

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

139th Legislative Day

May 27, 1994

Speaker Giglio: "The House will come to Order. The Chaplain for today is the Reverend William Davis of the Lakeside Christian Church in Rochester, Illinois. Reverend Davis is the guest of Representative Vickie Moseley. All guests in the gallery may wish to rise for the invocation."

Reverend William Davis: "Dear Father, we pause this morning on the opening of this day to give You thanks and to seek Your continued blessings. We pause to give You thanks for the beauty of the day that You have granted us. We pause to remember the holiday that is fast approaching. We pause to remember all the valiant people who have given their lives, that we may have such days in, and conduct such business as we do this day. We thank You for the privilege and prosperity we have to enjoy this country, and this morning Father, we also pause to seek Your blessing upon this Body of men and women who seek to serve this state who seek to serve this great country. We're thankful for their spirits of service and for the dedication in service to others. We seek Your blessing upon each of them as they seek to serve as they seek to do good, as they seek truth. As this business is transacted, it's lines are drawn, as ideas are shared, may truth always be our goal, and may the good of this state proceed. We grant, we'd ask this morning that You grant these people patience and wisdom and strength. We pray this in Your name, Amen."

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

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

Speaker Giglio: "Roll Call for Attendance. Representative

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Kubik."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that all Republican Members are present."

Speaker Giglio: "Representative Currie."

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

Speaker Giglio: "Take the record, Mr. Clerk. One hundred and eighteen Members responding, a quorum is present. The House is ready to do it's business. Representative Younge, for what purpose do you rise?"

Younge: "A matter of personal privilege. Visiting the House today is Herman Chandler and Joan Chandler from Bloomington, and I ask the House to welcome them."

Speaker Giglio: "Welcome to Springfield. Agreed Resolutions."

Clerk McLennand: "Agreed Resolutions."

Clerk McLennand: "House Resolution 2823, offered by Representative Brunsvold; House Resolution 2824, offered by Representative Roskam; House Resolution 2825, offered by Representative Cowlshaw; House Resolution 2826, offered by Representative Cowlshaw; House Resolution 2827, offered by Representative Maureen Murphy; House Resolution 2828, offered by Representative Biggins; House Resolution 2830, offered by Representative Kaszak; House Resolution 2832, offered by Representative Ryder; House Resolution 2833, offered by Representative Tim Johnson; House Resolution 2835, offered by Representative Tim Johnson; House Resolution 2837, offered by Representative Tim Johnson; House Resolution 2838, offered by Representative Tim Johnson; House Resolution 2839, offered by Representative McGuire; House Resolution 2840, offered by Representative Cowlshaw; House Resolution 2841, offered by Representative Daniels; House Resolution 2842, offered by Representative

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Lawfer; House Resolution 2843, offered by Representative Meyer; House Resolution 2844, offered by Representative Meyer; House Resolution 2845, offered by Representative McAfee; House Joint Resolution 161, offered by Representative Meyer; House Joint Resolution 162, offered by Representative Meyer; House Joint Resolution 163, offered by Representative Meyer."

Speaker Giglio: "Representative Granberg moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye'; opposed, 'no'. The Resolutions are adopted. Death Resolutions."

Clerk McLennand: "House Resolution 2786, offered by Representative Younge, with respect to the memory of The Brooklyn fire victims. House Resolution 2814, offered by Representative Lawfer, with respect to the memory of Ray B. Poleville. House Resolution 2815, offered by Representative Tom Johnson, with respect to the memory of Kenneth Hanson. House Resolution 2834, offered by Representative Tim Johnson, with respect to the memory of Henry O. Stutsman. House Resolution 2836, offered by Representative Tim Johnson, with respect to the memory of Betsy Rossi."

Speaker Giglio: "Representative Currie moves for the adoption of the Death Resolutions. All those in favor signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair the 'ayes' have it and the Death Resolutions are adopted. General Resolutions."

Clerk McLennand: "House Resolution 2831, offered by Representative Turner."

Speaker Giglio: "Committee on Assignments. Senate Operations, Second Reading. Senate Bills, Representative Granberg, Senate Bill 580. Representative Granberg in the Chair, out

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of the record. Senate Bill 1324, Representative Balthis.
Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1324 has been read a second time
previously. Amendment #1 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk McLennand: "No Motions filed. Floor Amendment #2, offered
by Representative Skinner."

Speaker Giglio: "Representative Skinner on Amendment #2.
Representative Balthis."

Balthis: "The Representative was going to withdraw that
Amendment, and I move to table the Amendment."

Speaker Giglio: "Representative Hughes, do you want to withdraw
Amendment #2? Your the other Sponsor of the Amendment with
Representative Skinner. The Chair understands there is an
agreement that the following Amendments will be withdrawn.
Withdraw Amendment #2. Further Amendments."

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

Speaker Giglio: "Representative Balthis."

Balthis: "The Representative agreed to withdraw that Amendment.
She's not here, I move to table the Amendment."

Speaker Giglio: "Table the Amendment. Further Amendments?
Representative Balthis moves to table the Amendment. All
those in favor signify by saying 'aye'; opposed, 'nay'. In
the opinion of the Chair the 'ayes' have it. Amendment #2,
Amendment #3, are tabled. Further Amendments?"

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

Speaker Giglio: "Representative Salvi on Amendment #4. Withdraw
Amendment #4. All those in favor signify by saying 'aye';
opposed, 'nay'. In the opinion of the Chair the 'ayes'
have it and Amendment #4 is withdrawn. Further

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Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Senate Bill 1366, Representative Kubik. Representative Kubik in the chamber? Out of the record. Senate Bill 1724, Representative Novak. Representative Novak in the chamber. Do you want to proceed with 1724, Sir. It's on Second Reading. Out of the record. Representative Lindner, Senate Bill 1729. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1729 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Dunn."

Speaker Giglio: "Representative Dunn. Representative Dunn, John Dunn. Amendment #1, to Senate Bill 1729. The Gentleman from Decatur, Representative Dunn. The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is, this Amendment was formerly I believe House Bill 3087, which went through Committee and went through here without opposition. What it does is codify the federal procedures for reimbursement to community mental, community physical health centers, and I need to state for the record that my wife is the executive director of one of them and to the extent I have a conflict I will vote my continence. This, so I would ask for adoption of the Amendment. I know of no opposition."

Speaker Giglio: "Any discussion? The Lady from Kane, Representative Lindner."

Lindner: "I have no opposition to this Amendment. I would..."

Speaker Giglio: "Thank you. Representative Wennlund."

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

Speaker Giglio: "The Sponsor will yield."

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Wennlund: "Thank you. Representative Dunn, it's my understanding that this is either a federal mandate, or federal requirement anyway. So, it's, it just brings in to compliance with the federal law?"

Dunn: "That is correct. This brings into compliance with the federal law and it, it is not a new mandate, it is not anything, it just codifies an existing practice."

Wennlund: "The Department of Public Aid has no objection to it?"

Dunn: "I don't believe they do. No, they did not object in Committee and they have to the best of my knowledge no objection."

Wennlund: "Very good. Thank you very much, we'll pass it."

Speaker Giglio: "Further discussion? Representative Dunn to close."

Dunn: "I ask for a favorable vote?"

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Further Amendments?"

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

Speaker Giglio: "Representative Skinner. Representative Lindner."

Lindner: "I had been advised by Representative Skinner that he was going withdraw that Amendment."

Speaker Giglio: "Representative Wennlund, Lindner makes a Motion to withdraw Amendment #2. All those in favor signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is withdrawn. Further Amendments?"

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

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Speaker Giglio: "Representative Schakowsky on Amendment #3."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. This Amendment is the same, the same as legislation House Bill 3353, which previously passed the House unanimously and would establish mediation procedures in, throughout the State of Illinois. What the Bill does, is creates a Family Mediation Act and provides that a judicial circuit may elect to establish a program to provide mediation services in proceedings with contested issues regarding custody and visitation. The, the Bill that we passed out of here had been negotiated with all parties, we know of no objections to the legislation now, and I would urge passage of Amendment #3."

Speaker Giglio: "Sponsor yields. She has a question? Further discussion? Representative Wennlund."

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

Speaker Giglio: "He indicates he will."

Wennlund: "Representative, it's my understanding that, that this Amendment becomes the Bill. Is that correct?"

Schakowsky: "No, it is not."

Wennlund: "Our staff indicates that, that this becomes the Bill and wipes the underlying Bill and also wipes out the Amendment that Representative Dunn just put on."

Schakowsky: "That is not correct."

Wennlund: "Okay, so this doesn't become the Bill. This doesn't contain any of the language in there about, could you take this out of the record for a few minutes, so we could get these Amendments straight?"

Speaker Giglio: "Take the Bill out of the record."

Wennlund: "Thank you."

Speaker Giglio: "Senate Bill 1730, Representative Churchill. Is Representative Churchill in the chamber? Out of the

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record. Representative Kubik, are you ready with Senate Bill 1366? Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1366 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Currie."

Speaker Giglio: "Representative Currie on Amendment #1."

