. Senate Bill 964, is a Bill designed to save the state money, reduce the amount of paper work and to allow us to accurately assess health care costs. One of the problems that we're having is dealing with the health care crisis, is that we don't have the ability to accurately assess health care costs. This Bill will provide for one form to be used by all governmental agencies, and I would move that it be passed...I'd like to ask, Mr. Speaker, has...is...the Amendments on it right now...do we have four or five Amendments on it?"

Speaker McPike: "Mr. Clerk, how many Amendments are on the Bill?"

Clerk Rossi: "Amendments 1 and 2 have been adopted to the Bill. Amendments 3, 4, 5, and 6 are pending."

Salvi: "I'd like to bring it back to Second Reading for the purposes of adding an Amendment on it then, Mr. Speaker."

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

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

Speaker McPike: "Mr. Salvi. Mr. Salvi? It's your Amendment."

Salvi: "Could I have a minute, Mr. Speaker, I'm sorry. Floor Amendment #3...Floor Amendment #3 combines Amendments #1 and #2, it becomes the Bill. The Amendments were out of order when they were passed out of committee. This is..."

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

61st Legislative Day

May 19, 1993

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

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

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #4 is a technical Amendment which cleans up some of the language that the committee Amendments #2 and 3 did in addition and..."

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

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

Speaker McPike: "Representative Phelps."

Phelps: "Mr. Speaker, Amendment #5 actually does essentially the same thing that we passed out of here with the appropriation 1693, House Bill received 80 some votes. It sets up a financing mechanism to fund the rural health initiative. I'd be glad to answer any questions."

Speaker McPike: "The question is, 'Shall Am...on that, Mr. Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Okay. Can you explain to us what this financing mechanism is."

Phelps: "Yes, it sets up the rule of downstate health access fund which taps into 15% of the real estate inheritance tax collection, the access fund, not the actual amount that we have...anticipate here every year, but the excess amount."

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

61st Legislative Day

May 19, 1993

Wennlund: "Is this also one of the initiatives of health care costs containment counsel?"

Phelps: "I'm sorry, Larry, I didn't here you."

Wennlund: "Is this one also an initiative of the cross containment counsel?"

Phelps: "Not necessarily of their initiative. I think some language is in here to protect their counsel because of the...if financing that loan program that we passed Amendment 4 to protect their control and authority over building projects for hospitals or clinics or whatever. So, that #4 had a development financing authority...authority mechanism too for loan programs for construction projects expansion, hospital needs and medical clinics."

Wennlund: "...Does this become the Bill?"

Phelps: "Amendment #4 and 5 become the Bill. Three was cleaned up. Four was partly cleaned up and...but five becomes exactly just about what we passed out here in 1693, Larry, the rural health initiative funding."

Wennlund: "Thank you very much."

Speaker McPike: "Mr. Weaver."

Weaver: "Thank you, Mr. Speaker. A brief question of the Sponsor."

Speaker McPike: "Yes."

Weaver: "This inheritance tax money, is this the overage...or the amount of money in normal instances go to the federal government. Is this something that we're kind of short..."

Phelps: "No. To my knowledge, it's that we're experiencing a...a great amount of unexpected increase in our collection of inheritance tax and so we're not asking to dip into the funds of what we've been expecting and what the Bureau of the Budget had been anticipating, but we have now have way

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

61st Legislative Day

May 19, 1993

and above and in as much as \$40 million to \$60 million more than we anticipated, so this 15% access fund help turned into access fund would probably amount to \$4 to \$5 million per year."

Weaver: "I had been informed that the Senate identified the money as funds that would have otherwise been sent into federal government, but because of permissions in the will or court action that money will now go into the fund. Is that correct?"

Phelps: "Yeah. It's probably specified to those...by those people who passed away. Yes."

Weaver: "Okay. The point that I want to make is this is not money coming out of GRF."

Phelps: "No, definitely not."

Weaver: "Thank you."

Speaker McPike: "Yes, the answer was, Mr. Phelps, the answer was, it's not coming out of GRF, right? Mr. Phelps?"

Phelps: "Once it goes in there, it would, but this is an excess of what goes in there. Semantic problem, right?"

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

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

Speaker McPike: "Mr. Salvi."

Salvi: "Mr. Speaker, I withdraw..."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. (Senate Bill) 756, Representative Olson. Read the Bill, Mr. Clerk."

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

61st Legislative Day

May 19, 1993

Clerk Rossi: "Senate Bill 756."

Speaker McPike: "Do you want to be here Saturday and Sunday, Mr. Olson, or do you want to call this Bill?"

Clerk Rossi: "A Bill for an Act amending the Medical Practice Act. Third Reading of the Bill."

Speaker McPike: "Law, Third Reading, Representative Brady, 142. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 142, a Bill for an Act amending the Freedom of Information Act. Third Reading of the Bill."

Speaker McPike: "Representative Brady."

Brady: "Thank you, Mr. Speaker. Could I have leave to take this back to Second Reading for the purpose of a couple of Amendments, which have been filed?"

Speaker McPike: "I'm sorry, I missed what you said."

Brady: "Leave to take it to Second for a couple of Amendments."

Speaker McPike: "Yes, the Gentlemen asks leave to return to Second Reading. Leave is granted. The Bill's on Second Reading. Mr. Clerk, any Amendments?"

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

Speaker McPike: "Mr. Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Amendment is a technical Amendment, which provides for identification of in the Bill and was requested by Representative Ostenburg."

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

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

Speaker McPike: "Mr. Brady."

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

61st Legislative Day

May 19, 1993

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen. Floor Amendment #2, brings a little more responsibility to the Bill in...I believe, from those I've talked to solves...many questions and concerns with the Bill. One of the questions and concerns was the release of information...regarding witnesses when a criminal investigation was ongoing, and we had to keep those...those witnesses names secret and not allow those out, and...what this does it allows the municipality to...to not release those names, when there is an ongoing criminal investigation, and I ask for passage of that to bring the Bill a little more responsible."

Speaker McPike: "Representative Biggert."

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

Speaker McPike: "Yes."

Biggert: "Representative Brady on the Amendment #2...it indicates where a criminal investigation is ongoing. At the time that somebody would go in and request that information, how do they know whether there is an investigation at that time? Or, there could be an investigation, after those names have been released."

Brady: "The...the intent of this Amendment and the intent of the wording here is, that if the municipality who controls the information deems that there is an ongoing criminal investigation, that they can choose then to not release that information. This went through some negotiations with the Municipal League, with the media, I guess as well, and the insurance industry, that the intent of a criminal investigation would be left to the determination of the municipality which controls the information. This would give them reason not to release the information if they thought it was in the best interest of the situation."

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

61st Legislative Day

May 19, 1993

Biggert: "Well, it's my understanding that right now, if anybody goes in, they have to release...they have to release the names."

Brady: "This particular legislation was drafted because there was a judge in the Appellate Court which ruled that there might be a violation and liability in the Public Information Act, and we are trying to clear up legislative intent with this information."

Biggert: "Well, it's my understanding that in any other place other than where this judge presides, that if there is an accident, that a...an agency or the municipality will have to release the names, regardless of whether there is a criminal investigation or not. Is that correct?"

Brady: "That is correct, historically, but one of the concerns is that we have talked to many municipalities throughout the state, and if we don't pass this piece of legislation, they will all consider themselves liableless potentially bases on the ruling in that particular, by that particular judge and would cease to disseminate that information."

Biggert: "Well, do you think that this Amendment then will make it so that a municipality will decide in every case that they can not release the names in case there might be a criminal investigation, which in effect is...is making it impossible for anyone to get the names in any traffic accident."

Brady: "No, we're simply talking about where an ongoing criminal investigation is occurring, when we're talking about like a traffic accident...like a traffic ticket or something like that. That's the purpose of this. That they will release the information in that case. The purpose of when we talk about a criminal investigation is when we were talking about, lets say someone does a hit and run and someone else

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

61st Legislative Day

May 19, 1993

sees it, but they haven't found the person yet who was the provid...who did the hit and run. We would like for them to not be able to find out who that witness is until we have that individual incarcerated."

Speaker McPike: "You know, we can address this on Third Reading. Are...yeah, the Amendment's going to be adopted. The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Representative Lindner, 246. Do you want to be here Saturday and Sunday too, Representative Lindner? Is that it? Representative Erwin. Miss Erwin on 273. Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise on a point of personal privilege. We know...many Members of this Body know that we lost one of our colleagues, Bob LeFlore, earlier this month. I would just like to introduce our new Member, our newest Member to this Body who has replaced Representative Bob LeFlore, Calvin Giles. Will Calvin Giles please stand forward, and please greet our new colleague, Representative Calvin Giles."

Speaker McPike: "Representative Giles."

Giles: "I would like to say, "Good morning, glad to be here. I look forward to working with everyone. I'm new to some and some I'm sort of old, but this is going to be an experience for me, and I'm looking forward to it. Thank you."

Speaker McPike: "Representative...Mr. Clerk, are there any Amendments filed to this Bill?"

Clerk Rossi: "No Amendments are filed."

Speaker McPike: "All right. Representative Ronen, would you like



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

61st Legislative Day

May 19, 1993

to handle this Bill for your colleague? All right. Has the Bill been read a third time? Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 273, a Bill for an Act concerning domestic violence. Third Reading of the Bill."

Speaker McPike: "Representative Ronen."

Ronen: "Thank you, Mr. Speaker, Members of the House. Senate Bill 273 amends the Code of Criminal Procedure and the Domestic Violence Act to permit a law enforcement officer, who has probable cause to believe that particular weapons were used to commit an incident of above, subject to constitutional limitations, to seize those weapons. The House has already passed this, in the version of House Bill 1888, which is substantially similar. Amendment...the first Amendment to this Bill, which we adopted yesterday, provides that an 'order of protection'...to continue the 'order of protection', no new evidence need to be provided. I move 'do pass' on this Bill."

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

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

Ronen: "Yes."

Speaker McPike: "Yes."

Wennlund: "Representative...there's just a standard of a probable cause for a law enforcement officer to seize all the weapons in the house?"

Ronen: "I'm sorry, Representative. Could you repeat your question?"

Wennlund: "Yes. The standard is just if the officer has probable cause he can seize all weapons in the house?"

Ronen: "That's the...that is the original Bill, Representative. What we are doing is amending that, to provide that orders of protection...to continue an order of protection, you need no new evidence for that to be extended. So, that is

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

61st Legislative Day

May 19, 1993

current law."

Wennlund: "Did...did the Amendment become the Bill?"

Ronen: "No, it did not. No, no, it did not."

Wennlund: "So...so the language of the original Bill is still in there?"

Ronen: "Yes, it is."

Wennlund: "Thank you very much. To the Bill; the Bill provides that if a law enforcement officer has probable cause to believe that particular weapons were used to commit an incident of abuse and it says subject to the constitutional limitations, and Ladies and Gentlemen, I don't know what those constitutional limitations are, but it allows them to seize and take an inventory of all weapons in the house. Now, what constitutes probable cause, is an issue that is not solved by this Bill, and would subsequently, evidently, have to be determined by a court without any provisions for returning the weapons to the lawful owner. I think you ought to be real careful before you permit seizure laws. You know, the State of Illinois and the United States in general have gone crazy with these seizure laws, and it's now realized that they stepped over the border with these seizure laws, with seizing all kinds of assets and never returning them, and that's been a problem at the federal level with seizure laws, in drug cases for instance, and in other cases with the permit seizure. the lawful owners never get them back and the federal...the federal law enforcement agencies, and the state law enforcement agencies are not accountable to anyone for these weapons that are seized or for the proceeds of the sale of any of the assets that might be seized. It's not just guns, we are talking about, guns goes into another issue of seizure. This is the first step towards confiscation of personal

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

61st Legislative Day

May 19, 1993

sporting weapons in the state, and you ought to be real careful before you vote in favor of this. This is step one - permitting seizure of firearms. There's no mechanism to get them back and there's no mechanism under which the lawful owner can get them back, and nor would he have the access to the proceeds of any sale of these weapons. This steps beyond the border, Ladies and Gentlemen, and you ought to vote 'no' on this Bill."

Speaker McPike: "Representative Erwin."

Erwin: "Thank you, Speaker, to close. First I...I'd like to address some concerns of Representative Wenn..."

Speaker McPike: "No...not that...Miss...Representative...Representative Erwin? Representative Erwin? Not to close yet. Representative Granberg."

Granberg: "Thank you. Will one of the Sponsor's yield? Representative Erwin, the National Rifle Association is neutral on this Bill, isn't it?"

Erwin: "That is my understanding."

Granberg: "So, the National Rifle Association, which we all fight to protect...we protect the rights of gun owners, is neutral on this Bill. I rise in support of the Lady's Bill. The NRA is neutral, the Illinois State Rifle Association is a proponent. The Bill merely requires a law enforcement officer to remove a dangerous weapon from the scene when the officer has probable cause to believe that the person has been abused by a family or a household member. It provides that the law enforcement official shall return any seized weapon to that person. This protects against domestic violence. It doesn't infringe upon gun owners rights. That's why the NRA is neutral. That's why the Rifle Association is a proponent of the

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

61st Legislative Day

May 19, 1993

Bill, and it is a good piece of legislation, and it provides that there is not unlimited seizure. Those weapons shall be returned to the owner. It's a good Bill, and it protects people from domestic violence, and I rise in support."

Speaker McPike: "All right, Representative Erwin, to close."

Erwin: "Thank you, Speaker. This Bill includes two very critical provisions that can go a long way in protecting women against violence, both in their homes and elsewhere. The...the original Bill, Senate Bill 273, was approved by the Senate with 56 votes, unanimously. There was no descending votes, and as Representative Granberg has indicated, the NRA is neutral. The fact is, it is only when the weapon is believed to be involved in an incident. When there's probable cause to believe that a weapon is used to commit the incidents of abuse. Surely, we don't want to be on record to support having people hang onto weapons that are used in domestic violence cases. The second part of this Bill, is...that is so critical, is a provision that will allow us to extend an order of protection without a...without necessitating that a woman has to go back into a harmful situation and be abused again to show new evidence in a case. This is an important Bill, and I urge a unanimous roll call. Thank you."

Speaker McPike: "The question is, 'Shall Senate Bill 273 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there's 110 'ayes', 4 'noes'. Senate Bill 273, having received the Constitutional Majority, is hereby declared passed. Senate Bill 289, Representative Hoffman. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 289, a Bill for an Act amending the

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

61st Legislative Day

May 19, 1993

Code of Civil Procedure. Third Reading of the Bill."

Speaker McPike: "You have an Amendment on this Bill? You have an Amendment filed? Are you waiting for an Amendment? You can come up and table the Bill. Get it off of our list. Representative Dart, 325. Do you have an Amendment that you are waiting for? Do you have Amendments? Are you waiting for some Amendments? Mr. Dart, are you waiting for some Amendments? You are. Okay. Representative Ronen, 418. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 418, a Bill for an Act in relation to compensation for crime victims. Third Reading of the Bill."

Speaker McPike: "Representative Ronen."

Ronen: "Thank you, Speaker, Members of the House. Senate Bill 418 amends the Crime Victims Assistant Discovery Act. Current law provides that the Crime Victims Act applies to victims of first degree murder or Class X felony. This Bill will amend it to add...include victims of aggravated kidnapping, which is a Class I felony. In addition, this Act would amend the sole...the Code of Civil Procedure in order to create a civil cause of action in favor of the victim of these offenses. I move 'do pass'."

Speaker McPike: "The question is, 'Shall Senate Bill 418 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 116 'ayes', no 'nays'. Senate Bill 418, having received the Constitutional Majority, is hereby declared passed. Representative Olson, are you ready to call that Bill? Mr. Olson?"

Olson: "Thank you, Mr. Speaker. No, I would like the record to show that I would like to have been a 'yes' vote on House Bill, excuse me, Senate Bill 273. Thank you."

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

61st Legislative Day

May 19, 1993

Speaker McPike: "And the record will so reflect. Representative Parcels, 425. Representative Parcels? Are you waiting for an Amendment? Okay. Representative Santiago, 614. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 614, a Bill for an Act amending the Crime Victims Compensation Act. Third Reading of the Bill."

Speaker McPike: "Mr. Santiago."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. House Bill, I mean, Senate Bill 614, it authorizes a court of claims to pay claims for certain services for expenditures under the Act solely and directly to a person that is not the applicant. This Bill was initiated by the Court of Claims for the following reason...and as the Act currently reads, if there is an outstanding death for compensation it is awarded to the court, it's constraint to make the award to payable to the applicant and the provider. Under the current system, the court is experiencing several problems, like forgery, extortion, noncooperation, etcetera. I will be more than happy to answer any questions."