Currie: "Thank you, Speaker and Members of the House. This Amendment would authorize a, an opportunity for the Botanic Garden to operate with a working cash fund rather than engage in repeated short term borrowing as it does under certain circumstances. We provided the same language for the Brookfield Zoo, I believe in 1992. I know of no problems that resulted from that effort, and the, as I say the value of this would be that there would be some certainty, more efficiency and cost savings associated with working cash fund borrowing as against ordinary short term borrowing. I'd be happy to answer your questions and would appreciate your support for the Amendment."

Speaker Giglio: "Is there any discussion? Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is particularly relevant to all of us who enjoy the Chicago Botanic Garden and the other, which is in Glenco and the other Botanic Gardens and I would urge it's adoption."

Speaker Giglio: "Any discussion? Representative Black."

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

Speaker Giglio: "She indicates she will."

Black: "Yes, Representative, your creating a working cash fund for the Botanic Garden in a Cook County Forest Preserve, is that correct?"

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Currie: "That's correct."

Black: "And, this authorizes the Cook County Forest Preserve District to issue how many dollars in bonds?"

Currie: "Two million."

Black: "And, the bonds will be paid off by what method?"

Currie: "Through the Forest Preserves levys."

Black: "Does the Forest Preserve, I assume that's a property tax levy?"

Currie: "Yes."

Black: "All right, does this, does this provision call for a, a referendum of any kind on the extension of that levy?"

Currie: "It does not, Representative, but, but the, the \$2,000,000 would replace, this bonding authority would replace what now are short term borrowings. We believe, in fact, would save the Forest Preserve District. Some of the money it now spends on the Botanic Garden. I can run over that budget for you if you would like. The budget is about \$11,000,000."

Black: "Right, and the transfers out of the working cash fund will be in accordance with the existing law?"

Currie: "Yes."

Black: "Okay."

Currie: "And this is identical to what we provided for the Cook County Forest Preserve District with respect to Brookfield Zoo in 1992, and again I'm aware of no problems, but only cost savings and greater efficiency that resulted from that approach."

Black: "Thank you very much, Representative."

Speaker Giglio: "No further discussion. Representative Currie to close."

Currie: "I appreciate your 'aye' votes."

Speaker Giglio: "All those in favor signify by saying 'aye';

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opposed, 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Lindner are you ready with 1729? Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1729 has been read a second time, previously. Amendment #1 was with, was adopted. Amendment #2 was withdrawn. Floor Amendment #3, offered by Representative Schakowsky."

Speaker Giglio: "The Lady from Cook, Representative Schakowsky."

Schakowsky: "Once again Speaker, this sets up the Family Mediation Act and provides that a judicial circuit may elect to establish a program to provide mediation services. This is the same as House Bill 3353, which passed this chamber unanimously and I would urge your support."

Speaker Giglio: "Any discussion on the Amendment? Representative Lindner."

Lindner: "No, I wouldn't except that Amendment."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendments adopted. Further Amendments?"

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

Speaker Giglio: "Representative Lindner."

Lindner: "I would ask to withdraw that Amendment."

Speaker Giglio: "All those in favor, will signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendments withdrawn. Further Amendments?"

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

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Speaker Giglio: "Representative Lindner."

Lindner: "Yes, Floor Amendment #5 is a technical corrections to the underlying Bill, agreed to by the Illinois Hospital Association and the Illinois Medical Society and I would urge adoption of this Amendment."

Speaker Giglio: "Any discussion on the Amendment? Representative Granberg."

Granberg: "Would the Lady yield? Representative, would you mind taking that Bill out of the record momentarily so we can, there's one question with the med society, with the Medical Society on this Amendment that we need to discuss."

Lindner: "That's fine."

Granberg: "Thank you."

Speaker Giglio: "Take it out of the record. On the Order of Senate Operations, Third Reading appears Senate Bill 1477. Representative Hoffman requests leave to bring the Bill back to the Order of Second Reading for the purpose of an Amendment. Does the Gentleman have leave? Hearing none, leave is granted. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1477 has been read a second time, previously. Amendments #1 and #2 were adopted in Committee. A Motion has been filed by Representative Hoffman to table Amendment #2."

Speaker Giglio: "Representative Hoffman."

Hoffman: "Yes, I move to table Amendment #2. This is in agreement with the Republican Sponsor of that Amendment and we're going, it was, it was improperly drafted. And we're going to get to it later on, on another Amendment."

Speaker Giglio: "All those in favor to table the Amendment signify by saying 'aye'; opposed, 'no'. The 'ayes' have it and the Amendment tabled. Further Amendments?"

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

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Hoffman."

Speaker Giglio: "The Gentleman from St. Clair, Representative Hoffman on Amendment #3."

Hoffman: "Yes, this is an Agreed Amendment with the City of Chicago which will allow this CPR training to be conducted by using close circuit television demonstrations. This, this insures that the, the municipal league and the City of Chicago are, are okay with the Bill."

Speaker Giglio: "Any discussion on the Amendment? Representative Black."

Black: "Thank you very much. I have an inquiry of the Chair. Has this Amendment been printed and distributed?"

Speaker Giglio: "Mr. Clerk."

Clerk McLennand: "It has been printed and distributed."

Black: "Thank you."

Speaker Giglio: "No further discussion. All those in favor of the Amendment will signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Further Amendments?"

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

Speaker Giglio: "Representative Lopez."

Lopez: "Thank you, Mr. Speaker. House Amendment #4 is to review an approved colterversity training curriculum that shall be required for campus police departments of public colleges and universities. This is a, an Agreed Amendment that was, language put out by the university, with the result of some problems that hispanics were having at the public universities, and I ask for the adoption."

Speaker Giglio: "Any discussion on the Amendment. The Gentleman from Vermilion, Representative Black."

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

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yield?"

Speaker Giglio: "He indicates he will."

Black: "Representative, we have some confusion on this Amendment. Our staff was under the impression that this Amendment would be withdrawn, if that's not the case then, then who has agreed to this Amendment?"

Lopez: "My understanding is that this language was put out by the University of Illinois. It was a Bill that was in the Senate, and has been agreed in the Senate, it's just that it didn't meet the requirement, the deadline in their own rules. It didn't, it didn't originate here, it originated in the Senate."

Black: "Well, you said it was an Agreed Amendment. Our staff, our staff is certainly not aware of any such agreement and, in fact, are aware of some opposition to the Amendment."

Lopez: "Well, it's my understanding that this was put out by the university."

Black: "Well, the university may have put it on, but that certainly doesn't make it an Agreed Amendment. Staff feels on our side, very strongly that this is an unfunded mandate to the local government law enforcement officers training board. We don't know the cost impact at this time, so in the absence of any information I would stand in opposition to the Amendment. Mr. Speaker..."

Speaker Giglio: "Yes, Representative."

Black: "Would the Chair ask Representative Hoffman if we could take this out of the record just for a few minutes to review Amendment #4. I think we have some mixed signals here on this Amendment."

Speaker Giglio: "All right, take the Bill out of the record momentarily. On the Order of State and Local Government, Second Reading, Senate Bills. Appears Senate Bill 1232,

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Representative Homer. Representative Homer in the chamber?
Out of the record. Senate Bill 1558, Representative
Martinez. Senate Bill 1558. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1558 has been read a second time,
previously. Amendment...Committee Amendment #1 was tabled.
Committee Amendment #2 was adopted. No further Motions
filed. Floor Amendment #3, offered by Representative
Biggert."

Speaker Giglio: "Representative Biggert on Amendment #3."

Biggert: "Thank you, Mr. Speaker. Amendment #3 is to delete the
provision which is to establish the court shall not hold
the prosecution to a showing of a traditional elements for
equitable leave, relief and authorizes prevailing plaintiff
be awarded punitive damages, attorney fees and the cost of
bringing the action."

Speaker Giglio: "Any discussion on the Amendment? All those in
favor of the Amendment signify by saying 'aye'; opposed,
'no'. In the opinion of the Chair the 'ayes' have it...
Representative Martinez."

Martinez: "Thank you, Mr. Speaker. I oppose this Amendment."

Speaker Giglio: "All right he withdraws. All those in favor of
the Amendment signify by saying 'aye'; oppose 'no'. In the
opinion of the Chair the 'ayes' have it, the Amendments
adopted. Further Amendments?"

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

Speaker Giglio: "Representative Burke. Representative Dan Burke
in the chamber? Representative Martinez moves to table
Amendment #4. All those in favor signify by saying 'aye';
opposed, 'nay'. In the opinion of the Chair the 'ayes'
have it and the Amendments tabled. Further Amendments?"

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

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Biggert."

Speaker Giglio: "Representative Biggert on Amendment #5. The Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker. Amendment #5 is to, in Section 5, Section 2(a) to delete the two underscored sentences in the third paragraph, which again is the punitive damages."

Speaker Giglio: "Any discussion on the Amendment? All those in favor of the Amendment signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

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

Speaker Giglio: "The Gentleman from Cook, Representative Martinez on Amendment #6."

Martinez: "Thank you, Mr. Speaker and Ladies and Gentlemen of this House. Amendment #6, simply puts the in format what I had intended for this Bill to do in the first place before Amendments were added on."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those, Representative Wennlund."

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

Speaker Giglio: "He indicates he will."