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

Wennlund: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Wennlund: "Representative, I understand your Bill, and I agree with it, and it's a good Bill. My only question is, that normally a community service and in order to make restitution or to repair the damage or remove the graffiti, are part of an order of supervision. Well, yesterday, we voted out of this House, a Bill that did away with court supervision, so how are we going to implement this if we did away with court supervision for criminal damage to

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

61st Legislative Day

May 19, 1993

property?"

Santiago: "Well, the other part of this Bill, what that Bill...basically, I'm trying to focus on the community service aspect of the Bill by trying to take the minors and trying to...and trying to help them."

Wennlund: "I agree with you...I agree with you 100 percent, but my question is....I agree with you 100 percent, and it's a good Bill, but yesterday we passed the Bill out of here that did away with court supervision under...under the terms of which supervision the court would order to repair the damage or restitution or community service. Do you understand?"

Santiago: "I...I...I, you know why you should go, Larry, you should talk to the Governor...have him veto that one and sign this one."

Wennlund: "Inaudible"

Speaker McPike: "Good idea. The question is, 'Shall Senate Bill 614 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there is 114 'ayes', and no 'nays'. Senate Bill 614, having received the Constitutional Majority, is hereby declared passed. Representative Zickus, 651. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 651, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections. Third Reading of this Bill."

Speaker McPike: "Representative Zickus."

Zickus: "Yes, we adopted the Amendments on this Bill yesterday. As it says, it's just a revisory Bill, and I ask your support for its passage. Thank you."

Speaker McPike: "Question is, 'Shall Senate Bill 651 pass?' All

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

61st Legislative Day

May 19, 1993

those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there is 110 'ayes', no 'nays'. Senate Bill 651...Flowers, Representative Flowers, 'aye'. Representative Sheehy, 'aye' and Representative...who else wants to vote 'aye'? Representative Saviano. Representative Hughes. Representative Giolitto, 'aye' and Representative Prussing, 'aye'. Representative Leitch, 'aye'. On this Motion, there are 117 'ayes' and no 'nays'. Senate Bill 651, having received the Constitutional Majority, is hereby declared passed. (Senate Bill) 652 has been extended until January, Representative Zickus, is that correct? Mr. Saviano, 678. Read the Bill, Mr. Clerk. He's waiting for an Amendment. (Senate Bill) 714, Mr. McAuliffe. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 714, a Bill for an Act in relation to peace officers. Third Reading of the Bill."

Speaker McPike: "Are there any Amendments filed on this?"

Clerk Rossi: "No Amendments are filed."

Speaker McPike: "Mr. Wennlund, would you like to handle this Bill for your colleague? Mr. Wennlund has leave. The Bill's been read a third time."

Wennlund: "Thank you very much, Mr. Speaker. The Bill amends the Criminal Identification Act, just adding language taking investigators of the Police Training Board still have access to all of the criminal background information that's normally available to the State Police, so that they can do background checks on applicants to the police academy and...that's really essentially what the Bill does, and I move for its passage."

Speaker McPike: "The question is, 'Shall Senate Bill 714 pass?'"



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

61st Legislative Day

May 19, 1993

All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Parke, 'aye'. Have all voted who wish? The Clerk will take the record. On this Motion there are 117 'ayes' and no 'nays'. Senate Bill 714, having received the Constitutional Majority, is hereby declared passed. Senate Bill 759. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 759, a Bill for an Act in relation to the sentencing hearings. Third Reading of the Bill."

Speaker McPike: "Representative Cross."

Cross: "Thank you, Mr. Speaker, Members of the House. There should be an Amendment on here that was discussed yesterday that requires the Circuit Court or the court to add a fine or a surcharge to every fine for a weapons violation in the amount of 25% of the fine. This surcharge would be then deposited into the trauma center fund. The other part of this Bill requires the Criminal Justice Authority to prepare and submit to the Circuit Court annually, it's societal crime...impact statement. I don't know of any opposition to either the Bill or the Amendment, and I would ask for a favorable vote."

Speaker McPike: "The question is, 'Shall...the Amendment has been adopted. Mr. Black."

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

Speaker McPike: "Yes."

Black: "The Amendment that was distributed to the Members of the Body yesterday is not printed correctly. It has...it has part of one Amendment on the first page and a totally separate LRB number on the second page. I just don't want anybody to think we're trying to pull a fast one."

Speaker McPike: "That's a printing unit error only. The...the

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

61st Legislative Day

May 19, 1993

correct Amendment is in the file."

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

Speaker McPike: "Mr. Hoffman."

Hoffman: "Does the Sponsor yield?"

Speaker McPike: "Yes."

Hoffman: "This has nothing to do with...with those passed last year, a \$5.00...\$5.00 per ticket that goes to trauma's fund, and is it your intent...it is my understanding that it is your intent. Number one, does it have anything to do with that?"

Cross: "Yeah. That's correct."

Hoffman: "It does...it doesn't change what we passed last year?"

Cross: "No, it is our intent to work with the Senate on your idea..."

Hoffman: "Okay."

Cross: "Concerning the..."

Hoffman: "Doubling them with federal match. Thank you."

Speaker McPike: "The question is, 'Shall Senate Bill 759 pass'? The question is, 'Shall Senate Bill 759 pass'? All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there is 113 'aye'...115 'ayes'; no 'nays'. Senate Bill 759 having received the Constitutional Majority is hereby declared passed. Senate Bill 778, Schakowsky. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 778, a Bill for an Act amending the Code of Civil Procedure. Third Reading of the Bill."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you Speaker and Ladies and Gentlemen of the House. I'd like to have permission to bring this Bill back to Second Reading for purposes of an Amendment."

Speaker McPike: "The Lady asks leave to return the Bill to Second

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

61st Legislative Day

May 19, 1993

Reading. Leave is granted. The Bill's on Second Reading.  
Mr. Clerk, any Amendments?"

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

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker. This is legislation that passed this House with bipartisan support in an overwhelming vote. It's a Bill that would provide additional funds for legal assistance agencies. It applies only to Cook County. It would generate an additional \$216,000 in fees that will be charged by...at for filing fees at the court. It's supported by the Clerk of the Circuit Court of Cook County and supported by the Cook County Bar Association, and I would urge support of Amendment #1."

Speaker McPike: "And on that Motion, Representative Biggert."

Biggert: "Thank you, Mr. Speaker. A point of inquiry to the Chair. Is this Amendment germane to the Bill?"

Speaker McPike: "Mr. Clerk, give us the Amendment, please. Representative Schakowsky, the Amendment is not germane. Representative Schakowsky, what is your pleasure at this point? The Bill's on Second Reading."

Schakowsky: "Take it out of the record."

Speaker McPike: "Out of the record. Representative Gash, 786. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 786, a Bill for an Act amending the Criminal Code of 1961. Third Reading of the Bill."

Speaker McPike: "Representative Gash."

Gash: "Senate Bill...Senate Bill 786 is a Bill that I was asked to carry by the States Attorney's Association. It provides that any person who offers a person who is not his or her spouse any money to perform any act of sexual penetration

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

61st Legislative Day

May 19, 1993

or any touching or fondling for the purpose of sexual arousal, commits the offense of solicitation of a sexual act, and I ask for your 'aye' vote. Basically, this is a Bill that is designed to prosecute those who frequent prostitutes without having to prove that that person is in fact a prostitute; and, therefore, would allow for the prosecution of people who solicit someone who is, in fact, an undercover cop."

Speaker McPike: "Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "If I heard you correctly, your statement was is that the Bill is designed to permit the prosecution of a prostitute without having to prove that she's a prostitute?"

Gash: "Permit prosecution of somebody who solicits someone they believe to be a prostitute, who in fact is an undercover cop."

Wennlund: "So, wait a minute now. So, you don't...how can you solicit a..."

Gash: "If they solicit someone who they believe to be a prostitute, and it's later determined that that person is not in fact a prostitute but rather an undercover cop, they could be prosecuted."

Wennlund: "What? How does this...how does this change existing law?"

Gash: "Under existing law it's very difficult to prove because it's an in code offense. This makes it an actual offense to solicit that person for those purposes."

Wennlund: "But, that's not the law currently? Is there a problem prosecuting under the current law?"

Gash: "One of the elements of the current offense, is that the

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

61st Legislative Day

May 19, 1993

person solicited has to be a prostitute."

Wennlund: "Well, there's prosecutions all the time for people soliciting for prostitution to undercover cops."

Gash: "And the states attorneys...and the courts are throwing them out in some jurisdictions, and that's why the States Attorney's Association has asked us to bring this Bill."

Wennlund: "Was there a particular incident that..."

Gash: "Representative, if you have a conflict of interest, I suggest that you vote 'present'."

Wennlund: "Well, if you don't want to tell us what's behind this Bill, then maybe we shouldn't vote for it. But, maybe it applies to lobbyists."

Speaker McPike: "Representative Skinner."

Skinner: "I wonder if the Sponsor believes that this should be...that conviction of this offense should result in the revocation of a teachers certificate."

Speaker McPike: "Representative Davis."

Davis: "As a follow up to Representative Skinner, how about a superintendent's certificate."

Speaker McPike: "Right. Representative Hannig..."

Davis: "No. To the Sponsor. I would like to know what is the current offense? I see your Bill says it will become a Class A misdemeanor. What is it currently?"

Gash: "That's been amended to be a Class B misdemeanor."

Davis: "A Class B."

Gash: "Yes."

Davis: "What sentence does a Class B get?"

Gash: "Six months or a \$1000 fine, or both."

Davis: "Six months where?"

Gash: "County jail."

Davis: "Cook county jail, where they're already putting people. They want to send em to Kendall County, cause they don't

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

61st Legislative Day

May 19, 1993

have enough room to place them."

Gash: "That's a maximum sentence."

Davis: "The maximum sentence is six months in jail. Is this for the prostitute or the person seeking those services?"

Gash: "Person seeking those services."

Davis: "Well, my question would just be, where we're going to put them."

Gash: "This is a fairness issue. The prostitute can be sent to jail."

Davis: "My concern is the fact that the prisons and the Cook county jail system is terribly overcrowded, and my concern is just that we're continuing to create a situation in which our county is being fined on a daily basis because the jail is overcrowded. That's my concern."

Gash: "I understand your concern. We balance a lot of things, and we're trying to do what we think is best here."

Speaker McPike: "All right. Representative Hannig, to close. The question is, 'Shall Senate Bill 786 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Zickus, to explain her vote. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there is 106 'ayes', 9 'noes'. Senate Bill 786, having received a Constitutional Majority, is hereby declared passed? Representative Homer, 902. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 902, a Bill for an Act to create the offenses of vehicular hijacking and aggravated vehicular hijacking. Third Reading of this Bill."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. We've discussed this Bill when it was a House Bill, Representative Novak had it. It's the car jacking Bill...car hijacking Bill that makes for

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

61st Legislative Day

May 19, 1993

consistent penalties with armed robbery, and makes it an elevated offense where the victim is over the age of 60 years. This is to address that situation that an assailant takes a car away from an individual, from their presence, and it's a growing problem in this state as it is in the nation. We need to make it tough crime and send a strong signal to the perpetrators of this offense. The Bill is not in any way opposed by the Department of Corrections. I would urge favorable support."

Speaker McPike: "The question is, 'Shall Senate Bill 902 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there's 115 'ayes' and no 'nays'. Senate Bill 902, having received a Constitutional Majority, is hereby declared passed. Mr. Ryder, on 906. You waiting for an Amendment? Is it printed? All right. The Gentleman asks leave to return to Second Reading. Leave is granted. The Bill is on second. Mr. Clerk, any Amendments?"

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

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. This Amendment adds provisions that the failure of an officer to answer a subpoena shall be considered grounds for a continuance, if in the court's discretion, the continuance is appropriate. I have committed to Representative Hoffman and Representative Homer, in committee, that I would produce language that was acceptable to them. I wish to represent that they have had the opportunity to see this language, and I do not know of any objection. In fact, I believe it is acceptable to them. I would move its adoption."

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

61st Legislative Day

May 19, 1993

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Representative DeJaegher. Mr. DeJaegher. (Senate Bill) 132. A Motion on Senate Bill 132."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. Senate Bill 132 was passed by a large majority, but I'd like to have a Motion to reconsider the vote."

Speaker McPike: "The Gentleman moves to reconsider the vote by which Senate Bill 132 passed and as last week, hearing no objections, the Attendance Roll Call will be used, and the Motion carries, and the House does reconsider the vote by which Senate Bill 132 passed and the Bill is now on Third Reading. Representative Flowers, 1078. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1078, a Bill for an Act in relation to the destruction, vandalization, or defacing of mass transportation authority property and other property. Third Reading of this Bill."

Speaker McPike: "Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. I move for the passage of Senate Bill 1078. Again, it deals with vandalisms and is a very good piece of legislation."

Speaker McPike: "The question is, 'Shall Senate Bill 1078 pass?' All in favor vote 'aye'; opposed vote 'no'. Mr. Black, to explain his vote."

Black: "Thank you very much, Mr. Speaker. I didn't get a chance to ask a question. I know this a graffiti Bill, but there's nothing in this Bill, if you'll nod your head, that



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

61st Legislative Day

May 19, 1993

outlaws the sale of spray paint at retail, that's all been taken out. I remember we had that last year. Okay, thank you."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. Mr. Black votes 'aye'. And on this Motion, there are 115 'ayes'; no 'nays'. Senate Bill 1078, having received a Constitutional Majority, is hereby declared passed. House Bill 90, Mr. McAfee. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 90, a Bill for an Act amending the Illinois Public Library District Act. Third Reading of the Bill."

Speaker McPike: "Representative McAfee."

McAfee: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. The Bill amends the Public Library District Act. It eliminates dual filings of financial reports and moves up the filing date. This Bill has been proposed by the Illinois Library Association and is supported by the Secretary of State. I know of no opposition. I urge your support."

Speaker McPike: "The question is, 'Shall Senate Bill 90 pass?' All those in favor vote 'aye'; opposed vote 'no'. Mr. Wennlund."

Wennlund: "Amendment #1 is on the Bill?"

Speaker McPike: "Mr. Clerk?"

Clerk Rossi: "Amendment #1 has been adopted to the Bill."

Speaker McPike: "Thank you. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there's 114 'ayes'; no 'nays'. Senate Bill 90, having received a Constitutional Majority, is hereby declared passed. Senate Bill 371, Representative Cowlshaw. Read the Bill, Mr. Clerk."

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

61st Legislative Day

May 19, 1993

Clerk Rossi: "Senate Bill 371. The Bill has been read a third time previously, and is on postponed..."

Speaker McPike: "This is on postponed consideration. I think we better take this out of the record. Miss Cowlshaw's not here is she? Representative Cowlshaw? Mr. Lang, on 707. Representative Kubik, 387. (Senate Bill) 387. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 387, a Bill for an Act amending the Hotel Operators Occupation Tax Act. Third Reading of the Bill."

Speaker McPike: "Any Amendments filed to this Bill?"

Clerk Rossi: "No Amendments are filed?"

Speaker McPike: "Mr. Wennlund, would you like to handle this for your colleague?"

Wennlund: "Thank you, Mr. Speaker."

Speaker McPike: "It's a shell Bill with no Amendments?"

Wennlund: "Correct."

Speaker McPike: "It's a shell Bill with no Amendments? So, its going to the Governor?"

Wennlund: "Take it out of the record."

Speaker McPike: "I think we'd better take that out of the record. (Senate Bill) 402, Representative Balthis. (Senate Bill) 706, Mr. Capparelli. Ralph Capparelli? (Senate Bill) 706. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 706, a Bill for an Act amending the Cook County Forest Preserve District Act. Third Reading of the Bill."

Speaker McPike: "Do you want to stay Saturday and Sunday Mr. Capparelli? Representative Giorgi, 1085. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1085, a Bill for an Act concerning sanitary districts. Third Reading of the Bill."

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

61st Legislative Day

May 19, 1993

Speaker McPike: "Mr. Giorgi."

Giorgi: "Mr. Speaker, Senate Bill 1085 authorizes the larger sanitary districts of Illinois to comply with federal court mandates and federal EPA fines by allowing them to levy taxes in order to pay those fines."

Speaker McPike: "The question is, 'Shall Senate Bill 1085 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Giorgi, perhaps you didn't explain it well enough. No one talked against the Bill and the Chair had the impression that it was gonna fly, you know. Mr. Giorgi."