Wennlund: "Representative Martinez, does, does this Amendment prohibit the courts from requiring the prosecution to show that traditional elements of equitable relief?"

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

Wennlund: "Does this Amendment prevent the courts from requiring the prosecution to show traditional elements for equitable relief? What does it do, what does it do to, to the justice system?"

Martinez: "The answer is yes."

Wennlund: "And, does it also provide for, that a plaintiff who is

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successful could be awarded punitive damages, attorneys fees and costs?"

Martinez: "Yes, it does."

Wennlund: "In what cases would punitive damages, attorneys fees and court costs be awarded?"

Martinez: "Only when the plaintiff wins."

Wennlund: "In what kind of cases?"

Martinez: "Well, we're dealing with immigration cases."

Wennlund: "Immigration, only immigration cases?"

Martinez: "The, the heart of my Bill is aimed at immigration."

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

Martinez: "The heart of my Bill, is aimed at immigration matters. And this Amendments #1 and #2 which were on the Bill, originally, before other Amendments came along, were agreed to by the..."

Wennlund: "Well, wait a minute. What I'm trying to clarify is that this Amendment only applies in the case of immigration cases."

Martinez: "No, this Amendment covers everything that was in the Bill before your Amendments came on."

Wennlund: "And what else was in the Bill before, before this Amendment?"

Martinez: "Like I stated before, Amendments #1 and #2 adopted in Committee, were agreed language between the American Immigration Lawyers Association and the Illinois State Bar."

Wennlund: "Well, I can imagine the Immigration Lawyers would be in favor of it, because it provides for the awarding of attorneys fees, but punitive damages. Under what circumstances would a plaintiff in an immigration case get punitive damages?"

Martinez: "When it's been determined that the Act has been

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violated."

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

Martinez: "When it's been determined that the, that the Act has been violated."

Wennlund: "What Act?"

Martinez: "The Immigration Act."

Wennlund: "Whose been violated by whom?"

Martinez: "By whoever the party is that violated that Act."

Wennlund: "Well, who would that be and what kind of instance, who would that be? Would that be the State of Illinois?"

Martinez: "That would be involving people that have been, in practice, practicing these matters without benefit of having that privilege."

Wennlund: "So, a plaintiff in an immigration case after this Amendment will now be able to sue the State of Illinois for instance for punitive damages and be awarded attorneys fees and costs. This is rather unusual."

Martinez: "We're not, this will not involve the State of Illinois. This is dealing with United States Immigration matters."

Wennlund: "The United States Immigration Service?"

Martinez: "The Immigration Service Act."

Wennlund: "Well, how can the State of Illinois pass a law that provides that the United States Government would have to pay punitive damages in attorneys fees, in an immigration case?"

Martinez: "Representative, at this moment, I would like to defer to Representative Dart."

Speaker Giglio: "Representative Dart."

Dart: "Thank you, Mr. Speaker. In answer to the Gentleman's question, what this is, is this is going after people who are illegally taking advantage of immigrants in this

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country which occurs quite frequently, especially in Representative Martinez area. These are people who are holding themselves out to know a great deal about the law. They aren't lawyers, and in the end what their ending up doing is they're sticking these people up. What this Act is doing, is attempting to go after those people, the bad people out there who are trying to take advantage of the immigrants in the area. Those are the people who the damages would be going after and that's the reason we have them, because without them, where's the teeth? What's going to keep them from doing it, nothing. They'll keep doing it, they'll keep taking advantage of these people and they're the ones that are going to get hurt from it all and we as a society are going to get hurt from it all. So, this is what they put together was an Act to go after those people."

Wennlund: "Thank you, Representative Dart. Thank you."

Speaker Giglio: "Further discussion? Representative Brady."

Brady: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Brady: "I think after Representative Dart's explanation, I understand this. But what you're doing is making it, in fact, illegal for anyone but an attorney or those exempted to provide this service?"

Martinez: "Yes. I'd like to address some points that Representative Wennlund brought up before. A couple of years ago, I believe I passed this legislation. This is existing legislation, by the way. As Representative Dart mentioned before, this only puts teeth into it."

Brady: "It just puts teeth in existing legislation by creating, providing for the damages and adding punitive damages in this process?"

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Martinez: "No, no, no. This is what is being amended to contain in the Bill. But the original Act was passed a couple of years ago. At that time it was intended for the AG to enforce this Act, but apparently they never did so...that's the reason for this, for this Amendment."

Speaker Giglio: "No further discussion. All those in favor of the Amendment, signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendments adopted. Further Amendments?"

Clerk McLennand: "Floor Amendment #7, offered by Representative Young."

Speaker Giglio: "Representative Wyvetter Young on Amendment #7."

Young: "Thank you, Mr. Speaker. Amendment #7..."

Speaker Giglio: "Excuse me, excuse me. Representative Wyvetter Young, excuse me a minute. Representative Biggert for what purpose do you rise?"

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

Speaker Giglio: "Mr. Clerk. The parliamentarian informs the Chair that the Amendment is not germane. Representative Young."

Young: "Mr. Speaker, the subject matter of the Bill is the Consumer Fraud Act and Deceptive Practices and that is what the Amendment deals with. Making it a consumer fraud in reference to installment contracts and I think it's the same subject matter."

Speaker Giglio: "The, the subject matter of the Bill, Representative, pertains to the subject of immigration. Yours is the, the Amendment, the Amendment, to unfair business practices has nothing to do with the Bill. Further Amendments? Representative Davis are you seeking recognition?"

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Davis: "Thank you, Mr. Speaker. I would just like the Body to say 'Happy Birthday' to Joe Hubble here at my desk. He reached his 19th birthday today, and he's a resident of Springfield. So, Happy Birthday."

Speaker Giglio: "Mr. Clerk, are there any further Amendments?"

Clerk McLennand: "Floor Amendment #8, offered by Representative Biggert."

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

Biggert: "I withdraw Amendment #8."

Speaker Giglio: "The Lady withdraws Amendment #8. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. All right, now we're going to go back to the Bill that was taken out of the record, that's on second, Senate Bill 1477. Representative Hoffman. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1477 has been read a second time, previously. Amendments #1 and 2 were adopted in committee. A Motion was adopted that tabled Amendment #2. Floor Amendment #3 was adopted. Floor Amendment #4, offered by Representative Lopez."

Lopez: "Thank you, Mr. Speaker and Members of the House. This is to say that the Amendment that's addressing a problem that we're having at the universities, we have discussed it and I move to, for the adoption of the Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendments adopted. Further Amendments?"

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

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Speaker Giglio: "The Gentleman from DuPage, Representative Roskam."

Roskam: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Amendment #5 corrects the Amendment #2, which was tabled by Representative Hoffman. It was incorrectly added during the committee process. Simply, it amends the State Mandates Act and provides its expenditures for computer programming necessitated by a mandate, aren't excluded from reimbursement by the state and it also amends the county's code and authorizes county recorders to use optical dismedia in performing their duties. I'd be happy to answer any questions and ask, move its favorable consideration."

Speaker Giglio: "Any discussion on the Amendment? Representative Hoffman?"

Hoffman: "I apologize Representative Roskam. It was my understanding and maybe I was incorrect, this, in committee I was under the impression this only had to do with optical disstorage. It allowed the counties to do that, their coroners office to do it through obstacle disstorage. But, now it appears that it has to do with expenditures from reprogramming computers."

Roskam: "Representative, this is the exact same Amendment that was offered in the Executive Committee."

Hoffman: "Okay, but my only question is, this doesn't get around, how do they pay for this now. This doesn't get around the tax gap does it?"

Roskam: "Heck no."

Hoffman: "Okay. So, the tax, I know that you believe in the tax gap, and you wouldn't want to get around it."

Roskam: "Not in my wildest dreams."

Hoffman: "Okay, so, it's your intention not to, to have any

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exemption through this Bill that would get around the tax gap."

Roskam: "No, none."

Hoffman: "Okay."

Speaker Giglio: "Further discussion on the Amendment? All those in favor of the Amendment, signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendments adopted. Further Amendments?"

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

Speaker Giglio: "The Gentleman from Cook, Representative Santiago."

Santiago: "Thank you, Mr. Speaker. I withdraw Amendment #6."

Speaker Giglio: "Withdraw Amendment #6, Mr. Clerk. Further Amendments?"

Clerk McLennand: "Floor Amendment #7, offered by Representative Santiago."

Speaker Giglio: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker. Amendment #7 tries to, or will seek to add uniformity to the recordation process. The currently...instrument to be filed for record, it's 8 1/2 inches by 11 in size. This Bill strikes references to 120 square inches, does any instrument exceeding 8 1/2 by 11 will be excepted to record for file, except the access of 8 1/2 by 11 for the purpose of fixing the recording fee will be regarded as an additional page. This Amendment is proposed by the Illinois County Clerks and Recorders Associations. I move to adopt."

Speaker Giglio: "Further discussion? Representative Hoffman."

Hoffman: "Yes, I would like to accept this Amendment. I think it's a good Amendment and it would make this Bill stronger."

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Speaker Giglio: "Representative Wennlund."

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

Speaker Giglio: "He indicates he will."