Giorgi: "Mr. Speaker, by request...by your request, I introduced the Bill, and by your request I put the Bill up for passage. But, Mr. Speaker, if the people of Illinois and the people of the General Assembly understood...clear air, clean water and a safe environment, they're gonna have to allow sanitary districts to do the cleanup, and if the federal courts and EPA say they're in violation, they're gonna have to pay a fine, raise the money to do this. You can't do it without issuing bonds, and then retiring the bonds with a tax levy. That's very simply as I can make it. Now, if you gonna be a hypocrite, go to your environmentalist in the Sierra Club and tell them what a protector of the environment you are. Well, tell them about this Bill that you wouldn't vote to allow the cleanup, to allow the moneys to do these cleanups, so that you can have safe water, clean air and a safe environment. So, let the record indicate that this is the consensus of the General Assembly."

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

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

61st Legislative Day

May 19, 1993

rise?"

Stephens: "Well, I'm sure this would have done better if we'd have taken it back to second for that Amendment that I wanted so bad."

Speaker McPike: "That's right. Mr. Giorgi, would you like to take it back to Second Reading?"

Giorgi: "No Sir. He's a very honorable Legislator, but I don't want to contaminate my Bill with a weaker version."

Speaker McPike: "Mr. Black."

Black: "Yes, an inquiry of the Chair? Mr. Speaker, could you have the electrician check Representative Giorgi's microphone. I think the problem is we could understand him, so there's something wrong with his microphone."

Speaker McPike: "Representative Giorgi, they can talk all day. I'm gonna hang with ya on this."

Giorgi: "Your honor. Mr. Speaker, I really used clarity because Bill Black asked me to. But, again, it's on your conscience. Don't go back home and tell your people you want clean air, clean water, protect the environment, cause you won't provide the funds to do this. So, let this sin be on your souls."

Speaker McPike: "Representative Giorgi, was this for Rockford? Was this for the City of Rockford? Is that what this Bill was for?"

Giorgi: "Rockford's ahead of the pack. We take our care of our problems. We never come down to Springfield and cry about problems, that's for the rest of the State."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 23 'ayes'; and 87 'noes', and Senate Bill 1085, having failed to receive the Constitutional Majority, is hereby declared lost. Mr. Lang, 383. Mr. McAuliffe, 542. Read the Bill,

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

61st Legislative Day

May 19, 1993

Mr. Clerk."

Clerk Rossi: "Senate Bill 542, a Bill for an Act amending the Space Needs Act. Third Reading of the Bill."

Speaker McPike: "He's waiting for an Amendment, and that is the end of Third Reading. Somebody tell the Speaker it's 11:49, and we've finished Third Readings. Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. You announced that...that was the end of the Third Readings. On the Special Order of Business, under State and Local Government, Third Reading, is Senate Bill 1083."

Speaker McPike: "I apologize. Mr. Clerk, read the Bill. (Senate Bill) 1083."

Clerk Rossi: "Senate Bill 1083, a Bill for an Act amending the Fire Protection District Act. Third Reading of the Bill."

Speaker McPike: "Mr. Clerk, take this out of the record. Mr. Wennlund, the Chair had already announced that we had finished Third Readings. So, that thing was too late, we'll have to do that tomorrow. Second Readings. We're on Second Readings. Representative Dunn. Mr. Dunn in the chair. Is that Senate Bill 157? Representative Curran, having voted on the prevailing side, moves to reconsider the vote by which Senate Bill 157 passed; and hearing no objections the Attendance Roll Call will be used and that Motion carries, and the House reconsiders the vote by which Senate Bill 157 passed, and the Bill is now on Third Reading. Representative Dunn in the chair."

Speaker Dunn: "Special Order of Business, Consumer Protection, Second Reading, appears Senate Bill 139, Representative Pankau. Mr. Clerk, please read the Bill. Senate Bill 139."

Clerk Rossi: "Senate Bill 139. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment

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

61st Legislative Day

May 19, 1993

#1, offered by Representative Pankau."

Speaker Dunn: "The Lady from DuPage, Representative Pankau, on Floor Amendment #1."

Pankau: "I urge you to support Amendment #1. This clarifies the language as it deals with newspapers and job type newsletters. This was an agreed Amendment between Representative Schakowsky and myself and Senator Karpel when we met in her office, and I urge your support."

Speaker Dunn: "Is there discussion on the Amendment? Seeing none, the Lady moves for the adoption of Amendment #1 to Senate Bill 139. Those in favor vote 'aye'; those opposed vote 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, are there further Amendments?"

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

Speaker Dunn: "The Lady from DuPage, Representative Pankau. Floor Amendment #2."

Pankau: "This is an initiative by the Attorney General, Roland Burris. It deals with the Career Counseling and Outplacement Consumer Protection Act, and what in essence it does, is it strengthens the ability with which they can enforce the present ordinances and regulations, and I urge your support on this also. This is also agreed with Senator Karpel."

Speaker Dunn: "The Lady moves for adoption of Floor Amendment #2 to Senate Bill 139. All those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. Special Order of Business, Environment and Energy, Second Reading, appears Senate Bill 186, Representative Novak. Representative Novak, do you

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

61st Legislative Day

May 19, 1993

wish to have your Bill called, Sir? Out of the record. Senate Bill 240, Representative Lang. Out of the record. On the Order of Health Care and Human Services, Second Reading, appears Senate Bill 99, Representative Stroger. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 99. The Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. Floor Amendment #2, offered by Representative Skinner."

Speaker Dunn: "Out of the record. Senate Bill 677, Representative Rutherford. Do you wish to have your Bill called, Sir? Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 677. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Wojcik."

Speaker Dunn: "The Lady from Cook, Representative Wojcik, on Floor Amendment #1."

Wojcik: "Thank you, Mr. Speaker and Members of the House. Amendment #1 is actually a Bill that I presented in Health and Human Services, and it passed the House here on the Agreed Bill List. When it got to the Senate, it got caught up in the Rules; and so, therefore, I am presenting it again. It amends the Department of Public Health Act to create the Osteoporosis Prevention and Education program. It requires the Department of Public Health, utilizing available federal funds, state funds appropriated for this purpose, or other available funding to establish, promote and maintain an Osteoporosis Prevention and Education program to promote public awareness. I ask its favorable passage."

Speaker Dunn: "The Gentleman from Livingston, Representative Rutherford, on the Amendment."

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

61st Legislative Day

May 19, 1993

Rutherford: "I stand in support of the Amendment."

Speaker Dunn: "The Lady moves for adoption of Floor Amendment #1 to Senate Bill 677. Those in favor say 'aye; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

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

Speaker Dunn: "The Gentleman from Rock Island, Representative DeJaegher, on Floor Amendment #2."

DeJaegher: "Withdraw Amendment #2."

Speaker Dunn: "The Gentleman withdraws Amendment #2. Are there further Amendments, Mr. Clerk?"

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

Speaker Dunn: "The Gentleman from Rock Island, Representative DeJaegher, on Floor Amendment #3."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. Amendment #3 is formerly House Bill 950, and it...when it come (sic - came) out of the House with no dissenting votes...withdraw Amendment #3."

Speaker Dunn: "The Gentleman withdraws Amendment #3. Are there further Amendments, Mr. Clerk?"

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

Speaker Dunn: "The Gentleman from Rock Island, Representative DeJaegher on Floor Amendment #4."

DeJaegher: "Thank you Mr. Speaker and Members of the General Assembly. I forgot my numbers I guess; but, again, to give you a brief explanation. Amendment #4 is similar to House Bill 950. This Bill went out of the House with no dissenting votes. It's an awareness that we're trying to convey to various drug manufacturers. It's basically



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

61st Legislative Day

May 19, 1993

voluntary in scope. It's similar to legislation in Pennsylvania and New Jersey; but, of course, this is all voluntary of nature, and I ask for support of Amendment #4 to House Bill...Senate Bill 677."

Speaker Dunn: "The Gentleman from Livingston, Representative Rutherford, on Amendment #4."

Rutherford: "I stand in support of the Amendment as well."

Speaker Dunn: "Representative DeJaegher moves for the adoption of Floor Amendment #4 to Senate Bill 677. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. Senate Bill 712, Representative Balanoff. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 712. The Bill has been read a second time previously. Amendments #1 and 2 have been adopted to the Bill. No Motions filed. Floor Amendment #3, offered by Representative Balanoff."

Speaker Dunn: "The Gentleman from Cook, Representative Balanoff, on Floor Amendment #3."

Balanoff: "We'd like Amendment #3 withdrawn."

Speaker Dunn: "The Gentleman withdraws Floor Amendment #3. Are there further Amendments, Mr. Clerk?"

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

Speaker Dunn: "Representative Balanoff."

Balanoff: "Amendment #4 to Senate Bill 712 would provide that the Department of Public Health in cooperation with counties or municipal health department 'may' establish permanent, temporary or mobile sites for immunizing children, or referring parents to other programs that provide

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

61st Legislative Day

May 19, 1993

immunizations and comprehensive health care services; and we had hoped that these immunization sites would be public places...where parents of children at high risk of remaining unimmunized reside, shop, work, worship, or recreate; like school grounds and others like that."

Speaker Dunn: "The Gentleman moves for adoption of Floor Amendment #4 to Senate Bill 712. Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. Special Order of Business, Law, Second Reading, appears Senate Bill 25, Representative Dart. Is Representative... Out of the record. Senate Bill 231, Representative Cross. Out of the record. Senate Bill 433, Representative Turner. Representative Turner? Out of the record. Senate Bill 560, Representative Mautino. Senate Bill 560, Representative Mautino. Do you wish your Bill called, Sir? Out of the record. Oh, pardon me. Let's go back to Senate Bill 560. Representative Mautino wishes to have his Bill called. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 560. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman."

Speaker Dunn: "Representative Hoffman, on Floor Amendment #1."

Hoffman: "Withdraw Amendment #1."

Speaker Dunn: "The Gentleman withdraws Amendment #1. Are there further Amendments, Mr. Speaker...or Mr. Clerk?"

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

Speaker Dunn: "Floor Amendment #2, offered by Representative

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

61st Legislative Day

May 19, 1993

Ostenburg. Representative Ostenburg, on Amendment #2. The Gentleman withdraws Amendment #2. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. Senate Bill 560, Representative Mautino, do you wish to call your Bill on the order of Third Reading? Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 560, a Bill for an Act in relation to construction contracts. Third Reading of the Bill."

Speaker Dunn: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Members of the House. Senate Bill 560 came out of the Senate 59 to 0. It's now been returned to its original form, and what this does is for subcontractors if there's an action on a lien, it will be require it to follow Illinois law. The second section of this Bill says that if you are a contractor, you cannot require a subcontractor to waive his right to file a lien against construction bond prior to being paid. I ask for favorable support."

Speaker Dunn: "The Lady from DuPage, Representative Biggert, on the question."

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

Speaker Dunn: "Indicates he will."

Biggert: "Thank you. Representative, under this legislation would the subcontractor still have contractual rights?"

Ostenburg: "Excuse me?"

Biggert: "Under current law, subcontractors have statutory rights through the Mechanics Lien Act and also contractual rights which give them dual protection. If this legislation is enacted, would this negate their contractual rights?"

Ostenburg: "To the best of my knowledge, I don't believe that it

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

61st Legislative Day

May 19, 1993

will. What the legislation does is says that a subcontractor cannot be required to sign a waiver of lien against a bond prior to being paid. Where this came from; is a local contractor had signed with an out-of-state contractor to do some work, and the contractor went ahead, took another job and hadn't paid him. Now, in order to get the contract in the first place, he had waived his right to put a lien against the bond. So, this protects our local contractors. The contractors here have signed off on the Bill. I don't know of any other talks that have come up regarding it, and the...this will have costs or impact on housing affordability."

Biggert: "Okay. Well, I think that under...one other question then. If a subcontractor, at present time, if they sign a waiver of lien, and what happens a lot, is that the contractor has not been paid yet. I mean that's the fact of the matter. Here, if a title company is holding payment, and they now rely on the fact that the subcontractor has filed the waiver of lien, what will happen if they can no longer rely on that? Will they have to contact the subcontractor directly to make sure that they've been paid?"

Ostenburg: "Okay. Under...what this would do is, and that's a good question, I've been asked that, as far as the contractor in the title insurance company, it will make...right now, they can file before or after being paid. What this does, is takes the requirement out. So, the title insurance company may have to do some additional checking. I think that they should...this is necessary for them to go out and provide the best possible rates that they should check the liens that come through. So, in answer, they probably would have to do some additional

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

61st Legislative Day

May 19, 1993

checking."

Biggert: "So, this really is a major change in the law then, as far as waiver of liens?"

Ostenburg: "As far as the waiver of liens go, what this says is; you as a contractor cannot require me to sign away my right to be paid for a job that I've done prior to being paid, and I think it's an excellent protection for Illinois contractors, and fully support it."

Biggert: "All right. Thank you. To the Bill, Mr. Speaker. I have a problem with this, in that it's created an ambiguity with payment to subcontractors that the title company can no longer rely on the statement of Labor of Lien that it's been paid, and so they're going to have deal with all of the subcontractors directly, rather than being able to deal with the contractor. I also have a problem with that this leaves the subcontractor no longer having any contract rights, and I would oppose this Bill."

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

Levin: "Would the Sponsor yield?"

Speaker Dunn: "He indicates he'll yield."

Levin: "Okay. Representative, I'm not sure if it was this Bill or another Bill dealing with contractors that the various title companies have a problem with. Do you know what the position is in terms of Chicago Title and Trust Company, Land Title Association, and others, the mortgage bankers on this Bill?"

Ostenburg: "I believe that the title companies are in opposition."

Levin: "They are in opposition to this? Okay, then we are to...my understanding is that there concern is that this would delay their ability to close on a sale, that it would require additional work involving additional individuals

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

61st Legislative Day

May 19, 1993

prior to the sale of real estate. Is that correct?"

Ostenburg: "That objection was not expressed to me. When I met with some of the title insurance folks, they stated that they were worried about it raising the cost of housing. So, I went ahead and got the affordability impact note, and the statement in the summary of this, in the conclusions from the housing authority say that the proposed legislation would disallow construction contracts to include certain provisions. These provision relate to the construction pay out practices during the period, and should not affect the overall cost. So, whether the subcontractor signs a lien prior to, or after being paid, I don't believe will have an affect. I think that it's an additional protection which is necessary for our contractors."

Levin: "Okay. Very honestly, I'm not sure if this is the Bill that they had the concern about with respect to requiring contacting of additional individuals and, therefore, delaying closing or if it was another Bill on contractors. You don't know?"

Ostenburg: "On that, no I...I can find out for ya, but it...maybe someone on staff would have that."

Levin: "Thank you."

Speaker Dunn: "Have your concluded your remarks, Representative Levin? Seeing no further discussion, the Gentleman from Bureau, Representative Mautino to close."

Mautino: "Thank you Mr. Speaker, Members of the House. This is an issue which is very important to protect the contractors, and I think we'll set the basis in law according to Illinois law if they are being...if there's an action taken by an out-of-state general contractor. Appreciate your 'aye' votes."

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

61st Legislative Day

May 19, 1993

Speaker Dunn: "The question is, 'Shall Senate Bill 560 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Vote Representative Granberg 'aye' please. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 50 voting 'aye', 55 voting 'no', 10 voting 'present', and the Gentleman requests postponed consideration. On the Order of Local Government, Second Reading, appears Senate Bill 192, Representative Hoffman. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 192. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Tenhouse."

Speaker Dunn: "Representative Tenhouse, on Floor Amendment #1."

Tenhouse: "Yes, thank you Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 would allow us to clean up a problem, because what's happening is, Adams County has applied for a federal grant so that they could continue to operate the longest continuous operating ferry on the Mississippi river. Because of an accident last December, two people were killed in a freak accident, and the county is taking over the operation of the ferry and trying to obtain a federal grant. But, unfortunately, because of a nuance in the law; there was the ability...they did not have the ability under the state law to operate that ferry, that would come under the cities. Well, we've rectified that, cleared this with the Illinois Municipal League, and I think IDOT and everyone else has agreed to it. I would urge your favorable consideration, and I thank Representative Hoffman for allowing me to attach it to his

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

61st Legislative Day

May 19, 1993

Bill."

Speaker Dunn: "The Gentleman from Clinton, Representative Granberg, on the Amendment."

Granberg: "Will the Gentleman yield?"

Tenhouse: "Yes."

Granberg: "Representative, how many counties does this impact? I'm sorry, I didn't hear the..."

Tenhouse: "Just Adams County."

Granberg: "Just Adams County, where that accident took place?"

Tenhouse: "That's...and we cleared it with the Illinois Municipal League, because under the present law, cities could operate a ferry, counties can't."

Granberg: "Thank you."

Speaker Dunn: "The Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Yes, Mr. Speaker. This is...this Amendment is fine with me, I ask that it be adopted."

Speaker Dunn: "Representative Tenhouse moves for adoption of Floor Amendment #1 to Senate Bill 192. Those in favor of the Amendment say 'aye'; those opposed say 'no.' The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

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

Speaker Dunn: "The Gentleman from St. Clair, Representative Hoffman, on Floor Amendment #2."

Hoffman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. This is really just a technical Amendment by clearing up the intent of the Bill by adding the word after corporate fund, general corporate fund, to also be; it adds the word 'general corporate or...'"

Speaker Dunn: "The Gentleman moves for the adoption of Floor



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

61st Legislative Day

May 19, 1993

Amendment #2 to Senate Bill 192. Those in favor of the Amendment...Representative Skinner, on the Amendment."

Skinner: "Mr. Speaker, I'm sure the Gentleman didn't mean to mumble. But, I did not hear what the Amendment did."

Tenhouse: "Basically, all it does right...the Bill...I guess I have to explain the Bill a little bit. This would authorize counties to establish a special fund for capitol improvement repairs or replacement and appropriate in the fund the county's annual budget, an amount not to exceed 3% of the county's general corporate fund. This says the general corporate fund, or operating fund. This adds the word 'or operating', that's all it does. Because some counties don't call it a general corporate fund, they call it an operating fund. So,..."

Skinner: "All right. So, there's an 'or' there not an 'and', correct? Thank you."

Tenhouse: "Yes."

Speaker Dunn: "The Gentleman moves for adoption of Floor Amendment #2 to Senate Bill 192. Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. Senate Bill 531, Representative Brunsvold. Representative Brunsvold. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 531. The Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. Floor Amendment #2, offered by Representative Brunsvold."

Speaker Dunn: "Representative Brunsvold, on Floor Amendment #2."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentleman of

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

61st Legislative Day

May 19, 1993

the House. Amendment #2 incorporates what we had in House Bill 1591, which was really an agreed Bill at that point. It went out of here with 100 votes, and I've also included in that Amendment the substantive language in Mahar's Bill that we stripped in committee. I, however, did not put the funding in there. We are in negotiations right now to try to come up with a Bill that we can agree on as far as the surcharge for cellular phones. We're meeting again tomorrow, and I would ask that we adopt this Amendment, send it to the Senate, and put this into Conference Committee."

Speaker Dunn: "The Gentleman moves for adoption of Floor Amendment #2 to Senate Bill 531. There being no discussion, those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. Senate Bill 571, Representative Cross. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 571. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative DeJaegher."

Speaker Dunn: "The Gentleman from Rock Island, Representative DeJaegher, on Floor Amendment #1."

DeJaegher: "Amendment #1 to Senate Bill 571 was formerly House Bill 1120 that deals with agriculture. Representative Black is a hyphenated Sponsor of this legislation. When we debated the Bill on the Floor, the Bill went out of this House without any opposition, without any opposition of any kind, and I think it's essential that we program and implement and provide more substance to our #1 agriculture product in the State of Illinois, and this is what it deals

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

61st Legislative Day

May 19, 1993

with, exporting. I move for passage of Floor Amendment #1 to Senate Bill 571."

Speaker Dunn: "Is there discussion? The Gentleman from Kendall, Representative Cross, on the Amendment."

Cross: "I'm supportive on this Amendment, and I likewise would ask for a favorable vote on it. Thank you."

Speaker Dunn: "Representative DeJaegher moves for adoption of Floor Amendment #1 to Senate Bill 571. Those in favor of the Amendment say 'aye'; those opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. The Gentleman from Livingston, Representative Rutherford. For what purpose do you rise, Sir?"

Rutherford: "Thank you, Mr. Speaker. A point of personal privilege. I'd like to take this opportunity to introduce a very good friend of mine, also a good friend of most of the Members in this General Assembly. He's a good law enforcement officer, and administers one of the largest state's attorneys offices in the United States. The Honorable, Jack O'Mally, the state's attorney from Cook County is with us today."

Speaker Dunn: "On the order of Public Utilities, Second Reading, appears Senate Bill 770, Representative Shirley Jones. Shirley Jones. Out of the record. Special Order of Business, Revenue, Second Reading, appears Senate Bill 522, Representative Daniels. Out of the record Senate Bill 664, Representative Kubik. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 664. The Bill has been read a second time previously. Amendment #1 has been adopted to the

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

61st Legislative Day

May 19, 1993

Bill. No Motions filed. No Floor Amendments."

Speaker Dunn: "Third Reading. The Gentleman from Cook, Representative Kubik."

Kubik: "Mr. Speaker, I've risen on 522. We want to leave Senate Bill 664 on Second Reading. But, I was wondering if the Amendment for 522 has been printed and distributed?"

Speaker Dunn: "I believe we moved Senate Bill 664 to the order of Third Reading. Do you wish to ask leave to return it to second, Representative Kubik?"

Kubik: "Yes I do. I would request..."

Speaker Dunn: "Gentleman requests leave to return Senate Bill 664 to the order of Second Reading."

Kubik: "Thank you, Mr. Speaker."

Speaker Dunn: "Does the Gentleman have leave? Hearing no objection, leave is granted. Senate Bill 664 shall be returned to the order of Second Reading. Now with regard to Senate Bill 522, what is your inquiry, Sir?"

Kubik: "My inquiry of the Chair is whether the Amendment, the Floor Amendment which Representative Currie is offering, it has been printed and distributed?"

Speaker Dunn: "The Clerk advises that the Amendment has been printed and distributed."

Kubik: "So, I...why don't we call the Bill?"

Speaker Dunn: "Do you wish to handle that Bill for Representative Daniels, Sir?"

Kubik: "Yeah."

Speaker Dunn: "Let's back up to Senate Bill 522; and Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 522. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Currie."

Speaker Dunn: "The Lady from Cook, Representative Currie, on

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

61st Legislative Day

May 19, 1993

Floor Amendment #1 to Senate Bill 522."

Currie: "Thank you, Speaker and Members of the House. This Bill as it came to us was a \$60 or \$70 million gasoline tax increase, and in order to fund the leaking underground storage tank program, because that issue is still under serious discussion and negotiation, Representative Kubik and I offered this Amendment which would turn the Bill into a shell Bill while those discussions continue. I'd be happy to answer your questions, and would appreciate your support for the Amendment."

Speaker Dunn: "Is there a discussion on the Amendment? Seeing none, the Lady moves for the adoption of Floor Amendment #1 to Senate Bill 522. Those in favor of the Amendment say 'aye'. Those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Dunn: "Third Reading. Senate Bill 387, Representative Kubik. Representative Kubik? Pardon me, I went to the wrong order. We're doing seconds. That's a Third Reading Bill. Let's take that out of the record. On the order of State Budget, Second Reading, appears Senate Bill 268, Representative Daniels. Oh, all right. No one told me that that's scheduled for tomorrow. I'm sorry, we'll take that out of the record. On the order of Health Care and Human Services, Second Reading, appears Senate Bill 99, Representative Stroger. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 99 has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Skinner."

Speaker Dunn: "The Gentleman from McHenry, Representative

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

61st Legislative Day

May 19, 1993

Skinner, on Floor Amendment #2."

Skinner: "Mr. Speaker, I was waiting for the Speaker's Technical staff to get in touch with me, and they haven't done so yet. I wonder why? That was the reason it was taken out of the record yesterday. I'll be happy to explain it again, but I'd feel more comfortable if I'd spoken to those lawyers who had reviewed it who might have questions."

Speaker Dunn: "So, do you have a question on the Amendment, Representative Skinner?"

Skinner: "I will be happy to explain the Amendment. The Amendment is an attempt to bring accountability out of the Department of Public Aid. Everyone who is grappling with not having enough money for their favorite program, knows that the reason we do not have enough money is because the Department of Public Aid is literally ringing every surplus dollar that the State of Illinois has out of our checkbook. What this attempts to do...what this Amendment #2 attempts to do is to give us an ability a year after the 'healthy mom's, healthy kids' program goes into effect; of knowing whether the program has succeeded and/or failed, and if it has succeeded, to what extent it had succeeded. This Amendment is the original Bill that the Sponsor has, with one addition, and that one addition is that the provider of services has to tell the month of pregnancy which pregnant women are in when they sign up in the program. My hypothesis is that the later in the term of pregnancy that the woman is recruited into the program, the less likely the program is to succeed. That is all the Amendment does. I ask for your support of this Amendment."

Speaker Dunn: "The Gentleman from Clinton, Representative Granberg, on the Amendment."

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

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

61st Legislative Day

May 19, 1993

House. Representative, our tech review staff did in fact review the Amendments yesterday, and so we have no objection to your offering them at all. Just one question, is the Department...do they have a position on your Amendment?"

Skinner: "The only way I know about what position the department has, is that you told me they did not look upon it favorably."

Granberg: "I just want to clarify...I just wanted to clarify it for the Members on this side of the aisle whether the department was in favor of your Amendment."

Skinner: "They have not contacted me, but if indeed...if the Department of Public Aid is opposed to it, I would suggest it makes it a better Bill."

Granberg: "Thank you."

Skinner: "And the reason I would suggest that, is because the direct...both the Director...both the Director of the Department of Public Aid, and the person who was in charge of the medical expenditures of the Department of Public Aid, are in transition. They are about to go work for one of the biggest HMO's, if not the biggest HMO within the Chicago metropolitan area, and it seems to me that we need more checks and balances in a situation which may turn out to be an undesirable revolving door."

Speaker Dunn: "The Gentleman moves for adoption of Floor Amendment #1 to Senate Bill 99. Those in favor of the Amendment say 'aye'; those opposed, 'no'. The 'noes' have it. The Amendment is defeated. Are there further Amendments, Mr. Clerk?"

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

Speaker Dunn: "The Gentleman from McHenry, Representative

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

61st Legislative Day

May 19, 1993

Skinner, on Floor Amendment #3."

Skinner: "Well, Mr. Speaker, I must admit I'm surprised at the way you handled the vote on the last Amendment. So, I will start out by suggesting I would like a Roll Call on this Amendment, and I think I'm joined by sufficient other people to satisfy the applicable rule. This Amendment is precisely the same as the former Amendment, except what I'm trying...it seems to me there two ways...two leading indicators that one can look at as to whether or not a 'Healthy Moms, Healthy Kids' program is succeeding. The first is exactly as I explained before, to put on the record the month of pregnancy which the individual pregnant woman is in when she signed up for the program. The second is, to have the various providers count the number of pregnancies that end in abortion. It would seem to me that a program that is entitled 'Healthy Moms, Healthy Kids' could be considered somewhat of a failure if a pregnancy ends in abortion. That's all this Amendment does. It asks for those two indicators. Again, I would plead with the Members to think about whether they want to have control, that is they want to have the information to be able to judge whether the largest consumer of our tax dollars is succeeding or not. I believe these two indicators will give us a better shot at understanding whether the 'Healthy Moms, Healthy Kids' program is working or not."

Speaker Dunn: "Gentleman moves for adoption of Floor Amendment #3 to Senate Bill 99. Those in favor of the Amendment say 'aye'; opposed, 'no'. The 'noes' have it. The Amendment is lost. The Gentleman from McHenry, Representative Skinner."

Skinner: "Perhaps the Speaker was not paying attention when I asked for a Roll Call at the beginning of my presentation."



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

61st Legislative Day

May 19, 1993

I was joined by the appropriate number. I would appreciate a Roll Call."

Speaker Dunn: "Mr. Skinner, the Chair requested the Parliamentarian to observe the number of people joined in...with you in your request, and the Chair observed that there were a total of 3 people joining your request."

Skinner: "Mr. Speaker, I would respectfully suggest that you really don't want to have the reputation of Representative Currie."

Speaker Dunn: "Are there further Amendments, Mr. Clerk?"

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

Speaker Dunn: "The Gentleman from Vermilion, Representative Black. For what purpose do you rise? The Gentleman from Vermilion, Representative Black. Please turn him on. For what purpose do you rise, Sir?"

Black: "Thank you very much, Mr. Speaker. In all due respect to the Chair, the Gentleman even made mention of the appropriate rule, I, in all honesty, don't know how many hands were up, but that's a given. When you quote the appropriate rule and are joined by an appropriate number of people on your side of the aisle, you must grant any Member on either side of the aisle, his right or her right to a Roll Call. Regardless of the issue, the Gentleman asked in full accordance with the rules, to have a Roll Call on this matter. Now, to deny him that right is to deny every Member in this chamber the right to a fundamental right of the rules, and that is to have his or her Motion or idea or Amendment heard so that they can get a Record Roll Call Vote on the question. To deny that person, flies in the face of the rules, and impugns the integrity of the Chair and damages the rights of every Member in here. Now he

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

61st Legislative Day

May 19, 1993

clearly asked for that. He clearly asked for a Roll Call vote, and I implore the Chair to reverse your earlier opinion and grant the Roll Call.

Speaker Dunn: "The Chair being magnanimous as you would expect, will back up and provide a Roll Call on the Amendment that we just declared adopted. Which was Amendment #3 I believe. Now the question is, the adoption of Floor Amendment #3. The Gentleman from Cook, Representative Lang, for what purpose do you rise, Sir?"

Lang: "Thank you. Before we vote on the Amendment, I would ask the Parliamentarian to rule whether it's germane."

Speaker Dunn: "I think the inquiry is not timely. We'll proceed with the Roll Call on this Amendment. The question is, 'Shall Floor Amendment #3 be adopted?' Those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 33 voting 'aye'; 79 voting 'no', and the Amendment is defeated. Are there further Amendments, Mr. Clerk?"

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

Speaker Dunn: "The Gentleman from Cook, Representative Ostenburg, on Floor Amendment #4. The Gentleman withdraws Amendment #4. Are there further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Dunn: "Third Reading. Mr. Clerk, please read the Bill on Third Reading."

Clerk McLennand: "Senate Bill 99, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Dunn: "The Gentleman from McHenry, Representative Skinner, for what purpose do you rise, Sir?"

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

61st Legislative Day

May 19, 1993

Speaker Skinner: "You need unanimous consent."

Speaker Dunn: "The Bill was not amended today, Mr. Skinner."

Skinner: "So, you do not."

Speaker Dunn: "I'm advised by the Parliamentarian that consent is not required."

Skinner: "Thank you."

Speaker Dunn: "The Gentleman from Vermilion, Representative Black, for what purpose do you rise, Sir?"

Black: "Thank you very much, Mr. Speaker. The Gentleman has an interesting inquiry of the Chair. Now, has the Bill...was the Bill read previously a second time?"

Speaker Dunn: "Mr. Clerk, was the Bill..."

Clerk McLennand: "The Bill has been read a second time previously."

Black: "And the Bill was not amended today?"

Speaker Dunn: "That was not his inquiry, Representative Black."

Black: "All right. I appreciate the Chair's indulgence on the Roll Call, and I do appreciate the Chair's indulgence in trying to make this point, but we stand in agreement, you're right."

Speaker Dunn: "The Gentleman from Cook, Representative Stroger, on the Bill."

Stroger: "Senate Bill 99 simply states that the Illinois Department of Public Aid will make a report two times a year; telling the General Assembly how the 'Healthy Kids, Healthy Moms' program is actually doing."

Speaker Dunn: "The Gentleman moves for passage of Senate Bill 99. On the question, the Gentleman from McHenry, Representative Skinner."

Skinner: "Well, Mr. Sponsor, can you tell us what measures will you consider when you're determining whether it is successful or not?"

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

61st Legislative Day

May 19, 1993

Stroger: "What was your question?"

Skinner: "How will you tell whether the program is succeeding or not?"

Stroger: "Well, I think once the report has gotten here, we will get the information and then the Assembly will decide if the program is succeeding or not. That's why we are taking the information that the department currently compiles and having a report made of it."

Skinner: "Could you give us any measures of success, or can you just give us a generality? I mean is this more than a photo opportunity?"

Stroger: "I believe, Representative, that the program is gonna go on. Now we're gonna find some information on the program, cause right now it's not my decision to decide if it's gonna be successful. We're gonna take the information and decide that."

Skinner: "And what is that information that you're gonna gather under this Bill?"

Stroger: "The amount of people served, and the number of immunizations that happen."

Skinner: "Immunizations, the number of people served, what else?"

Stroger: "Well, basically, we take the information that the department will collect. I can't tell you piece by piece exactly what that will be."

Skinner: "Mr. Sponsor, this is your Bill. You should be able to tell us what is in it."

Stroger: "I just did. I could not tell you exactly what it will be. There's immunization, there will be the number of people who are actually served, when they're served. This..."