Wennlund: "Representative Santiago, I noticed that, that the Amendment also amends the Registered Titles Act, which is the torrent system that we repealed about two years ago."

Santiago: "Yes, you're correct."

Wennlund: "We did repeal it, then why are we amending it?"

Santiago: "Apparently it was repealed in error."

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

Santiago: "Apparently it was repealed in error."

Wennlund: "The Torrance Act was repealed in error."

Santiago: "Yes."

Wennlund: "Well, does this, does this reinstate the Torrance System?"

Santiago: "No. All it does is adds a new section requiring that each instrument recorded or filed would, with the county recorder must contain the name and address of the person to whom the instrument is to be returned to."

Wennlund: "Okay, well, if you want to amend an Act that has been repealed. I guess we'll go ahead and do it. Thank you."

Speaker Giglio: "All those in favor of the Amendment, signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendments adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Back to the Order of State and Local Government, Second Reading, Senate Bills. Appears Senate Bill 1570, Representative Biggins. Representative Biggins. Is the Gentleman in the chamber? Read the Bill, Mr. Clerk."

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Clerk McLennand: "Senate Bill 1570 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative Hannig."

Speaker Giglio: "Representative Hanrahan, on Amendment #2. Excuse me, Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This does two things: It provides that by rule that the Department of Agriculture should establish a policy that for the sale, barter, or exchange of tickets at both the State Fair in Springfield and the State Fair in DuQuoin. It also provides a system whereby the State Fair when they rent out the Fairgrounds for a show, for example, a race show or a band concert that they could still provide the ticket tellers for the event and that would allow some of the more smaller concerns to enter into agreements with both DuQuoin and Springfield Fair. The Department of Agriculture supports the Amendment and I would move for it's adoption."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. Senate Bill 1620, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1620 has been read a second time, previously. Amendment #1 was defeated in committee. No Motions filed. Floor Amendment #2, offered by Representative Lang."

Speaker Giglio: "Representative Lang on Amendment #2. Withdraw

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Amendment #2. Further Amendments?"

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

Speaker Giglio: "Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman, Ladies and Gentleman of the House. Amendment #3 is a relatively simple Amendment, it amends the Liquor Control Act of 1934 and deals with the display of birth defect warning signs. It calls for the signs to be in English and also include an illustrative symbol designed by the Department of Alcohol and Substance Abuse to communicate a message that the Governor, the government warning women should not drink alcohol beverage during pregnancy because of the risk of birth defects. It also calls for the Department to design these signs in foreign language, and that the Liquor Control Commission may distribute these foreign language signs to retail, licensees whose cliental includes significant members of persons who are speakers of those foreign languages. It also adds, to that, the changes in that section would first apply to signs printed after the effective date of this Amendment and that the department and the commission can continue to use and distribute remaining signs that were printed before this date. I'd be glad to answer any questions on this Amendment."

Speaker Giglio: "Any discussion? Representative Mautino."

Mautino: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Mautino: "Representative, who currently is responsible for the printing of these signs?"

Lawfer: "Well, it's my understanding that the Liquor Control Commission was responsible for these signs."

Mautino: "Are there any other groups which print these signs at

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the current time to distribute to members?"

Lawfer: "Well, I'm not aware of one, unless you are."

Mautino: "Okay, I do believe that IRMA does print signs and if, if I'm reading the Amendment correctly, that they would have to place in language if it's determined, there are the majority of clients who speak, say for an example spanish. Or they would have to go ahead and conform to not only the existing law, which says they have to print a sign which 8 1/2 by 11, but would also have to make up a, a separate sign to follow the portions of your Amendment."

Lawfer: "Well, that could be possible, Representative. I'm not sure. In conflicting information that I have well, you know, just what is it, correct information on that."

Mautino: "Okay. I believe it's, with this portion of the Amendment the retail merchants association does have some problems because it would require them to go ahead and shrink the size of the letters in order to get separate languages on it to get the symbol on it and so they have expressed, they agree with the concept, but they have expressed some reservations to the wording of the Bill."

Lawfer: "Well, if that information is correct Representative and we are talking about a sign and a proper sign and there may be some problems with the way that this Amendment is worded and with that in mind, Mr. Chairman, I would move that we withdraw Amendment #3."

Speaker Giglio: "Withdraw Amendment #3. Further Amendments?"

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

Speaker Giglio: "Withdraw Amendment #4. Further Amendments?"

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

Speaker Giglio: "Representative Mautino."

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Mautino: "Thank you, Mr. Speaker, Members of the House. Amendment #5 contains language which was discussed in the Executive Committee. The first portion of it says that a non-for-profit organization which is having a special event will be able to buy up to \$500 worth of liquor and product from a retail outlet. They can't do that under the current law right now. This was brought in by the liquor control commission. Their concern is they didn't want to go around and start writing tickets out to your churches and Jaycees. It's an Agreed Amendment. And then the second portion of this has a servicing requirement similar to what was contained in House Bill 2307. It affects only the beer industry, language which was in dispute in committee that had references to the three tier system, the beer industry, franchise Act has been taken out of the Bill and also purchasing requirements have been set there. The reason the service requirement is being requested is to prevent high spotting or selling only to the higher volume accounts eliminating basically the, the little guy because they can't afford to buy them. It is not currently a problem in the State of Illinois, it has surfaced as a problem in the State of California, I commend our suppliers, the Budweisers, the Millers. This is not in common practice here, it's a preventive measure that is also included in a beer distributor's master franchise agreement. And I believe with that, there is no longer opposition to the Amendment that I know of. I would answer any questions and ask for a favorable, ask for adoption of the Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendments adopted. Further

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Amendments?"

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

Speaker Giglio: "The Gentleman from Jo Daviess, Representative Lawfer."

Lawfer: "This Amendment is very much similar to Amendment #3. We did change that and say that signs printed by the Liquor Control Commission would be printed by them rather than the retailers. But on the other hand on the questions that were raised as far as Amendment #6, I would be glad to look at that further. This is a very simple Amendment and has been promoted by the Association of Retired Citizens of Illinois and I would be glad to carry that and I'm looking forward to doing further work on this. Therefore I withdraw Amendment #6."

Speaker Giglio: "Withdraw Amendment #6. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. On the Order of State and Local Government, Second Reading, Senate Bills. Appears Senate Bill 1691. The Gentleman from Kankakee, Representative Novak. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1691 has been read a second time previously. Amendments #1 and #2 were adopted in committee. No Motions filed. No Floor Amendments."

Speaker Giglio: "No Floor Amendments, Third Reading. Senate Bill 1693, Representative Black. Representative Black, you have a Bill, Sir. Read the Bill."

Clerk McLennand: "Senate Bill 1693 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Black."

Black: "I've, it's my understanding that if no Floor Amendment

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has been filed, there was supposed to be an Amendment to create two check offs, I don't think it should go to Third Reading."

Speaker Giglio: "Do you want to leave the Bill on Second Reading."

Black: "Yes, leave it, leave it on second."

Speaker Giglio: "Mr. Clerk, the Gentlemans request, leave the Bill on Second Reading. On the Order of Senate Bills, Second Reading, appears Senate Bill 1694, Representative Tom Johnson. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1694 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Skinner."

Speaker Giglio: "Representative Skinner. Withdraw Amendment #1. Excuse me, out of the record. Withdraw. That's what I said withdraw Amendment #1. Further Amendments?"

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

Speaker Giglio: "Representative Dart on Amendment #2."

Dart: "Thank you, Mr. Speaker. Amendment #2 is the Police Protection Amendment and I move for it's adoption."

Speaker Giglio: "Representative Wennlund."

Wennlund: "Yes, will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Wennlund: "Representative Dart, since yesterday has your staff been able to ascertain how many of this, of these Amendments have been placed on the House and Senate Bills. I mean, it's up to 125 yet, or..."

Dart: "No, no, no. We're still below that."

Wennlund: "It's what?"

Dart: "We're still below that number."

Wennlund: "You're still below 125. It appears to me, Ladies and

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Gentlemen of the House that this is a type of an Amendment that the Speaker must of been referring to yesterday when he made comments to the press about Amendments slowing down the process. He's at least over 100 and somewhere between 100 and 125. So, the Speaker must of been talking about himself and not House Republicans about the process and about slowing down the process. This is the same Amendment, everybody's got to vote for it, nobody can vote against it. So, let's just proceed."

Speaker Giglio: "Further discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendments adopted. Further Amendments?"

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

Speaker Giglio: "Representative Dart. Withdraw Amendment #4. Further Amendments?"

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

Speaker Giglio: "Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. Amendment #4 is the safe neighborhoods Amendment. I would move for it's adoption, and I'd be happy to answer any questions."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker Giglio: "Representative Black on Amendment #5."