Skinner: "When they're served?"

Stroger: "When they're served. This information that we're using

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

61st Legislative Day

May 19, 1993

for the report, is information that the department currently collects."

Skinner: "Well, Mr. Speaker, I'm afraid that the Sponsor has been co-opted by the Department of Public Aid. I guess perhaps I should not be surprised. There are some of us that have to pay the bills. That is there's some of us who's taxpayers have to pay the bills in the 'Healthy Moms, Healthy Kids' program, and we don't mind paying for necessary services; but, we would surely like to know whether the Department of Public Aid is going to continue on it's woefully miserable performance in the future, as it has in the past. I'm not at all confident that this Amendment or this Bill will give us any new information which will be helpful. So, those of us who are in favor of reforming the welfare system and making the delivery of medical services as efficient as possible, probably will have to continue our pillow fight with the Department of Public Aid. Although, goodness knows who's gonna be the director, or who's gonna be in charge of the program. Because the current director and the current person in charge of the program are on the revolving door to the private payroll to help provide these services, and they won't have to be able to...they won't have to report what type of services they're providing."

Speaker Dunn: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know this is really exactly what we need. Two more reports a year to throw away when they hit our desks. plus the mailing. What you're really doing if you vote for this Bill, you're gonna be voting to take money away from those who are on public aid; because it's gonna cost the Department of Public Aid \$40,000 a year for computer time

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

61st Legislative Day

May 19, 1993

to print and send out these reports to Members of the General Assembly, who don't read em in the first place. We're taking money out of the hands of public aid recipients who desperately need it to put food on the table and for health care costs, and instead we're gonna spend that same \$40,000, taken away from the indigent, taken away from those who need it, taken away from those who are on the public aid roles, instead we're gonna print two reports a year, \$40,000. It's a dumb idea, a waste of money, a waste of the Department of Public Aid's money that goes...it should go to the recipients on public aid. This Bill ought to be defeated."

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

Morrow: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the Gentleman yield?"

Speaker Dunn: "He indicates he'll yield."

Morrow: "Representative Stroger, is the Department of Public Aid in favor of this Bill, Senate Bill 99?"

Stroger: "Yes they are."

Morrow: "Oh, they're in favor of it. Oh, glad to know that. But, yet the agency, so called head of the agency, is supposed to be making money off of this. The head of that agency, how was he put into that position? Who is the person that put his name up and appointed him to that position? Was it Democrats? Was it a Democratic governor that appointed him to that position? Republican governor? No, I don't think he did. So, you guys...so, there's some people on this floor that are goin...willing to go against their governor huh? That's real smart. I rise in support of House...Senate Bill 99, cause I heard the Gentleman over there who said he was real concerned about money being taken away from public aid welfare recipients. If you were

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

61st Legislative Day

May 19, 1993

really concerned about taking away money from public aid welfare recipients, I would have heard the outcry of many of you in this chamber when Bill Cellini built a hotel off your tax dollars, and defaulted on the loans. I didn't hear any outcry. Not one. I didn't hear any outcry, when he purchased shares of stock in riverboat gambling, and when those shares went public, and he made a windfall profit. I didn't hear any outcry from any Members in this chamber to say; you've got to give that money back to us, cause that's our money. I didn't hear that. So, if you're talking about robbing anybody, until I hear some people in this chamber talk about the real robbers, let's vote for Senate Bill 99 and take care of those who haven't been as fortunate as many of us sitting in this chamber to take care of themselves, as some of us have taken care of some our friends in this General Assembly."

Speaker Dunn: "The Gentleman from Champaign, Representative Tim Johnson."

Johnson, Tim: "I consider myself a good friend of Representative Morrow's, and this is not meant to be adversarial. He can debate the merits of this issue pro and con just as I can. But, I think it's inappropriate to raise names and issues with half information, and I don't think we're doing a service to anybody by, at this stage of the session or any stage of the session, doing that sort of thing, and leaving the impression on the part of this chamber or the public that we somehow have an individual that he's singled out who has done something improper, or has somehow ripped the state off. That is an incorrect statement. You can draw whatever kind of conclusions you want, but to make those statements in connection with an issue of this sort, I think, based particularly on half information is not doing

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

61st Legislative Day

May 19, 1993

a service to any of us, and I think we'd be better off to narrow ourselves in on the Bill."

Speaker Dunn: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. Just to echo the comments and remarks of Representative Johnson. The appointment process has nothing to do with the Bill that's before us. In fact, the last appointment the Governor made about 72 hours ago, appointed a democrat senator to head one of the State Agencies. So, I don't see why we even have to bring that up. The issue at hand, is that this Bill doesn't do anything for anybody. It doesn't provide one nickels worth of service. It prints two reports; and, in fact, there is no Appropriation Bill for those reports. So, the \$40,000 cost of printing and mailing comes out of the Public Aid budget. Now, that's \$40,000 that could go to serve these kids, that will instead go to kill more trees and put more paper on your desks. That's the issue, and that's what we should vote on."

Speaker Dunn: "The Gentleman from Cook, Representative Morrow, for what purpose do you rise, Sir?"

Morrow: "Yes, thank you Mr. Speaker. I rise for a point of personal privilege since my name was mentioned in debate earlier today. The issue of who was running that agency was not brought up by anyone on this side of the aisle. That issue was brought up by a Member on your side of the aisle, and I've just been given some facts and figures on who is running this program, a State of Illinois program, this contract has been let out to a company in Nashville, Tennessee. No one has raised that issue. Yeah, I have to raise it. So, yes, I might be wrong in mentioning someone's name, but am I wrong because I'm bringing the blindfolds off of some people, or do you want us to keep



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

61st Legislative Day

May 19, 1993

things hidden? All I'm saying is, let's be on the up and up if we're gonna be real. Let's be on the up and up. You want to name the firm, First Health Service Corp., Nashville, Tennessee. First Health Service Corporation, Nashville, Tennessee, \$25 million administration. Now if we want to talk about robbing money from public welfare recipients, \$25 million to run a program? Sounds like a big carrot to me. Sounds like a damn big carrot. So, yeah, I might be wrong because I mention a guy's name, but guess what, I'll be wrong, I'll be wrong when people from my community cannot get a small business loan to expand their business, and someone can come in here time and time and time again and rip off the taxpayers of this state, and I'm wrong to mention it. Then I'm wrong. And as I mentioned, let me finish, and as I mentioned..."

Speaker Dunn: "Bring your remarks to a close please."

Morrow: "Let me finish. And as I mentioned, I'm willing to take...I'm willing to take someone to the woodshed, and I tell you what, anyone of you can take me to the woodshed if you think you're ready."

Speaker Dunn: "Gentleman from McDonough, Representative Edley, on the question."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. It seems to me that it's only good and prudent fiscal management to get a report on an \$80 million program. I can't imagine some of the paragons of the free market system from across the aisle being opposed to knowing whether they're getting their value out of an \$80 million program. I would...this should have 118 votes on it today."

Speaker Dunn: "Gentleman from Cook, Representative Stroger, to close."

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

61st Legislative Day

May 19, 1993

Stronger: "I was asked what was a...what did this Bill actually do. This Bill asks the Department to give a list of the primary care providers participating in the program and the business related data, a list of the non-primary care providers participating in the program and their business related data, the number of children eligible for the program, the number who've been assigned to primary care providers, the number assigned to primary care providers in private practice, the number of children assigned to HMO's and the number of eligible children not assigned to a primary care provider or an HMO, and some other things. I don't think there's anything wrong with asking for some accountability for a program that the Governor is supporting. I think if we're gonna put some money in it, then we ought to find out what it's about. Just passing out money to everybody won't help us. If we find out how it was spent, then we'll be doing our jobs much better. I think if anyone wants to change this Bill, then they have next fall, and that's when they'll have to do it. I ask for a 'yes' vote."

Speaker Dunn: "The question is, 'Shall Senate Bill 99 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted voted who wish? Mr. Clerk, take the record. On this question, there are 100 voting 'aye', 14 voting 'no', none voting 'present'. Senate Bill 99, having received the required Constitutional Majority, is hereby declared passed. On the Order of State Operations, Second Reading, appears Senate Bill 266, Representative Bugielski. Out of the record. Senate Bill 580, Representative Granberg. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 580, a Bill for an Act to amend the

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

61st Legislative Day

May 19, 1993

Illinois Insurance Code. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Granberg."

Speaker Dunn: "The Gentleman from Clinton, Representative Granberg, on Floor Amendment #1."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 makes Senate Bill 580 a vehicle Bill. We're having negotiations, and I think this Bill will be possibly used in the fall Veto Session. I would ask the adoption of Floor Amendment #1."

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

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

Speaker Dunn: "Indicates he'll yield."

Black: "You said Amendment #1 creates a vehicle. Will this vehicle be used to transport river boat gambling anywhere on Lake Michigan?"

Granberg: "I think in Vermilion county, Representative Black, that was the intention."

Black: "Well, we had a good river, but you named it a senic river, and I don't think you can put one of those things on a wild and senic river. But, is it your purpose and intent to merely use this Bill for negotiations with the insurance agents?"

Granberg: "Yes, Representative, there is some other issues involved...Representative Churchill and I have been involved This Bill would not be used for any type of gambling, and we will consult you if the negotiations are fruitful by next fall."

Black: "And I want you to know how much I appreciate that, and will await your call."

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

61st Legislative Day

May 19, 1993

Granberg "Representative, it's an honor to speak with you anytime."

Black: "It's my privilege to work with you, Sir."

Speaker Dunn: "The Gentleman moves for adoption of Floor Amendment #1 to Senate Bill 580. Those in favor of the Amendment say 'aye', those opposed, 'no'. The 'ayes' have it, the Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Dunn: "Third Reading. Senate Bill 617, Representative Gash. Do you wish to have your Bill called? Out of the record. Senate Bill 954, Representative Hannig. Mr. Clerk, Please read the Bill."

Clerk McLennand: "Senate Bill 954, a Bill for an Act that amends the State Finance Act. The Bill has been read a second time previously. No Committee Amendments, no Floor Amendments."

Speaker Dunn: "The Gentleman from Macoupin, Representative Hannig."

Hannig: "Did you move this Bill to third then, Mr. Speaker?"

Speaker Dunn: "Third Reading. Do you wish to call the Bill on Third Reading, Sir? Mr. Clerk, please read the Bill on Third Reading."

Clerk McLennand: "Senate Bill 954, a Bill for an Act that amends the State Finance Act. Third Reading of this Bill."

Speaker Dunn: "The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you Mr. Speaker and Member of the House. This is a bipartisan Bill. It is sponsored by myself and Representative Parcels. It comes from the Auditor General's office. It would provide that the Auditor General would have the ability to bill quasi-public

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

61st Legislative Day

May 19, 1993

entities and other related organizations for the cost of the audits that he would perform on their behalf. These agencies might include; for example, the Grain Insurance Corporation, the Health Facilities Authority, the Housing Development Authority, the Illinois High School Association and things of that nature. It passed the Senate unanimously, and I'd ask for your favorable vote here in the House."

Speaker Dunn: "Representative Black."

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

Speaker Dunn: "Indicates he'll yield."

Black: "Representative, is this a Fee Bill?"

Hannig: "Well, Representative, it doesn't have...well, what the Bill does, it says that if the Auditor General performs these audits, that then he has the...this will give him the legal ability to collect the cost of that audit and put it into his...his fund that he used to pay the auditors with, the Audit Expense fund."

Black: "Will...will he...will the Auditor General promulgate rules as to how much those costs will be, or will it be in accordance with generally accepted auditing standards, or...how much money should these agencies be expected to...or be trying to budget to pay?"

Hannig: "Well, they will...they will not...they will simply be asked to pay the cost of the audit. The other alternative, obviously, would be...would be to have the General Revenue subsidize these costs for these outside groups."

Black: "I understand that. Now, it is giving him the authority to bill private entities. What...what is that? I didn't know, quite frankly, that the auditor general would audit private entities."

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

61st Legislative Day

May 19, 1993

Hannig: "Yeah, I tried to give some examples, and for...for example, the Grain Insurance Corporation. These are...I guess it's better to call them quasi-public corporations."

Black: "Okay. All right. So...there's nothing in your Bill that would expand the Auditor General's authority to go out and..."

Hannig: "No."

Black: "...audit a private business that may be doing business with the State, however?"

Hannig: "No. The Bill does not expand his authority to audit. It simply allows him to collect a fee if he performs the audit."

Black: "All right. Thank you very much. Appreciate your patience."

Speaker Dunn: "The Gentleman from McHenry, Representative Skinner on the question."

Skinner: "Yes. I wonder if the Gentleman would inform the Membership whether this would...this would...apply to performance audits as well."

Speaker Dunn: "Representative Hannig."

Hannig: "It would...yes, it would...the...the..cost of any audit that the Auditor General would be asked to perform...this would give him the authority to collect those fees from that...that agency."

Skinner: "So, if the Audit Commission, in it's infinite wisdom, decided to audit the 'Healthy Moms-Healthy Kids' program to find out why \$26 million of administrative money is needed to deliver \$39 million worth of services, the Department of Public Aid would have to pay for the audit?"

Hannig: "Well, Representative, the Department of Public Aid is a...is a public group and they'd...be covered by previous legislation what...and I think your assumption is correct,

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

61st Legislative Day

May 19, 1993

but this Bill...extends that to the quasi-public organizations. For example, like the Illinois High School Association, the Housing Development Authority, the Health Facilities Authority, where he is asked to do the audit but previously had not been given the authority to collect the fee, and we're simply allowing him now to collect the fee."

Skinner: "Okay. Thank you very much."

Speaker Dunn: "The Gentleman from Macoupin, Representative Hannig to close."

Hannig: "I just ask for a 'yes' vote."

Speaker Dunn: "The question is, 'Shall Senate Bill 954 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On...on this question, there are 112 voting 'aye', 1 voting 'no', 1 voting 'present'. Senate Bill 954, having received the required Constitutional Majority, is hereby declared passed. Special Order of Business, Education, Third Reading, appears Senate Bill 127, Representative Lang. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 127, a Bill for an Act that amends the School Code. Third Reading of this Bill."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 127 is the Senate version of the ban on corporal punishment. We thoroughly debated this previously and voted on it and sent the Bill over to the Senate that...that is delayed over there. But this is a little different Bill. This is not as stringent a Bill. That Bill was a mandate. That Bill took away the doctrine of in loco parentis. This is a much simpler Bill. This Bill just says that every school district should have a policy on

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

61st Legislative Day

May 19, 1993

discipline and that it should not include hitting children. That's all it says. It's a much easier Bill for you to vote for. And I would ask for your 'aye' vote."

Speaker Dunn: "Representative Black."

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

Speaker Dunn: "He indicates he'll yield."

Black: "In the Bill, Representative, I believe it's on page 1, be about line 25 I think. If...what is this? It says school personnel or persons or for the purpose of self defense or defense of property. What...what's your intent? What does that mean they can do? If they can't spank a child, then what authority are we giving them?"

Lang: "If...if...if a student is attacking another child or attacking a teacher or attempting to...to take somebody else's property, the...the school officials can do whatever is appropriate to stop that behavior. So...in the previous Bill that we passed, it was not that specific on this issue. We talked about self defense. But under this Bill...if...if students are doing activities that must be stopped immediately, it would be no problem for the school administration to do that. And they'd be able to do that so if the child was stealing somebody...something out of somebody's locker, you could grab that child by the arm. Under the previous Bill that we passed to the Senate, it's conceivable that that would be outlawed. But under this Bill, it would not be."

Black: "All right. So, you...you could grab a student, I suppose if there was...a general enough disturbance, as I read this language, it might be possible for a school person to even strike a student. I wouldn't recommend that."

Lang: "Right. Where necessary, it would still be possible, for



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

61st Legislative Day

May 19, 1993

purpose of self defense, particularly. And I do want to add that the IEA is totally in favor of this legislation."

Black: "I... I understand. I understand. Thank you very much, Representative. Mr. Speaker, Ladies and Gentlemen of the House. The Sponsor is right. We have debated this Bill for years, and I don't intend to beat...a horse that I think will probably run to the finish line today. All I'm saying is that these decisions can and have been made by local school districts. I believe it was in the local Springfield paper today that the Springfield Board of Education in...in consortium with an advisory council have abolished corporal punishment. Many school districts around the State have already done that. There are other districts who have a student code of conduct where corporal punishment...where corporal punishment could be used under very strict guidelines. Now, I don't know where the idea came from that somebody is wandering around schools with a paddle in their back pocket, looking for someone to strike. If such a school exists, they would be in court in a matter of minutes. But I still rise, even though the Gentleman has already passed a Bill out, and I'm sure this one will pass as well, I still rise to say at some point in the process, let locally elected officials, in this case, school boards, parents, and those interested in your locally elected schools and school boards, let them make the decision that they deem best for their community. I'm not sure that all wisdom emanates from Springfield. I appreciate the work the Sponsor has done on this issue, but I do stand in opposition, simply because it's another mandate on those locally elected officials who if left to their own recourse, probably will end up doing the right thing anyway, if we'd only let them do it."