Black: "Yes, thank you very much, Mr. Speaker. This Amendment

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would provide that after January 1, no Illinois State Troopers will be assigned to regular duty within the city limits of Chicago. I talked to the state police yesterday, and I find that there are 125 troopers assigned to patrol roadways exclusively, exclusively mind you. Let me say that again, exclusively within the city limits of the city of Chicago. Only one other city in Illinois has that kind of special privilege and that is, East St. Louis. I think it's wrong, I thought it was wrong yesterday, and I think since the Amendment #2 is on this Bill, it's going to put, probably 2,000 police officers in the city of Chicago until the grant money runs out, then nobody knows what's going to happen to them. We don't talk about that, though. But I think we can get the state troopers out of the city of Chicago and patrolling the 102 counties that they're supposed to. But, I'll tell you what I'll do in the, in the, I, I have filed this almost on as many Bills as Representative Dart has filed his policeman in every precinct Bill, but I want the process to move along in an orderly fashion, and I'd like to get the Bills that are on the calendar to have some extreme importance. So, I'll withdraw this Amendment, but I hope those 125 state troopers will someday be allowed to work for all the people in the State of Illinois and not those just in the city of Chicago. Thank you, Mr. Speaker."

Speaker Giglio: "Withdraw Amendment #5. Further Amendments?"

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

Speaker Giglio: "Representative Johnson."

Johnson, Tom: "Yes, Amendment #6 was per agreement with the Judiciary II Committee when this was voted out. What it adds is the committee language concerning use and unity and

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I would ask that it be adopted."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendments adopted. Further Amendments?"

Clerk McLennand: "Floor Amendment #7, offered by Representative Granberg."

Speaker Giglio: "Representative Granberg on Amendment #7."

Granberg: "Thank you. Because of remarks made by Representative Black, his good faith, that we too will not take the state police out of the collar counties and put them in downstate like in Representative Black's district, where they're so, so dourly needed. So, I would ask fully to withdraw Amendment #7."

Speaker Giglio: "Withdraw Amendment #7, Mr. Clerk. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. On the Order of Second Reading, Senate Bills State and Local Government, appears Senate Bill 1698. Representative Cross. Read the Bill."

Clerk McLennand: "Senate Bill 1698 has been read a second time, previously. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Withdraw Amendment #1. Further Amendments?"

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

Speaker Giglio: "Representative Dart on Amendment #2."

Dart: "Guess what. Amendment #2 is the police protection Amendment and I move for it's adoption."

Speaker Giglio: "Any discussion on Amendment #2? Representative

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Cross."

Cross: "Yes, Mr. Speaker. On the issue of germaneness, I'd like a ruling from the Chair. Sixteen Ninety-Eight specifically amends the Firearm Owners Identification Act as well as the unified code of corrections. If I'm not mistaken, if I've read this Amendment before, if it's the same one I think it is, it deals with finance, state finance Act. So, I'd like a ruling of the Chair, please?"

Speaker Giglio: "Representative Cross, the parliamentarian informs the Chair that the Amendment is germane, it deals with the reduction of crime. Representative Cross."

Cross: "I'm a little puzzled by the Firearm Owners Identification Act in the reduction of crime versus the states finance Act. Are we dealing with the same Amendment as yesterday?"

Speaker Giglio: "This deals with the subject of a reduction of crime. So, that's a ruling of the Chair, Representative Cross. It's germane. The remedy in this instance, is to, is to rule the, to appeal the ruling of the Chair, is that correct?"

Cross: "Yes."

Speaker Giglio: "Fine. It, the Gentleman wishes to override the ruling of the Chair. Shall the Chair, the question is 'Shall the Chair be overruled?' And on that, all those in favor signify by voting 'aye'; those...Any discussion, Representative Cross?"

Cross: "Yes, I had my light on, I'd like a roll call on this vote please."

Speaker Giglio: "All right, all those in favor of overruling the ruling of the Chair will vote 'aye'; those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 51 voting 'yes', excuse

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me, Representative Brady are you seeking recognition?"

Brady: "Thank you, Mr. Speaker. There's a page brought a salad and a coke up here and couldn't find who they did it before, so whoever gave a \$10 bill for a salad and a coke, your change and food is here."

Speaker Giglio: "You can bring it up to the podium. On this question... Representative Cross."

Cross: "Yes, inquiry of the Chair, Mr. Speaker. I'm not sure we've seen this Amendment on this particular Bill. Has it been printed?"

Speaker Giglio: "Mr. Clerk."

Clerk McLennand: "It has been printed and distributed."

Speaker Giglio: "It's been printed and distributed. Take the record, Mr. Clerk. On this question, Representative Stephens."

Stephens: "An inquiry of the Chair, Mr. Speaker."

Speaker Giglio: "Proceed."

Stephens: "How can you, how can you vote on your own decision?"

Speaker Giglio: "Very easy, I'm a Member, I'm a Member of this Body and elected by the people."

Stephens: "There's a conflict of interest there, Mr. Speaker, in, in the name of decency I think you should at least vote 'present'."

Speaker Giglio: "On this question there are 51 voting 'yes', 63 voting 'no'. The Motion Fails. Further Amendments? All right on the adoption of the Amendment, all those in favor of the Amendment signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it, the Amendments adopted. For the Amendments?"

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

Speaker Giglio: "Withdraw Amendment #3."

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Clerk McLennand: 'Floor Amendment #4, offered by Representative Dart.'

Speaker Giglio: "Amendment #4, Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. Amendment #4, is the Safe Neighborhoods Amendment and I move for it's adoption."

Speaker Giglio: "Any discussion on the Amendment? Representative Black."

Black: "Yes, will the Sponsor yield for a question?"

Speaker Giglio: "He indicates he will."

Black: "Representative Dart, this is exactly the same Amendment as #2, that's on the Bill and #3 that you withdrew?"

Dart: "No."

Black: "What's this one do?"

Dart: "No, Amendment #2 is the police protection Amendment, Amendment #4 is the safe neighborhoods."

Black: "Yes, we call that the PPA Amendment."

Dart: "Police on every corner, yeah."

Black: "I have staffers who know every word in that Amendment, what was #3?"

Dart: "Three was withdrawn."

Black: "But was it the same Amendment..."

Dart: "Amendment #3, was different than Amendment #2, it referred to it as amended."

Black: "And, then what does #4, what would 4 do?"

Dart: "Four is the safe neighborhoods, that's the difference..."

Black: "The safe neighborhoods..."

Dart: "Yes."

Black: "Which is a distant cousin to PPA."

Dart: "Yes, close cousins, actually."

Black: "What we've got the Safe Neighborhoods Act somewhere else, because that's a pretty good Bill. So, he doesn't withdraw

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this Amendment?"

Dart: "No, no. We're going to go ahead with this one."

Black: "Oh, your going to run, this is the safe neighborhoods Amendment."

Dart: "Correct."

Black: "Well, I thought we had that on a couple of Bills."

Dart: "But, you know how fickle the Senate gets."

Black: "Well, but I, as you so eloquently said yesterday, we're not going to let the Senate run the business of the House."

Dart: "Exactly."

Black: "You know, I mean, let's just send it over there and tell them to either accept it or we'll be here until they do."

Dart: "We need these Bills though, that was Representative Lang."

Black: "That was Representative Lang."

Dart: "I'm not that eloquent yet."

Black: "Let me ask you, I've seen so many of these Amendments, are these Amendments being printed on recycled paper?"

Dart: "I hope so."

Black: "Are we using soy bean ink to print the PPA and the safe neighborhood Act Amendments?"

Dart: "I hope so."

Black: "Well, I do to, because if we're using soy bean ink to print these Amendments that you have filed on over 57 Bills, I think it's going to be a great year for the soy bean farmers and if it is, than I want to call the board of trade before the day is over. So, if you could get back to me, if you are printing these in soy bean ink, I want to get in the futures market and I will call, I can't remember her name, she lives in Washington D.C., she has, she has an advisory on the board of trade that seems to be able to do remarkable things and so you know if its printed in soy bean ink than I want to invest \$1,000 in soy bean futures

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today because if that can be turned into a \$100,000 by Labor Day, guys, that would be really good."

Dart: "Apparently I'm up for the Actovator award from the Farm Bureau."

Black: "Absolutely. I'm shameless in my pursuit of that award, there isn't any question about that."

Speaker Giglio: "Further discussion? Representative Cross."

Cross: "Thank you, thank you, Mr. Speaker. As to this Amendment, I also question the germaneness. In looking at the Safe Neighborhood Bill, it amends the criminal code, if I'm not mistaken. My Bill, the underlying Bill amends the Firearm Owners Identification Act. If I could have a ruling from the Chair on that."

Speaker Giglio: "Representative Cross, the parliamentarian informs the Chair that the Amendment is germane."

Cross: "Mr. Speaker, I appreciate the parliamentarian taking the time to read the two Amendments and the Bills. Thank you very much."

Speaker Giglio: "Further discussion? All those in favor of the Amendment signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Further Amendments?"

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

Speaker Giglio: "Representative Black."

Black: "Thank you very much. I'm trying to find out if this Amendment is printed in soy bean ink. So, until I find out, withdraw the Amendment."

Speaker Giglio: "Withdraw Amendment #5, Mr. Clerk. Are there further... There seems to be a question on Amendment #4. All those in favor of the Amendment #4 signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chair, the

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'ayes' have it, the Amendments adopted. Representative Black now moves for the withdraw of Amendment #5. Are there further... Withdraw Amendment #5."

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

Speaker Giglio: "Representative Granberg."