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

61st Legislative Day

May 19, 1993

Speaker Dunn: "The Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. I ask the question, does this exclude private and parochial schools as the previous Bill did?"

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

Lang: "That's correct. This is only for public schools."

Hoeft: "Thank you very much."

Speaker Dunn: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. One of the real good things that this Bill does that the other Bill did not do, is that it provides a means of self defense for the teachers. Now, if you know a teacher that's been in a classroom, particularly in some rougher neighborhoods, the other Bill and current law might very well prevent them from defending themselves. This is a teacher-oriented Bill. This is a good Bill, and it's far and above better than the one we already passed out of here. I think there ought to be 118 green votes on this Bill."

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

Davis: "Thank you, Mr. Chairman...Mr. Speaker, Ladies and Gentlemen of the House. This is a piece of legislation that is truly well intended. I think the Representative does have excellent intentions. However, I believe that children in their circumstances may be different, and sometimes the process or method of discipline...disciplining children may be different. One of my colleagues said to me the other day, that when he or she takes his children to the school, they give the teacher immediate authority to discipline, with a ruler, that child. And the reason is, because that parent goes to work at 6:00 a.m. in the morning and may not get home until 6:00 p.m. in the evening, and some children

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

61st Legislative Day

May 19, 1993

need to know that if you are misbehaving, someone cares enough about you to discipline you. I do not think that I, as a legislator, should dictate to every school board its discipline policy. I believe that school boards for every district in the state should make up their own decision based on upon the kind of district that they're, sitting there, be members of. I believe this should be a very locally decided matter. I don't think any of us here are omnipotent. Omnipotent, and know what is best for each and every school district. We may try, but we don't. And I think we would err, and we'd err on the wrong side, if we decide that we should pre...pro...prohibit corporal discipline in some areas. I would urge a 'no' vote on this Bill."

Speaker Dunn: "The Gentleman from McHenry, Representative Skinner."

Skinner: "Would the Sponsor tell us again whether this mandates the development of a disciplinary policy by a local school board?"

Speaker Dunn: "Representative Lang."

Lang: "That's correct. As you know, the previous Bill just said, no corporal punishment. This Bill, in fact, says to the school boards you make the policy. So the folks that have been talking about taking that right away from school boards, this tells the board, you make the policy, just don't have a policy that allows for the hitting of children. And I do want to point out the Illinois Association of School Boards is in favor of this Bill. The Illinois Association of School Boards, who's always against mandates, who's always against Springfield telling them what to do, is in favor of this Bill."

Skinner: "Well, the point I wanted to make, is that this is a

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

61st Legislative Day

May 19, 1993

mandate on local school boards. If they're in favor of it, that's certainly surprises with me, because they haven't been in favor any other mandates that the General Assembly has passed or proposed. If their representative is around here, I'd sure like to speak to him and ask them why they've changed their mind. Thank you."

Speaker Dunn: "The Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker. My questions were answered. I just wanted to note that the School Board Association does support this Bill. Thank you."

Speaker Dunn: "The Gentleman from Perry, Representative Hawkins."

Hawkins: "Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of Senate Bill 127, for a couple of reasons. One, the schools are the only place where it's legal for one person to hit another person. The other reason is that violence begets violence. I think this...corporal punishment teaches children that violence...can solve problems. We're sending the wrong signal. In addition to that...at the request of the school boards in...in southern Illinois, I am voting 'yes' on this Bill."

Speaker Dunn: "The Gentleman from Cook, Representative Lang to close."

Lang: "Thank you, Mr. Speaker. I appreciate the comments of Representative Hawkins 'cause they're right on point. Every group that...that worries about the growth and maturation of children--the psychiatrists, the psychologists, the social workers, the studies done by the Committee to End Child Abuse, they all say the same thing, that teaching children these things is counter productive and is not good for them as they grow up. All of the groups that now support this, and it's now a very lengthy list, include all

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

61st Legislative Day

May 19, 1993

of the education associations, the school board, ED-RED, school administrators, State Board of Education, everybody's on board on this now. This is a far different Bill than the Bill we already passed. This Bill says to local school boards, have a policy, but don't hit children. You set the policy. And all we're doing here is telling local school boards to have a policy on this issue. It's good for children. We should not be creating policy where children are injured, and we should be protecting them not only on the streets and at home, but in school. We should not allow teachers to do to children what we don't even allow parents to do to children. This is a Bill to protect children. Please vote 'aye'."

Speaker Dunn: "The question is, 'Shall Senate Bill 127 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Saltsman 'aye'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 83 voting 'aye', 25 voting 'no', 7 voting 'present'. Senate Bill 127, having received the required Constitutional Majority, is hereby declared passed. On the Order of Environment and Energy, Third Reading, appears Senate Bill 188, Representative Currie. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 188, a Bill for an Act that amends the Illinois Solid Waste Management Act. Third Reading of this Bill."

Speaker Dunn: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This Bill represents an agreement between the Department of Energy and Natural Resources, the Governor's Office, and the

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

61st Legislative Day

May 19, 1993

Illinois Environmental Council, on using some of the marketing money that is available from the solid waste tipping fee to try to encourage the development of innovative recycling and reuse programs in small businesses, particularly in economically depressed areas. We had discussed a Bill in slightly different versions earlier this session. There were problems with that version, but the language that is now in Senate Bill 188 clarifies that the money that would be used does not come from grants that go to local municipalities and does not require of the Department of Energy and Natural Resources...activities for which they are not especially well suited. The point of the measure is, first of all, to say that there are innovative reuse and recycling ideas out there. Many of those ideas come through small businesses, and what this Bill would do would make it possible for us to support those activities and to do so in a way that may turn a good idea into a idea that not only makes a business work, but also makes the environment healthier. One...one interesting article in the newspaper two weeks ago described people who were using shredded materials to make wall coverings, external wall coverings from which, one could wipe off spray paint and other graffiti. What a good idea. I don't know whether that idea will make it, but were it to do so, it would solve not only part of the solid waste problem, but also make for more attractive urban areas. I'd be happy to answer any your questions, and would appreciate your support for this measure."

Speaker Dunn: "Representative Black."

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

Speaker Dunn: "Indicates she'll yield."

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

61st Legislative Day

May 19, 1993

Black: "Representative, Amendment #5 has been adopted to the Bill, is that correct?"

Currie: "That is the Bill."

Black: "And that becomes the Bill?"

Currie: "Yes."

Black: "And that is...basically agreed language between all parties, the Governor, ENR..."

Currie: "That's exactly right."

Black: "Sounds like a pretty good idea to me. Thank you."

Currie: "Thank you."

Speaker Dunn: "The Lady from Cook to close. The question is, 'Shall Senate Bill 188 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 114 voting 'aye', none voting 'no', none voting 'present'. Senate Bill 188, having received the required Constitutional Majority, is hereby declared passed. Special Order of Business, Health Care and Human Services, Third Reading, appears Senate Bill 118, Representative Levin. Representative Levin. Out of the record. Special Order of Business, Insurance, Third Reading, appears Senate Bill 756, Representative Olson. Representative Olson. Gentleman in the chamber? Out of the record. Special Order of Business, Law, Third Reading, appears Senate Bill...Representative Olson is in the chamber. Let's back up to the Order of Insurance, Third Reading, Senate Bill 756. Mr Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 756, a Bill for an Act that amends the Medical Practice Act. Third Reading of this Bill."

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

Olson: "Thank you, Mr. Speaker. Ladies and Gentlemen, Senate

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

61st Legislative Day

May 19, 1993

Bill 756 has to do with the...some...a problem between the chiropractor associations of this state. This Bill has been in this room before. It's passed out of this room. This year it came up in the Senate, came over, and I was asked to be the Sponsor. The young man that brought the slip to me to pick up the Bill said he was from Leadership. Today, I don't know what leadership he represented. The Bill appeared to have no opposition. Representative Giglio signed on as a hyphenated Sponsor. He's carried the Bill in the past. The Bill came out of committee on an agreed list. I spoke to Leadership about putting it on an agreed list in this chamber. I've since withdrew that. I found out that what I thought was a Bill without opposition does, in fact, have opposition. The...the largest and major chiropractic association in Illinois is the Illinois Chiropractic Association, and they have always been against this Bill. The Illinois Chiropractic Association, the largest association in the state, has always been against this Bill. A smaller group called the Illinois Prairie State Chiropractic Association, headquartered in Iowa, are the proponents on this Bill. I was told by that group that there was no opposition. I've since found different. I have a problem. I don't know whether I want...I took this Bill out of the record several days. I am going to vote 'no' on my own Bill, but I made a commitment, and rather than walk away from that commitment or let this Bill die, because it isn't called or rather to remove my name from sponsorship, I'm presenting the Bill. There are some problems between these two groups way back in 1987 when there was a discussion about forming...being a part of the Medical Practice Act. One group refused to get into the discussions (that's the proponents of this Bill). The



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

61st Legislative Day

May 19, 1993

other group felt that they left the...the bargaining table, and they haven't earned the right to be recognized in this state. I would now like to yield to Representative Giglio for him to speak for the proponents. I want a fair vote on this, and I want Representative Giglio and the Illinois Prairie State Chiropractic Association to have a fair hearing. I will tell you that I'm gonna support the larger group and be a 'no' on the Bill. And if you'd let Mr. Giglio speak, Mr. Speaker."

Speaker Dunn: "The Gentleman from Cook, Representative Giglio, on the question."

Giglio: "Well, I...I don't know, Mr. Speaker, Ladies and Gentlemen of the House. My help-sponsor has spoke, but he did his thing. What we're trying to do here is we're trying to bring both groups together. There were some disagreements and a lot of opposition, but it's like everything else in life when there's a big group of people, you have people that always don't agree 100%. We went round and round with this Bill in committee. We got the...approval and the sign off from the medical association, the department's all for this, City of Chicago had problems with it, they're all for it. Everybody's on board except a few of the chiropractors in the one association versus the other association. And that's what it's all about. This small group wants to be recognized in Illinois just like the larger ones, and I don't see why not. Like I say, as was mentioned by Representative Olson, that one time it passed out of here with no problem; and, with that, I would ask for your consideration to do the same thing. I don't think we'll ever resolve something like this no more than we would resolve any big organization without having some opposition within its

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

61st Legislative Day

May 19, 1993

ranks. So, with that, Ladies and Gentlemen of the House, I would ask your support of this Bill and we'll get it over once and for all."

Speaker Dunn: "Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 756 interests me, because I have two brothers who are chiropractors and one sister who is a chiropractor. Frankly, if I'd been in the position that Representative Olson was in, I would have given up the Bill, or I would have not called it. I wouldn't have done this fairly lame thing that he has done. What this Bill does is simply add another group of chiropractors who are able to report problems in their profession, and the Prairie State Chiropractic Association (which none of my siblings belongs to) is a verifiable organization. They stem from Palmer Chiropractic College, which basically started the science of chiropractic back in the 1890's. This is a good Bill, because it puts more chiropractors in the position of being able to report violations. And even though the larger organization (which my brother belongs to and my sister belongs to), the Illinois Chiropractic Association may not have signed off on this. Actually, if you talk to your basic chiropractor, they couldn't care less if some of their other brethren who just simply happen to belong to a different organization, like the Illinois Federation of Teachers and the Illinois Education Association, different organizations would be able, under this Bill, to report violations. Absolutely nothing wrong with this Bill. It's a good idea, even though none of my siblings belong to this organization. Be glad to answer any questions, and I think this is a great Bill. We ought to do it."

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

61st Legislative Day

May 19, 1993

Speaker Dunn: "Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, Members of the House, I rise in support of this Bill, but I'm rising from a different angle. I noticed the Medical Society again is showing its claws in this Bill. Let me tell you about the Medical Society. I had a Bill for the City of Rockford where a hospital wanted to buy a clinic. There are 100 doctors involved in the clinic and the Medical Society had the audacity to appear in committee and not represent the 100 doctors that pay them dues every month and denied them their right before a committee...before this General Assembly in a...situation where they were involved. The Medical Society has been too obstinate. They've been arrogant. They've impeded this House in many instances with their arrogant attitudes. I think this is a time to send the Medical Society a message and allow this to take place. This is very innocuous that has taken place here today in this request by Representative Olson. Vote in support of this Bill."

Speaker Dunn: "Representative Black."

Black: "Thank you very much, Mr. Speaker. In all due respect to the Dean of the House, who I have the utmost respect for, and he knows I'm sincere when I say that. Our file indicates no opposition to this Bill from the Illinois State Medical Society. We have nothing in our file from the Illinois State Medical Society regarding this Bill in any way, shape, or form. The only opponent that has registered with our staff (I don't know about Democrat staff), the only opponent to the Bill that's registered with our staff is the Illinois Chiropractic Society. So, I...I would hope that we not make this Bill some kind of litmus test between whether you favor the Medical Society or don't favor the Medical Society or what the Medical

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

61st Legislative Day

May 19, 1993

Society may or may not have done. Because in all due respect to the Dean of the House, he's more than welcome to see our file. We have no indication that the Illinois State Medical Society opposes or supports or has any position on this Bill. It appears, as a Representative on your side of the aisle said, to be a battle between two factions of the chiropractic profession, and I don't think it does any of us any good to bring another agency into the battle (if that's the correct word to use) who hasn't even made their opinion known to anybody on this. This appears to be a battle between chiropractors and nobody else. And so, you can vote on the basis of whose chiropractor has talked to you, not the Medical Society or anybody else. The hospitals were here all day. I don't think the hospitals mentioned this to you at all. This is a chiropractic issue, and that's how you should vote and that's the only basis on which you should vote."

Speaker Dunn: "Gentleman from Madison, Representative Stephenson...Stephens, pardon me, I know better."

Stephens: "Thank you, Mr. Speaker. I'm sure the Gentleman who is the lead Sponsor of this Bill can...can defend himself. But I think...I don't know, I think he did the honorable thing. He could have just sat on this Bill. He didn't have to call it. He could have just taken it out of the record, a thousand things he could have done. But he gave his word and that was characterized as a 'lame way of handling a Bill', and I think that's inappropriate. I don't know what the chamber's coming to. It seems to be changing over the years. It seems to be that...several times a day I've seen issues where Bills were going to be amended and weren't, agreements are made and then they're broken without discussions. Ladies and Gentlemen, it's

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

61st Legislative Day

May 19, 1993

time that we get back to the old habits of giving your word and keeping it; get back to the old habits of discussing the issues and keeping personalities out of it; getting back to the old habits of speaking in disagreement, if we will, but not bringing up facts that aren't true, making things up. Let's just vote the issues up and down based on the merits, keep personalities out of it and honor the time-honed traditions of this chamber which are those of dignity. Thank you, Mr. Speaker."

Speaker Dunn: "Representative Olson, you would be in order to close. Do you wish to yield to Representative Giglio to close? Representative Olson."

Olson: "Mr. Speaker and Members of the House. Of the four or five people that have risen to speak on this issue, I think everyone said what was in his heart, and I think they believe what they say and I think it was true in their minds. I would tell you this, that I met with the Illinois Med Society this morning and they are neutral on the Bill. I was right outside the door. I would tell you this, by telephone I got both the lobbyists, both of the lobbyists, one from each of these organizations today. I couldn't get 'em together outside; they took different parts of the building; I couldn't get 'em together. This is a clash between two organizations of chiropractors. If I could get what I wanted on that board up there today, it would be 59 to 59 and they could go back to do what they should have been doing in the first place is negotiating. There's no need of this type of thing being here. I wish I'd never seen the Bill. I took it. I'm asking for you to vote, but I would ask you to remember this: The larger organization, the larger organization (probably about six to one, I'm not sure of those figures) is a 'no' on this issue. If I go

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

61st Legislative Day

May 19, 1993

back in my own home town, all the chiropractors there, to the best of my knowledge, want a 'no' on this. If I go to another community in my district, I know there's at least one chiropractor that wants a 'yes' on this. I'm going to vote the way I think the majority of my district feels. I'm gonna vote 'no'. If Mr. Giglio wishes to close, also, I would welcome that."

Speaker Dunn: "The Gentleman moves for passage of Senate Bill 756. Question is, 'Shall Senate Bill 756 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 68 voting 'aye', 34 voting 'no', 14 voting 'present'. Senate Bill 756, having received the required Constitutional Majority, is hereby declared passed. Special Order of Business, Law, Third Reading, appears Senate Bill 142, Representative Brady. Representative Brady, you wish your Bill called, Sir? Out of the record. Senate Bill 246, Representative Lindner. Out...out of the record. Senate Bill 289, Representative Hoffman. Representative Jay Hoffman. Out of the record. Senate Bill 325, Representative Dart. Representative Dart. Out of the record. Senate Bill 425, Representative Parcells. Out of the record. Senate Bill 652, Representative Zickus. Representative Zickus...you wish your Bill called? Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 652..."

Speaker Dunn: "I...that's to be out of the record. I guess. The deadline was extended on that Bill. So that'll be taken out of the record. Senate Bill 678, Representative Saviano. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 678, a Bill for an Act concerning

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

61st Legislative Day

May 19, 1993

AIDS. Third Reading of this Bill."

Speaker Dunn: "The Gentleman from Cook, Representative Savi...Saviano."

Saviano: "Thank you, Mr. Speaker. Mr. Speaker, I had previous filed Amendment #1 to this Bill. I'd like to withdraw that Amendment. We have an agreed Amendment #2, which we just filed, and we're waiting for it to be printed and distributed. So, I...I'd like a motion to withdraw Amendment #1. Amendment #2 is an agreed Amendment."

Speaker Dunn: "The Gentleman asks leave to return the Bill to the Order of Second Reading for purposes of Amendment."

Saviano: "Okay. Yeah. Give me leave back to Second."

Speaker Dunn: "Is there leave? Hearing no objection, leave is granted. The Bill shall be placed on the Order of Second Reading."

Saviano: "Okay. I'd like to withdraw Amendment #1. Table it...table it."

Speaker Dunn: "The Gentleman wishes..."

Saviano: "Table it. Okay. Table Amendment #1."

Speaker Dunn: "The Gentleman wishes to withdraw Amendment #1. Are there further Amendments, Mr. Clerk?"

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

Speaker Dunn: "The Gentleman from Cook, Representative Saviano on Floor Amendment #2."

Saviano: "Okay, this is an agreed Amendment..."

Speaker Dunn: "Representative Saviano, the Chair is advised the Amendment is not yet printed."

Saviano: "Right, we're waiting for it to be printed and distributed."

Speaker Dunn: "Well, then, we'll just have to take the Bill out of the record until..."

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

61st Legislative Day

May 19, 1993

Saviano: "Okay."

Speaker Dunn: "The Bill shall remain on the Order of Second Reading."

Saviano: "Thank you."

Speaker Dunn: "Senate Bill 778, Representative Schakowsky. Representative Schakowsky. Out of the record. Senate Bill 906. Out of the record. Senate Bill 707, Representative Lang. Representative Lang. Out of the record. Special Order of Business, Revenue, Third Reading, appears Senate Bill 387, Representative Kubik. Do you wish to call the Bill? Representative Kubik. Out of the record. Senate Bill 402, Representative Balthis. Out of the record. 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 has concurred with the House of Representatives in the passage of the Bills of the following title, to wit; together with the attached Amendments thereto, and the adoption of which, I'm instructed to ask the concurrence of the House: House Bills 45, 494, 641, 819, 967, 980, 1039, 1125, 1194, 1261, 1341, and House Bill 1374. Passed the Senate, as amended, May 19, 1993."

Speaker Dunn: "Consent Calendar, Third Reading."

Clerk McLennand: "Consent Calendar, Third Reading. Senate Bill 401, a Bill for an Act to amend the Revenue Act, and Senate Bill 1021, a Bill for an Act to amend the Illinois Housing Development Authority Act. Third Reading of these Bills."

Speaker Dunn: "The question is, 'Shall these Bills pass?' All those in favor vote 'aye'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish?"



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

61st Legislative Day

May 19, 1993

Have all voted who wish? Representative Hoffman 'aye'. Have all vote a wish? Representative Mautino 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'aye', none voting 'no', none voting 'present'. Senate Bill 401 and Senate Bill 1021, having received the required Constitutional Majority, are hereby declared passed. Senate Bill 591, Representative McPike. Out of the record. Senate Bill 606, Representative Rotello. Representative Rotello. Out of the record. Senate Bill 940, Representative McPike. Out of the record. Senate Bill 1085, Representative Giorgi. Do you wish your Bill called, Sir? Mr...Mr. Clerk, please read the Bill. Pardon me. I'm told that...I called that by mistake. That Bill has failed, Sir. Roads and Transportation, Third Reading, appears Senate Bill 625, Representative Stephens. You wish to have your Bill called, Sir? Mr Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 625, a Bill for an Act in relation to the transfer of real property. Second Reading of this Bill. Amendments #1, 2, 3, 4, and 5 have been adopted previously. The Bill's been read a second time, previously. Floor Amendment #8, offered by Representative Walsh."

Speaker Dunn: "Representative Walsh, on Floor Amendment #8. The Gentleman from Cook, Representative Walsh."

Walsh: "Thank you, Mr. Speaker and Members of the House. What...Amendment #8 does, is it turns over property that is currently...under the ownership of the Department of Conservation to the Village of Hillside. The Village of Hillside is currently maintaining this...this property. This is part of a...part of a bike path. This would just...formally give the...the ownership to the Village. I'd be happy to answer any questions."

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

61st Legislative Day

May 19, 1993

Speaker Dunn: "The Gentleman from Clinton, Representative Granberg on the Amendment."

Granberg: "Would the...the Representative yield?"

Speaker Dunn: "Indicates he'll yield."

Granberg: "Representative, I have the Amendment and I'm going through the legal description, but it doesn't...it doesn't say how much acreage is involved."

Walsh: "It looks to me like it...1.3 miles that...that...that's a hundred feet wide. So, I'm...I'm not...I'm not positive of exactly how many acres that would be. I suppose if we multiplied it out, we could...we could figure it. This is similar to Senate Bill 39. This is just down the prairie path...or pardon me, or just down the path from Senate...where Senate Bill 39 was, that passed last week."

Granberg: "Okay. Representative, is there someone from the Department of Conservation handy, do you know?"

Walsh: "Is there someone from the Department of Conservation? No, there isn't."

Granberg: "I...I really don't like you to do this. Could we just take it out of the record, just for a moment so I could talk to someone from Conservation? Just so I can get the actual legal description. I just want to see. It's very hard to...by reading the Amendment, seeing what the exact description is. And we'll get right back to it, if that's all right."

Walsh: "Okay. Out of the record, please."

Speaker Dunn: "Rep...Representative Stephens. Out of the record. Special Order of Business, State Operations, Third Reading, appears Senate Bill 383, Representative Lang. Representative Lang. Out of the record. Senate Bill 542, Representative McAuliffe. You wish to call the Bill, Sir? Out of the record. Special Order of Business, Environment

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

61st Legislative Day

May 19, 1993

and Energy, Second Reading, appears Senate Bill 186, Representative Novak. Representative Novak. Out of the record. Senate Bill 240, Representative Lang. Out of the record. The Lady from Cook, Representative Davis, for what purpose do you rise?"

Davis: "Thank you so much, Mr. Speaker. I really just wanted to introduce Dr. David Morgan, who is a doctor, because he was a recipient of a scholarship from Nelson Rice. So, I want this Body to see sometimes how their scholarships are made very valuable. Raise your hand, Dr. Morgan. He's practicing at St. Bernard's Hospital, and so we want to thank the General Assembly for those scholarships. And last, but not least, Mr. Chairman, up in the balcony we have some extremely important people. They are the Illinois Coalition for Adult Education Reform. Give them a wave up there. We welcome you, and we thank you for coming to Springfield. Adult Education Reform Coalition."

Speaker Dunn: "As you know, Representative, that is a violation of the House Rules. Thank you very much. Special Order of Business, Law, Second Reading, appears Senate Bill 25, Representative Dart. Representative Dart. Do you wish to have your Bill called, Sir? Mr. Clerk, please read the Bill. Out of the record. Senate Bill 231, Representative Cross. Out of the record. Senate Bill 433, Representative Turner. Out of the record. Special Order of Business, Public Utilities, Second Reading, appears Senate Bill 770, Representative Shirley Jones. Representative Shirley Jones. Out of the record. May I have your attention, please? The House Rules Committee will meet at 2:00 p.m. in the Speaker's Conference Room. House Rules Committee will meet at 2:00 p.m. in the Speaker's Conference Room. State Operations, Second Reading, appears Senate Bill 617,

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

61st Legislative Day

May 19, 1993

Representative Gash. Out of the record. Would all lobbyists on the floor, please remove themselves from the chamber immediately. All lobbyists please remove themselves from the chamber immediately. Order of Law, Third Reading, appears Senate Bill 325, Representative Dart. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 325, a Bill for an Act in relation to drug testing and probational, conditional discharge, and supervision. Third Reading of this Bill."

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

Dart: "Thank you, Mr. Speaker. I'd ask leave to move this Bill back to Second for purposes of amendments."

Speaker Dunn: "Does the Gentleman have leave? Hearing no objection, leave is granted. The Bill should be placed on the Order of Second Reading. Mr. Clerk, are there Motions or...Amendments filed?"

Clerk McLennand: "No Motions. Floor Amendment #4, offered by Representative Dart."

Speaker Dunn: "The Gentleman from Cook, Representative Dart on Floor Amendment #4."

Dart: "Thank you, Mr. Speaker. Amendment #4 would require the state's attorney's office, amongst the other duties they do have, to report certain offenses to the Board of Education in regards to employees of the different schools...different sex offenses is where this is targeted after. I would welcome any questions."

Speaker Dunn: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. A question of the Parliamentarian with respect to germaneness."

Speaker Dunn: "The Parliamentarian advises the Chair that the Amendment is germane. Both the Bill and the Amendment...deal with the...legislation regarding what

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

61st Legislative Day

May 19, 1993

happens to someone who...who is...convicted of an offense. Is there...Representative Wennlund, for what purpose do you rise? The Gentleman moves for adoption of Floor Amendment #4 to Senate Bill 325. All those in favor, say 'aye'; opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

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

Speaker Dunn: "The Gentleman from Bureau, Representative Mautino on Floor Amendment #5."

Mautino: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #5 is the McGruff safe house program, and it expands the...safe house program to require background checks. This passed out of the House overwhelmingly the last time, and is in Senate Rules. I'd ask for your favorable votes on it, and will answer any questions."

Speaker Dunn: "Is there discussion? Seeing none, the Gentleman moves for adoption of Floor Amendment #5 to Senate Bill 325. Those in favor of the Amendment, say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

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

Speaker Dunn: "The Gentleman from McHenry, Representative Skinner on Floor Amendment #6. Representative Skinner. Is the Gentleman in the chamber? Representative Skinner. The...the Gentleman from Cook, Representative Dart. What is your wish with regard...oh, I see. Representative Skinner is here now. Do you wish to call your Amendment, Sir? You wish to withdraw your Amendment? The Gentleman withdraws Amendment #5...#6. Are there further Amendments?"

Clerk McLennand: "No further Amendments."

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

61st Legislative Day

May 19, 1993

Speaker Dunn: "Third Reading. Committee Reports."

Clerk McLennand: "Rules Committee. Rule 14, the Committee on Rules has met in pursuant to Rule 14(a)6, Bills referred pursuant to Rule 79. Recommends consideration, and the Bills are referred to the Order of Concurrence: House Bills 35. 69. 73. 74. 113. 118. 208. 273. 293. 354. 392. 424. 440. 443. 482. 514. 518. 526. 532. 543. 675. 728. 765. 775. 797. 824. 898. 907. 949. 991. 1010. 1037. 1145. 1155. 1166. 1206. 1208. 1212. 1302. 1305. 1320. 1331. 1347. 1410. 1426. 1440. 1476. 1526. 1532. 1543. 1552. 1553. 1576. 1613. 1687. 1729. 1733. House Bill 1761. 1797. 1803. House Bills 1852. 1915. 1922. 1927. 1933. 1935. 1941. 1974. 2013. 2036. 2043. 2077. 2117. 2130. 2158. 2280. 2397. 2400. 2408. And House Bill 2417. On the Order of Concurrence, offered by the Chairman of the Committee on Rules, Chairman Frank Giglio."

Speaker Dunn: "Roads and Transportation, appears Senate Bill 625, on the Order of Second Reading. Representative Stephens. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 625 has been read a second time previously. Amendments have been adopted. Floor Amendment #8, offered by Representative Walsh."

Speaker Dunn: "May we have some order in the chamber, please? May we have some order in the chamber, please? Representative Walsh on Floor Amendment #8 to Senate Bill 625."

Walsh: "Thank you, Mr. Speaker, Members of the House. We've talked to Representative Granberg about this Bill. This Bill is similar to Senate Bill 39, which conveys property from the Department of Conservation to the Village of Hillside for...for the use of a bicycle path. There's a reverter clause which would turn this property back over to the Department of Conservation should this property be used for anything else, and I'd be happy to ask...answer any

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

61st Legislative Day

May 19, 1993

questions that anybody would have."

Speaker Dunn: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Despite the rep...the remarks by Representative Kubik, I would like to thank Representative Walsh for taking that Bill out of the record. We've discussed it. The Amendment has been agreed to, and I appreciate the Gentleman taking the time by taking the Bill out of the record."

Speaker Dunn: "Mr. Granberg. Pause just a moment, please. May we have some order in the chamber, please? The noise level is so loud that the Chair can't hear up here. Let's have some order in the chamber, please. Proceed, Representative Granberg."

Granberg: "I just want to thank Representative Walsh for taking the Bill out of the record...record earlier so we could work in this Amendment. Representative Kubik didn't want him to do that, but Jack has now agreed, and I appreciate the Representative doing that."

Speaker Dunn: "Is there further discussion? The Lady from Cook, Representative Davis."

Davis: "Thank you, Mr. Chairman. I would just like to ask the Representative, is this another bicycle path?"

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

Walsh: "This...this is a...this is the Prairie Path, and it is currently a...a bicycle path, and being used as such."

Davis: "In other words, so...so far, we've passed legislation to put bicycle paths in how many districts? Do you know?"

Walsh: "This isn't putting a new bicycle path in any district. This is currently a bicycle path that is being maintained by the Village of Hillside. However, the ownership is with

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

61st Legislative Day

May 19, 1993

the Department of Conservation. We are not putting in a new bicycle path into...into this...Hillside, which is Representative Moore and my district."

Davis: "All right. Thank you."

Speaker Dunn: "The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you. Representative Eugene Moore has...has joined me as a Co-Sponsor of the Bill. The Amendment makes this good Bill a little better. It is not a new bike path for anybody, so let's not try to complicate the issue. This is very simple and straight forward."

Speaker Dunn: "Representative Eugene Moore, the Gentleman from Cook."

Moore, Eugene: "Thank you very much, Mr. Speaker and Members of the General Assembly. Yes, I'd like to rise in support of this Amendment...#8. It certainly will be helpful for us to maintain that property there, in that particular area there, and I rise in support of this Amendment of Walsh. Thank you."

Speaker Dunn: "The Gentleman moves for the adoption of Senate...Floor Amendment #8 to Senate Bill 625. Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Dunn: "Third Reading. The Gentleman from Coles, Representative Weaver, for what purpose do you rise, Sir?"

Weaver: "Thank you, Mr. Speaker. Just to introduce a group of lovely ladies and gentlemen from Sarah Bush Lincoln Health Care Center in Coles County."

Speaker Dunn: "As you know, that is a violation of House Rules. Special Call, Tax Relief, Senate Bill 937. Mr. Clerk,



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

61st Legislative Day

May 19, 1993

please read the Bill."

Clerk Rossi: "Senate Bill 937, a Bill for an Act in relation to taxation. Third Reading of the Bill."

Speaker Dunn: "The Lady from Cook, Representative Currie."

Currie: "Turn it over...turn it over to Curran. Representative Curran."