Granberg: "I'll take the lead from Representative Black. Until I find out if it's printed in soy bean ink, I stand with Representative Black. I withdraw Amendment #6."

Speaker Giglio: "Withdraw Amendment #6. Further Amendments."

Clerk Rossi: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Cross on Senate Bill 1707. Read the Bill."

Clerk Rossi: "Senate Bill 1707, the Bill has been read a second time, previously. Amendments #1 and 3 have been withdrawn. Floor Amendments 2 and 4 are on the Bill. No Motions have been filed. Floor Amendment #5, offered by Representative Lindner."

Speaker Giglio: "Any discussion on Amendment #5? Representative Black."

Black: "An inquiry of the Chair. I assume it's been printed and distributed, but we don't have a copy in our file."

Speaker Giglio: "Mr. Clerk."

Clerk Rossi: "The Amendment has been printed and distributed."

Speaker Giglio: "Representative Black."

Black: "Yes, has it been printed and distributed?"

Speaker Giglio: "Yes, the Clerk informs the Chair it has yes. I believe Representative Lindner has, has a copy. Several other Members have copies."

Black: "I think it's a pretty good Amendment from what I've been able to ascertain, I'm just, I'm just trying to find somebody that might have a copy."

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Speaker Giglio: "Representative Lindner, do you have a copy?
Representative Lindner."

Lindner: "I don't have a copy because Representative Cross filed
all the copies this morning."

Speaker Giglio: "It's the Chairs understanding that, that it was
filed two days ago, Representative."

Lindner: "No. I now have a copy. Withdraw #5."

Speaker Giglio: "Withdraw Amendment #5, Mr. Clerk. Are there
further Amendments?"

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

Speaker Giglio: "Representative Black, do you have a copy of
Amendment #6?"

Black: "I can, I can recite this Amendment pretty much by wrote.
So, I think we'll withdraw it at this time."

Speaker Giglio: "Withdraw Amendment #6, Mr. Clerk. Further
Amendments?"

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

Speaker Giglio: "Withdraw Amendment #7. Further Amendments?"

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

Speaker Giglio: "Representative Lindner, Amendment #8."

Lindner: "Yes, Amendment #8 it's not printed."

Speaker Giglio: "Mr. Clerk, has this been printed and
distributed?"

Clerk Rossi: "The Amendment has not been printed and
distributed."

Speaker Giglio: "Representative Cross, do you want to take it out
of the record? Take the Bill out of the record.
Representative Black you have a Bill, 1766. We should call
this Bill 1766. Read the Bill, Mr. Clerk."

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Clerk Rossi: "Senate Bill 1766. The Bills been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Younge."

Speaker Giglio: "Representative Younge, on Amendment #2."

Younge: "Thank you, Mr. Speaker. Amendment #2 would include in this Bill, Senate Bill 1766, House Bill 3755...3765, which would also rise a referendum as to whether or not the people in District 601, the state community college...junior college district, would be able to pay their local share through sales tax. We have debated this matter very thoroughly, and I move for the adoption of the Amendment."

Speaker Giglio: "Any discussion on the Amendment? Representative Murphy, the Lady from Cook."

Murphy, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen. The problem with this Amendment is that it will set a precedent where any community college district in Illinois could put in place a sales tax. Not only would that be difficult for the compliance factor when we know there are no clean-cut margins for community college districts. It would also be a burden to small businesses where one town next to another maybe outside of the community college district, that shopping center will enjoy better revenues, because people will go there and abandon the very methodology that the Lady is trying to implement. Secondly, the voters of this district will have in November a chance to either de-enact this community college district, and possibly seek other alternatives, or if they want their taxes increased, they can vote to increase them. There will be a referenda in November of '94 to address this very issue. I question those that were speaking in favor of this, and alert them

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that for those of us that do not represent this area, it is not our responsibility to go and vote taxpayers an increase that they may not want when they already have the ability to vote themselves an increase in November. This is a bad precedent. This is starting a tax that never was there before. Also, this community college district is the only one in the state that currently gets funds directly out of GRF. So, there are a multitude of reasons. Most importantly, the hodge podge, the sales tax that we are trying to stay away from. This did not make it through the Revenue Committee. And why don't we allow the voters of this community to decide for themselves their method of taxation. It is not for us 118 to shove a tax increase down the throats of the very poor people of this district. So, I urge 'no' votes on this Amendment, and I am seeking a roll call with the record number...appropriate number of colleagues on my side of the aisle."

Speaker Giglio: "Representative Davis."

Davis: "Thank you, Mr. Speaker. I rise in support of this Lady's Motion. She is seeking a referendum in the district that she...she is sent here to represent and that district will vote on whether they want to tax themselves in order to improve their educational opportunities. I do believe that she has the right as the Representative from that area to do just that. I do not believe a precedent is being established when we do what a Representative who is sent here to represent their district asks us to do. I believe that what we're suggesting here is that the voters should not be given an opportunity to decide if they want to increase their own sales tax in order to provide an educational opportunity in their community which will not exist if this does not occur. I rise in support of this

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Amendment, and I don't think anyone else will have to follow suit. I think this is a very special case, and I think we should give her the consideration that she deserves. Thank you."

Speaker Giglio: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. First of all, I wanted to reiterate what Representative Murphy said. Pursuant to Rule 55 (c) and I'm joined by four of my colleagues, we would ask a record...Roll Call Vote on Amendment #2. To the Amendment, Ladies and Gentlemen of the House. I have the greatest respect for the Sponsor of this legislation, but I'm a little bit concerned that it was added to this Bill. I pleaded with her in committee not to do this, not to add it as a Committee Amendment, and it shows up as a Floor Amendment. The underlying Bill, Ladies and Gentlemen, is the Bill that is the primary funding mechanism for every one of the 49 community colleges in the State of Illinois. I can assure you that if this Amendment is added to the Bill, the Bill will not be called. Then on July 1, your community colleges will not receive their state share of their funding mechanism, because we have not passed a funding rate Bill. This Bill has never been amended in the time that I've been in the House. It has always gone through both chambers clean, because it is the primary funding mechanism for the 49 community colleges that impact in every one of your districts. Now, first of all, while the idea might be worthy, this is incorporated in House Bill 3765, which was called in this chamber on Third Reading, did not receive the requisite number of votes to pass and currently sits on our House Calendar on Postponed Consideration. If the Lady wants to call her

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Bill, all she has to do is go back and ask that that be reconsidered and called for action. It currently sits on Postponed Consideration. To the Amendment even further. I doubt seriously whether you can change a ballot proposal that goes before the voters in November at this stage in the process. It would make more sense to see, first of all, if the voters in the state community college boundaries want, in fact, to dissolve that community college and affiliate with Belleville Area College. If their answer is a resounding no, then you have plenty of time next year to come back and try a sales tax referenda to help finance that. But as a previous speaker said, if anyone in here doesn't think that this sets a precedent, come on. I don't know of a community college in the State of Illinois that would not like to have...check that, would not need more money to do the tasks that we have asked them to do. You've got to keep in mind that community colleges enroll more students than all of the four-year public universities and colleges put together. The underlying Bill is too important to burden at this time. That is the funding mechanism for our community college system. And I submit to you, in all due respect to the Sponsor, if you think the other 49 community colleges won't ask you, at a time in the future, to put the same language on their ballot so they can get sales tax revenue we all know better than that. Many of them would want the same treatment. Representative Younge works very hard for her district and very hard for state community college. And as she said yesterday state community college is different than any other community college in the state. It is owned by all of the citizenry and taxpayers of the State of Illinois. You are the primary funding mechanism of that community

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college. So we have things that we can do to assist state community college, should they choose to stay the way they are currently constituted after the November ballot. I urge you and I certainly have no disrespect for the intent of the Amendment, or the Amendments Sponsor, but I beseech you on behalf of the more than 250,000 students attending public Illinois community colleges, they cannot exist without the underlying Bill which is their rate funding Bill. I reluctantly rise in opposition to the Amendment. I ask you to please vote 'no' or 'present'. And, Mr. Speaker, should it get the requisite number of votes, I have no recourse, but to seek a Verification of the Affirmative. Thank you."

Speaker Giglio: "The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. The...I'm still concerned, Belleville Area College was portrayed yesterday that they were in support of this. I still have not received any communication from them that they are in support of this Amendment, so I'm troubled by that. Secondly, for the last dozen or so years this legislative Body has talked about the greater East St. Louis area many times, and about the economic situation there. And now that the city is recovering, the budget there seems to be finally under control, the light at the end of the tunnel is indeed shining bright, we would hope that that area would continue to recover, but you're not going to recover in a city, in an area where the property taxes are higher than any region in the State of Illinois, any region, by adding to the tax burden. Raising taxes is going to do nothing to spur economic development. For that reason and because the local area college that would be affected by this, to my

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knowledge is not in favor, and because of the reasons that Representative Black so eloquently relayed, I stand in opposition."