Speaker Dunn: "Pardon me. The Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As amended yesterday, unanimously, this Bill provides increased...increase of the standard exemption for taxpayers under \$50,000 with dependent children. Increases that dependent child's exemption from \$1,000 to \$3,000, if they file jointly. If they file separately, it's...those taxpayers under \$25,000 are allowed to claim these exemptions. Since there was some confusion yesterday, I want to read a statement of legislative intent, which should probably alleviate any problems anybody has. This Bill, as amended, provides an additional \$2,000 exemption for each child claimed as a dependent on individual income tax returns. Sub-paragraph 1 of paragraph d(1) allows this additional \$2,000 exemption per child for all individual returns, including both married filing jointly, and for single parent or head of household returns. The additional exemption is allowed on per return basis, for returns with \$48,000 or less in income, and is phased out between \$48,000 and \$50,000 in income per return. Married filing separate returns are the only type of individual returns intended to be...excepted from sub-paragraph 1. Married filing separate returns are allowed the additional \$2,000 exemption per each child in sub-paragraph 2, because two filing, married...because two married filing separate

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

61st Legislative Day

May 19, 1993

returns are filed per married family, the additional exemption for married filing separate returns is allowed on a per return basis for returns with \$24,000 or less in income and is phased out between \$24,000 and \$25,000 in income per return. I'll be glad to answer any questions."

Speaker Dunn: "The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. An inquiry of the Chair.

Is...was Amendment #3 adopted, and is that now the Bill?"

Speaker Dunn: "Mr. Clerk."

Clerk Rossi: "Amendment #3 has been adopted to the Bill."

Wennlund: "Any other Amendments?"

Clerk Rossi: "Amendment #1 is also on the Bill."

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

Speaker Dunn: "He indicates he'll yield."

Wennlund: "Thank you. Representative Curran...does Amendment #3 become the Bill?"

Curran: "It does."

Wennlund: "And...I've heard estimates regarding this Bill as to what the impact will be...on the General Revenue Fund of anywhere from \$149 million reduction by the Illinois Economic and Fiscal Commission. I've heard estimates all the way up to \$242 million. Does anybody have a handle on exactly..."

Curran: "Who told you \$242 million?"

Wennlund: "The Governor's Office."

Curran: "They just pull that out of the air, or what?"

Wennlund: "I have no idea. I was asking you how much it is gonna cost."

Curran: "Okay. I have talked to...I have talked to Economic and Fiscal Commission. I talked, yesterday, to the person who did this analysis. And she told me that they...agreed that this Amendment...their assessment of the cost of this Bill

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

61st Legislative Day

May 19, 1993

was probably high. The Treasurers' Office has figured this at a \$115 million, not a \$149, certainly over \$200 million."

Wennlund: "So, Economic and Fisc. is at a \$149...wouldn't that...the Department of Revenue...estimates the loss at \$216 million."

Curran: "That's a new one on me, as is the Governor's Office assessment."

Wennlund: "Now, the confusion that we encountered yesterday on this Bill...I...I want to clarify this and straighten so I understand this."

Curran: "Well, I have just read into the record language which would...would clarify that."

Wennlund: "I...I'm sorry, I'm not following you, Representative Curran."

Curran: "I read into the record language which would...which clarified the misunderstanding between staffs. That misunderstanding was yesterday. The language which I read into the record should clarify that. If you would like for me, I'd be glad to read it again."

Wennlund: "It...It would clarify it without the necessity of...of an Amendment?"

Curran: "That is correct."

Wennlund: "So, between \$24,000 adjusted gross income and \$50,000 adjusted gross income..."

Curran: "Let me read it into the record, so it's...'cause I understand, Representative, that this is a little complicated, and if it's the first time you're looking at it, it might need clarification. I'll read into the record again what I read before."

Wennlund: "Thank you."

Curran: "This Bill, as amended, provides an additional \$2,000

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

61st Legislative Day

May 19, 1993

exemption for each child claimed as a dependent on individual income tax returns. Sub-paragraph 1 of paragraph d(1) allows this additional \$2,000 exemption per child for all individual returns, including both married filing jointly and for single parent or head of household returns. This additional exemption is allowed on a per return basis for returns with \$48,000 or less in income and is phased out between \$48,000 and \$50,000 in income per return. Married filing separate returns are the only type of individual returns intended to be excepted from sub-paragraph 1. Married filing separate returns are allowed the additional \$2,000 exemption for each child in sub-paragraph 2, because two married filing separate returns are filed per married family. The additional exemption for married filing separate returns is allowed on a per return basis for returns with \$24,000 or less in income, and is phased out between \$24,000 and \$25,000 in income per return."

Wennlund: "Thank you, Representative Curran. One more question...whatever the loss is in revenue, is there a method by which we make up that loss? You know, given the current tight restraints on the state budget."

Curran: "Well, you know that the Governor has been talking about taking the portion of the income...income tax surcharge away from local governments. There are varying estimates on what that would be. But let's say that it's at least \$214 million. So, if the Governor intends to take that money away from local governments. that puts a burden on somebody. It is felt on this side of the aisle, and I think by many on your side of the aisle, that the people that we would really like to give a benefit to, an income tax exemption to, would be those people with moderate incomes,

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

61st Legislative Day

May 19, 1993

that is below \$50,000. And that is why this legislation is aimed at helping those people. The Governor is taking more money from local governments than this would ever require. And it...this legislation now gives a benefit to working families with children."

Wennlund: "Thank you very much. I appreciate the answers."

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

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Senate Bill 937. Let me give you two separate reasons for supporting this legislation. First reason is, if you have people in your district with incomes under \$50,000 and who have children, this benefits them and does not increase taxes on anybody with incomes over \$50,000. So, if you like Amendment 3, you should support this legislation. Let me give you a second reason, however, for supporting it, as well. The Senate Sponsor of this Bill is the President of the Senate, Senator Philip, and the intent is that this Bill will go to Conference Committee. So, if you don't like the Amendment #3, it's gonna go to Conference Committee anyway. This is the vehicle for whatever is agreed to by the four leaders and the Governor, in terms of income tax. So, you'll have a chance to send this to conference committee if you don't like the Amendment. So either way, it's a good thing to support, Senate Bill 937."

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

Kubik: "Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Dunn: "He indicates he'll yield."

Kubik: "Representative Curran, you read some items to Representative Wennlund. What...where...where were you reading? Were you reading from the Amendment?"

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

61st Legislative Day

May 19, 1993

Curran: "You're asking me...you're asking me...the item for legislative intent?"

Kubik: "So, you were writing...you were reading a...a separate...sheet of paper..."

Curran: "That's correct. Once when I presented the Bill, and once in response to Representative Wennlund's request for that to be repeated."

Kubik: "Yeah. I wasn't...I didn't know exactly where your statement came from, but...so that...but your intention is, or at least your legislative intent, if I could put in...in less than legal language, is to make sure that single mothers who are not married, would not be penalized...under this legislation."

Curran: "That is correct. Single mothers with dependent children. You are correct."

Kubik: "Right."

Curran: "It's the point you raised yesterday. It was a good point. We feel that this clarifies the good point that you made yesterday."

Kubik: "Okay...Mr. Speaker, to the Bill. I'm gonna support this Bill, and frankly speaking, it's hard to know what this Bill is going to cost. Representative Curran gives a figure of a \$115 million, you know, we are talking about...possibly \$240 million; but the point is that what we ought to...what we ought to think about on this Bill is that I think the underlying idea is a good idea. A...an exemption for children makes a lot of sense. Now, if it ends up to be this big, well, that...that's the way it will be. But we ought to move this Bill along, and...and...continue those discussions. I think the Membership of this House should know, however, that Representative Levin was correct. This Bill originally came

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

61st Legislative Day

May 19, 1993

over as a shell Bill for the income tax surcharge. So, Senate Bill 937 was initially, a Bill that came over as a potential vehicle...for the income tax surcharge. The Amendment which has been adopted, makes this Bill slightly different than a shell Bill. It may put some substantive language in it, dealing with...with exemptions, but I think the Membership should know, as Representative Levin pointed out, that this Bill undoubtedly will go to conference...let me make one final point before I close, and that is that we have been in discussions with the Department of Revenue, their legal office, and while I know that Representative Curran's intent, legislative intent, is very clear, the problem is that we look at this legislation, it...the language in the legislation is still unclear and does not cover single mothers. So, whether this Bill ends up to be the income tax surcharge or the...or the...the exemption Bill that Representative Curran would like it to be, if it ends up to be that exemption Bill, I think we ought to work a little bit on the definitions in this legislation, to make sure that they do exactly what the Sponsor wishes them to do. So, I would rise in support of this legislation, and urge its adoption."

Speaker Dunn: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I think it would be a bad mistake for the Members of this chamber to think that we are voting on anything today on this Bill but the substance of the Bill that we see before us. This is not a vehicle Bill. This is not a Bill that is intended for some other purpose. This is a Bill that is intended to do exactly what the Bill says it's intended to do, and that is to provide some tax relief for low and middle income working families across this State, for families who's

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

61st Legislative Day

May 19, 1993

total income is under \$50,000, we are going to offer some much needed tax relief. That's what this Bill is about. That's all it's about. It's not a vehicle. It's real legislation. I think that the concerns you've heard from your people back home, concerns about the overall state, local, and federal tax burden make it clear to you that low and moderate income families, families with children, are hurting. This is our chance to help them, not at the inflated price that earlier speakers have suggested, but at reasonable cost to the state budget, one we can afford and one they cannot afford for us not to offer. On that basis, I urge your 'yes' votes for Senate Bill 937."

Speaker Dunn: "The Gentleman from Sangamon, Representative Curran to close."

Curran: "This Bill has been debated well. If Representative Kubik's friends on his side of the aisle and...my friends on my side of the aisle support this legislation, we will have provided working families in this State with incomes below \$50,000 with very...with children, very serious meaningful tax relief. We will triple the exemption for working families with children. This is a good idea. I ask for a favorable Roll Call."

Speaker Dunn: "The question is, 'Shall Senate Bill 937 pass?' All those in favor vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 115 voting 'aye', 1 voting 'no', 1 voting 'present'. Senate Bill 937, having received the required Constitutional Majority, is hereby declared passed. The Chair wishes to announce that we're joined by a former Member down here in the front on the Democrat side, former State Representative John McNamara. Let's give him a



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

61st Legislative Day

May 19, 1993

hand. Messages from the Senate."

Clerk Rossi: "A Message from the Senate, by Mr. Harry, Secretary.

Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the Bills; the following title to wit, together with the attached Amendments thereto, and the adoption of which I'm instructed to ask the concurrence of the House; to wit: House Bills 1411. 1427. 1464. 1498. 1575. 1637. 1642. 1643. 1739. 1778. 2097. 2163. 2242. And 2375. Passed the Senate, as amended, May 19, 1993."

Speaker Dunn: "The Gentleman from Madison, Representative Stephens, for the purpose of an announcement."

Stephens: "Thank you, Mr. Speaker. There's gonna be a softball practice after...a half hour after session today. Now, some of you might think that's rather trivial, but since 1948, we've only lost one game, and that was last year, and we're gonna make up for it this year. So, for those of you who are interested in playing softball against those dastardly Senators, we'd like you to come to...ah-ha, here it is. We're gonna be at the Springfield High School track one half hour after session. Now, we passed something out earlier that said we'd be there at 5:30, but if...the Chair is prompt as they usually are and gets us out of here before that, it will be one half hour after session. Thank you."

Speaker Dunn: "The Gentleman from Rock Island, Representative Brunsvold, for what purpose do you rise?"

Brunsvold: "Thank you, Mr. Speaker. To correct an error of the last Gentleman that spoke, said we had lost one to the Senate. Well, I...I would have to disagree with that. Last year, the Senate got ahead at an early inning and quit. I

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

61st Legislative Day

May 19, 1993

mean, I don't classify that as a loss to any Senators. So, we just have to go out there and stay ahead through the whole game, because if we get behind in the second or third inning, they're gonna quit again."

Speaker Dunn: "Allowing the Clerk...Prefunctory Time, Representative Giglio moves that the House...stand adjourn until the hour of 10:00 a.m. tomorrow. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. And the Motion is adopted. This House stands adjourned."

Clerk McLennand: "Perfunctory Session will be in order. Introduction and First Reading of Constitutional Amendments. House Joint Resolution Constitutional Amendment #19, offered by Representative Parcells. RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least six months after the adoption of this resolution, a proposition to amend Section 3 of Article VIII of the Illinois Constitution as follows: ARTICLE VIII FINANCE SECTION 3. STATE AUDIT AND AUDITOR GENERAL (a) The General Assembly shall provide by law for the audit of the obligation, receipt and use of all funds administered by State government whether directly or indirectly by the legislative, executive or judicial branch of the State or by any instrumentality of any branch, whether appropriated or not and regardless of source, but not funds administered by units of local government or school districts, except as established by the General Assembly by law. ~~public-funds-of-the-State~~: The General Assembly, by a vote of three-fifths of the members elected to each house, shall appoint an Auditor General and may

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

61st Legislative Day

May 19, 1993

remove him for cause by a similar vote. The Auditor General shall serve for a term of ten years. His compensation shall be established by law and shall not be diminished, but may be increased, to take effect during his term. (b) The Auditor General shall conduct the audit of all funds administered by State government public-funds-of-the-State. He shall make additional reports and investigations as directed by the General Assembly. He shall report his findings and recommendations to the General Assembly and to the Governor. SCHEDULE This Constitutional Amendment takes effect upon approval by the electors of this State. First Reading of House Joint Resolution Constitutional Amendment 19. -- Representative Zickus would like to welcome the volunteers from the Christ Hospital in Oak Lawn. Being no further business, the House Perfunctory Session stands adjourned. The House will be adjourned until the hour of 10:00 on Thursday, May 20th."

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

MAY 19, 1993

SB-0090	THIRD READING	PAGE	41
SB-0099	SECOND READING	PAGE	61
SB-0099	THIRD READING	PAGE	66
SB-0099	OUT OF RECORD	PAGE	47
SB-0127	THIRD READING	PAGE	79
SB-0132	THIRD READING	PAGE	2
SB-0132	MOTION	PAGE	40
SB-0139	SECOND READING	PAGE	45
SB-0142	RECALLED	PAGE	21
SB-0157	THIRD READING	PAGE	15
SB-0157	MOTION	PAGE	45
SB-0159	THIRD READING	PAGE	3
SB-0188	THIRD READING	PAGE	85
SB-0192	SECOND READING	PAGE	55
SB-0273	THIRD READING	PAGE	25
SB-0325	RECALLED	PAGE	100
SB-0325	THIRD READING	PAGE	100
SB-0389	THIRD READING	PAGE	9
SB-0418	THIRD READING	PAGE	29
SB-0522	SECOND READING	PAGE	60
SB-0531	SECOND READING	PAGE	57
SB-0560	SECOND READING	PAGE	50
SB-0560	THIRD READING	PAGE	51
SB-0560	POSTPONED CONSIDERATION	PAGE	55
SB-0571	SECOND READING	PAGE	58
SB-0580	SECOND READING	PAGE	74
SB-0614	THIRD READING	PAGE	30
SB-0625	SECOND READING	PAGE	97
SB-0625	SECOND READING	PAGE	102
SB-0625	OUT OF RECORD	PAGE	98
SB-0651	THIRD READING	PAGE	31
SB-0664	SECOND READING	PAGE	59
SB-0664	HELD ON SECOND	PAGE	60
SB-0677	SECOND READING	PAGE	47
SB-0678	HELD ON SECOND	PAGE	96
SB-0678	RECALLED	PAGE	95
SB-0678	THIRD READING	PAGE	94
SB-0712	SECOND READING	PAGE	49
SB-0714	THIRD READING	PAGE	32
SB-0730	THIRD READING	PAGE	14
SB-0756	THIRD READING	PAGE	87
SB-0759	THIRD READING	PAGE	33
SB-0778	RECALLED	PAGE	34
SB-0778	OUT OF RECORD	PAGE	35
SB-0786	THIRD READING	PAGE	35
SB-0902	THIRD READING	PAGE	38
SB-0906	RECALLED	PAGE	39
SB-0937	THIRD READING	PAGE	103
SB-0954	SECOND READING	PAGE	76
SB-0954	THIRD READING	PAGE	76
SJ-0964	RECALLED	PAGE	17
SB-1078	THIRD READING	PAGE	40
SB-1085	THIRD READING	PAGE	42
*HJR-0019	FIRST READING	PAGE	114

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER MCPIKE	PAGE	1
PRAYER - REVEREND PEGGY BLOESCH	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL ATTENDANCE	PAGE	1
MESSAGE FROM SENATE	PAGE	2
REPRESENTATIVE DUNN IN CHAIR	PAGE	45
MESSAGE FROM SENATE	PAGE	96

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

93/09/29  
11:19:27

MAY 19, 1993

SUBJECT MATTER

CONSENT CALENDAR - THIRD READING	PAGE	96
COMMITTEE REPORTS	PAGE	102
MESSAGE FROM SENATE	PAGE	113
ADJOURNMENT	PAGE	114
PERFUNCTORY SESSION	PAGE	114
PERFUNCTORY SESSION ADJOURNMENT	PAGE	115