Speaker Giglio: "Further discussion? The Gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker, I oppose this Amendment because of its precedence. I don't think we ought to allow referendums statewide in order to have a sales tax in every junior college, although in the case of Chicago, I might be willing to allow them to have a sales tax to have a referendum on whether to have a sales tax to finance education because I'm tired of paying the bill. I have been to the junior college in East St. Louis. It has turned around remarkably. When I was on the audit commission during the 1970's, it never had a clean audit. I mean there were years where the auditor would not sign the report because the records just were gone. That situation has changed. The college, in my opinion, is being run well, but it's not being run well enough for me to want to risk having a Bill come through here next year from the Junior College Association saying we all want to have the ability to have a referendum to help finance our...our college educations out of sales taxes. They've got property taxes, that's enough."

Speaker Giglio: "Further discussion? Representative Younge, to close."

Younge: "Thank you, Mr. Speaker. I think that the many reasons that have been given by the various speakers show exactly why this Bill ought to be passed. This college has turned around and in November there will be a vote as to whether or not it is ready for local autonomy or whether or not it will be next to Belleville Area College. What the request

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here is about, is that as a part of that referendum shall this college's local share be paid for by sales tax, rather than real estate tax? To confuse this with some subject matter all around the state, I think is terribly unfair. The subject matter of this Bill has to do only with District 601, which is the state community college district. It is appropriate for us to look at situations individually. It's got nothing to do with any other place, but the East St. Louis area, and what we're saying here is in all fairness because of the very extraordinarily high real estate tax rate (\$21 for every \$100 assessed valuation, where the average is only \$3 in the state), we would prefer, and we're asking you for the right to pay our local share through sales tax rather than property tax. It would have no effect on the rest of the...of the state. It's a matter having to do only with the state community college district. This is about a referendum. What this is about is giving the voters the right in this district to decide. No one can say that we are adding taxes to people. What is going to happen in November if we do not pass this Bill is that the tax is going to be added for real estate, because of the large number of senior citizens who own real estate, because of the poverty that exists in that area, it would be fair under these circumstances for this bill to be paid by sales tax. And all I'm asking you to do today is to permit us to do so by sales tax. It is not fair to punish this district. This is a very fair and reasonable request, and I ask you for the assistance. We've gone a long way to march towards an economic, self-sufficient area, and rather than adding a high real estate tax, which would further depress the area, I ask you to join in the policy of the local governments that there will not be an

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additional real estate tax levied here. The City of East St. Louis has lowered its real estate tax and what I'm asking you is to keep from the effect, the benefit, the economic growth of that decision being wiped out by this real estate tax. I think that the arguments that have been given here show that it would be good, fair, and equitable for in this case, it would have nothing to do with what you would do in reference to other junior colleges. This is simply and directly and only affecting my junior college in District 601. Let me just say in summary that the truth is that all over this state real estate is going out the window as the way to pay for education. I'm asking you, because since 1969 up till now there has been no real estate tax in this situation to permit us. Now that we're going to assume our local share that we do so by sales tax.

That's a very...under all the situations and circumstances, that is a very reasonable request. And I ask you to please agree and adopt this Amendment."

Speaker Giglio: "All those in favor of the Amendment signify by voting 'aye'; opposed, 'no'. The voting is open. Representative Granberg, one minute to explain your vote."

Granberg: "Thank you, Mr. Speaker. The Lady is simply asking that the residents, the constituents, of her district be allowed to impose a sales tax. I don't think that's a great deal to ask for. It impacts no one else besides...her, and I think we should honor the Lady's request. If her constituents want to do that, they should be allowed to do that. So, I would ask for an 'aye' vote."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Representative Edley, one minute to explain your vote. Have all voted who wish? Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I wanted to explain my vote.

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Although I spoke to this issue yesterday, and was in favor of it, looking at the underlying Bill, I now see a problem; and, therefore, that's why I changed and am voting 'no' on the issue. I do not think the underlying Bill will pass if this is added to it, and I think it's a very important issue. I would like to see the Lady have some success with this, perhaps, on another Bill."

Speaker Giglio: "The Gentleman from Madison, Representative McPike."

McPike: "Thank you, Mr. Speaker. I hope this Amendment is adopted, and it looks like it will be, and I hope the Bill passes on Third Reading. What I don't understand is why people are so reluctant to vote for this Bill. I don't...I can't recall a more contentious issue in this House floor in the last years than property taxes. Every time we talk about an overburdening the homeowner, it always come back to property taxes. Let's cap property taxes. Let's stop their growth. This is a choice between a sales tax and a property tax. Now for the freshmen that are on the House floor they might not understand that this particular community college has never been funded at the local area...local level, never, and this year for the first time they must either do away with the college or start to pay for it, and they have a choice. The Lady would like to give them a choice. Instead of raising their property taxes, which you all seem to hate so much, which Michigan did away with and replaced with a sales tax, if you like property taxes so much, if you think property tax is the greatest thing in the world, then I understand why you're voting 'no', but property taxes aren't the greatest thing in the world, and the property taxes in this district are \$21 per hundred. Two, three or four times as much as any

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place in this state. They simply cannot afford more property taxes and so the Lady says, 'Fine, we just can't afford it. Give us a choice'. We know how poor her district is. Give the Lady a choice to adopt a sales tax instead of a terrible, terrible property tax. This to me is a very easy vote."

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

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. This is a very easy vote for anyone that doesn't live in the East St. Louis, area because it will be allowing them, and the people who purchase merchandise in that area to pay for their junior college and not come down to Springfield and ask you and your constituents to pay for it. If you're voting 'no' on this, you're ultimately saying that you want the whole State of Illinois to pay for East St. Louis. I don't think that's very bright."

Speaker Giglio: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker. I'd like to explain my 'no' vote. This is a bad vote for the economy of the State of Illinois. Raising the sales tax in East St. Louis is going to mean more business is going to go across to Missouri where the sales tax rate is less and it's going to hurt the economy of the whole state, particularly the East St. Louis region with benefits from those sales taxes. That's why I voted 'no'."

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

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As one who worked in the community college system for a while some years past, I'm very familiar with the problem in this particular community college district. I

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think it's short-sided for us not to approve an opportunity for residents of this community college district, and that's all that this measure does is improve an opportunity. It allows them to make a choice on whether they want sales tax, or property tax to fund their particular community college. If we're interested in education, we have to be interested in allowing a community college district to have adequate funding to function, and this is the only way that this particular institution is going to have adequate dollars. I think that this...it is totally erroneous to say that this is going to establish a precedent, because it doesn't allow other community colleges to do it. It applies only to one institution and only if the voters of that district choose, by referendum, to fund their community college by sales tax instead of property tax. Now, you know, it's absolutely ridiculous to say that this does anything other than what the Bill actually does. And I encourage an 'aye' vote on this."

Speaker Giglio: "Representative Lindner, one minute to explain your vote."

Lindner: "Yes I, too, had supported this Bill yesterday like Representative Mulligan, and I have to cast a 'present' vote today, because of Mr. Black's trepidations about the underlying Bill. But I do support the Sponsor in her efforts to help her junior college."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there's 61 'ayes' and 49 'noes'. Representative Black, are you persisting in your verification? Mr. Clerk, poll those not voting."

Clerk Rossi: "Poll of those not voting: Representatives Deering, Dunn..."

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Speaker Giglio: "Excuse me, Mr. Clerk. Representative...record
Representative Deering as voting 'aye'."

Clerk Rossi: "Poll of those not voting..."

Speaker Giglio: "DeJaegher, Mr. Black, do you want to verify
Representative DeJaegher, please? Does he have leave?
Gentleman has leave. Mr. Clerk, proceed."

Clerk Rossi: "Poll of those not voting: Representative Dunn,
Representative Flinn and Representative Shirley Jones."

Speaker Giglio: "Poll those voting in the affirmative."

Clerk Rossi: "Poll of those voting in the affirmative:
Representative Balanoff. Blagojevich. Brunsvold.
Bugielski. Burke. Cross. Curran. Currie. Dart. Davis.
Deering. DeJaegher. Deuchler. Edley. Erwin. Flowers.
Frias. Gash. Giglio. Giles. Giolitto. Granberg.
Hannig. Hartke. Hawkins. Hoffman. Homer. Jones, Lou.
Kaszak. Kotlarz. Lang. Laurino. Levin. Lopez.
Martinez. Mautino. McGuire. McPike. Moore, Eugene.
Morrow. Moseley. Murphy, H. Novak. Ostenburg. Phelan.
Phelps. Prussing. Pugh. Raschke-Lind. Ronen. Rotello.
Saltsman. Santiago. Schakowsky. Schoenberg. Stroger.
Turner. von Bergen-Wessels. Weaver. Woolard. Younge.
Mr. Speaker."

Speaker Giglio: "Representative Black, does Representative
Martinez have leave to be verified?"

Black: "I'm sorry, who?"

Speaker Giglio: "Representative Martinez."

Black: "Sure, sure."

Speaker Giglio: "Representative Martinez, okay. Any questions of
the affirmative?"

Black: "Yes, thank you very much, Mr. Speaker. Representative
Schoenberg?"

Speaker Giglio: "Representative Schoenberg. Is Representative

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Schoenberg in the chamber? How's the Gentleman recorded, Mr. Clerk?"

Clerk Rossi: "Mr. Schoenberg is voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the roll call. Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. Representative Lou Jones?"

Speaker Giglio: "Representative Lou Jones. Is the Lady in the chamber? How's the Lady recorded?"

Clerk Rossi: "Representative Jones is voting 'yes'."

Speaker Giglio: "Remove the Lady from the roll call."

Black: "Thank you very much, Mr. Speaker. Representative Jay Hoffman?"

Speaker Giglio: "Representative Hoffman. He's in the back of the chamber, Representative Black."

Black: "Thank you. Representative Morrow?"

Speaker Giglio: "Morrow. Representative Morrow in the chamber? How's the Gentleman recorded, Mr. Clerk?"

Clerk Rossi: "Representative Morrow is voting 'yes'."

Speaker Giglio: "Remove the Gentleman from the roll call."

Black: "Representative Stroger?"

Speaker Giglio: "Representative Stroger's in his seat."

Black: "I see him. I see. Representative Pugh?"

Speaker Giglio: "Representative Pugh is talking to Representative McGuire."

Black: "Okay. Representative Laurino?"

Speaker Giglio: "Representative Laurino in the chamber? How's he voting, Mr. Clerk?"

Clerk Rossi: "Representative Laurino is voting 'yes'."

Speaker Giglio: "Remove the Gentleman from the roll call."

Black: "Representative Kotlarz?"

Speaker Giglio: "Representative Kotlarz. How's the Gentleman

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recorded, Mr. Clerk?"

Clerk Rossi: "Representative Kotlarz is voting 'yes'."

Speaker Giglio: "Remove the Gentleman from the roll call.
Representative Black."

Black: "Yes, is... I see her. Just walking across the aisle.
Is Representative Levin in the chamber?"

Speaker Giglio: "Representative Levin. He's in his chair."

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

Speaker Giglio: "Representative Frias is in the back, over by
Representative Flinn coming down the aisle."

Black: "No reason to take anymore time. I have nothing further."

Speaker Giglio: "Thank you, Representative. On this question,
there are now 57 voting 'yes' and 49 voting 'no', and the
Amendments adopted. Further Amendments?"

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

Speaker Giglio: "Representative Hawkins, on Amendment #3."

Hawkins: "Okay, Mr. Speaker, Ladies and Gentlemen of the House.
This Amendment here would allow public utilities to form
corporations to...for the purpose of developing,
production, and marketing of discoveries and inventions.
This would simply allow them to do that without going to a
third party to do that at a cost to...to the universities
and the faculty. This would save the universities and the
faculty money."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman
from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I have an inquiry of
the Chair. Would you see if the Amendment is germane? The
underlying Bill is the Public Community College Act and
this one deals with public universities, et cetera. I'm
not sure the Amendment is germane."

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Speaker Giglio: "Representative Black, the Parliamentarian informed the Chair that the Amendment deals with higher education and it's germane."

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

Speaker Giglio: "He indicates he will."

Black: "Representative, these corporations that you're going to allow universities to set up that will...what market the faculty members ideals or inventions, is that what you're intending to do?"

Hawkins: "Yes, it is."

Black: "Would these corporations also be able to share in the university professors consulting income?"

Hawkins: "I don't understand your question."

Black: "Well, I need to introduce you to some university professors. It's not unusual for university professors to make more than their salary by charging fees around the country to consult on everything from landfills, to corporate reorganization, to studying local government, or what have you. It can be a very...a very lucrative business. Would...would your Amendment make those professors tie their consulting income into this corporation so the university would then share in that income?"

Hawkins: "Not to my knowledge."

Black: "Maybe we ought to amend that a little bit. Would these corporations be subject to audit by the Legislative Audit Commission, and the Auditor General?"

Hawkins: "It doesn't address that in the legislation, and I don't know the procedures, or the authority that the Legislative Audit Commission has, so I can't answer the question."

Black: "Okay, well, thank you very much, Representative. Mr.

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Speaker and Ladies and Gentlemen of the House. Again, this Amendment has been around the General Assembly in one form or another for, I don't know, three, four or five years; never really been able to understand just the genesis of the idea, but it has never been enacted into law, never passed both chambers that I'm aware of, and I think the inherent weakness in this Amendment is the fact that the language is silent on whether, or not these corporations that would be set up to market a professor's idea, or invention, or what have you would be subject to audit. I think that's an inherent weakness of the Bill, and if that corporation then goes public, how would the profits of that corporation be distributed? Only to the university, to the university, and I suppose the faculty member who might own the patent? Heaven forbid that any of the profit might revert to the general revenue fund that helps to fund the university, but there are a lot of unanswered questions about this, and I rise in opposition to the Amendment and am joined by 53 of my...pursuant to Rule 55 (c) joined by four of my colleagues ask for a Roll Call Vote on Amendment #3."

Speaker Giglio: "Representative Moseley."

Moseley: "Mr. Speaker, will the Sponsor yield for a question?"

Speaker Giglio: "Indicates he will."

Moseley: "The previous speaker brought up an interesting point, Representative Hawkins. What is the genesis of this Amendment?"

Hawkins: "This is to allow the universities and the faculty to save money. Now currently to market these inventions, and discoveries they must get a private corporation to do it. This would allow them to do it without the substantial cost involved in getting a private company to do this;

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therefore, resulting in savings of money for the university."

Moseley: "Did one of the universities specifically come and ask you to handle this for them?"

Hawkins: "I introduced this last year. The answer is 'no'."

Moseley: "So none of them came and asked you to handle this?"

Hawkins: "I worked with them on it, but I don't recall if they asked me. I think it was...was my staff and I seen this need, and developed it, and presented it to them."

Moseley: "Okay, thank you."

Speaker Giglio: "Further discussion? Representative Skinner."

Skinner: "I don't understand why the incorporation costs are going to be less under your scheme. Can you tell me why?"

Hawkins: "Well, because the corporation that this Bill would create would be non-profit."

Skinner: "Well, let's assume that the revenues exceed the expenditures. Where do the...where does the excess revenue go?"

Hawkins: "There is no revenue involved, because these corporations, private corporations, charge a fee. Under this legislation the university would no longer be required to pay a fee, saving the university money."

Skinner: "Boy, I'm really lost."

Hawkins: "I am sure you are."

Skinner: "I have no more questions. You can turn his mike off. You know, apparently what the Gentleman wants us to do is to have state money, that is university money pay for lawyers to incorporate corporations which the professors would have to pay out of their own money otherwise. Now, there's going to be no excess revenue according to the Gentleman, who apparently has no indication of what a corporation is for. I want to make sure if there is excess

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money, it's coming back into the general fund treasury. Now, on the audit question. The worst record of auditing that exists in the State of Illinois is under the foundations and other auxiliary organizations of the universities of the State of Illinois. They have adamantly fought to be audited, that is fought not to be audited. If this is going to be spun off out of the university, we have to make darn sure any profits coming back from the sale of these...from the sale of these ideas is coming back to the university, if the university is the one that's going to take the risk, and the university seems to be taking the risk because the university is paying for the lawyers to develop the corporations. Now, I don't know why we ought to subsidize university professors in their private enterprise but after all the Sponsor is from southern Illinois and they are used to getting subsidies from everyone."

Speaker Giglio: "Further discussion? Representative Hoffman."

Hoffman: "I rise on a point of personal privilege. Southern Illinois, I think, was just made fun of by an individual that in my mind has absolutely no right to make fun of anybody, cause in my opinion he's a joke in himself."

Speaker Giglio: "Representative Ostenburg."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's a couple of points that I think need clarification here. First of all, and I don't whether any of you are aware of this, but inventions that come about as part of teaching classes at our public universities belong to the public universities, they don't belong to the individual professor. That's already existing state policy at these universities. What the establishment of this corporation does is allows the university to better market

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what is the universities product. It's...if it's developed as part of a class assignment, or where the professor is receiving questions, or any kind of compensation, it belongs to the university. So, this corporation that would be established would allow the university to better benefit from this product that its faculty is producing on behalf of the institution. So, that's an important point for everyone to keep in mind. We're not talking about assisting professors in their private enterprises here. The private enterprises would be matters that the professor would work out outside of the classroom time, outside of the assignment that's being given by the university. It would be the same as any of us going out in our extra time, and having some kind of a part-time job, or a full-time job, or whatever like a lot of people do. This is not a case of subsidizing anyone, but it provides for a better management within higher education of the products that are generated by the employees of higher education. This is a smart move. It would lead to better management at the universities, and it would lead to a lot better productivity in terms of inventions that come about as a result of the expertise that is on our campus. I urge an 'aye' vote on this."

Speaker Giglio: "Further discussion? Representative Salvi."

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

Speaker Giglio: "Indicates he will."

Salvi: "Representative, is there anything now preventing a university from creating a corporation?"

Hawkins: "I don't know the answer to that."

Salvi: "I'm sorry. What was that answer..."

Hawkins: "I said, I don't know the answer to that."

Salvi: "Well, I...I don't think there's anything that would

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prevent a university from incorporating, or creating a corporation right now. Why do we need this?"

Hawkins: "Well, why do we not need it then?"

Salvi: "Well, it seems to me that if the university wants to create a corporation in order to do these things, they could go down, get their office incorporated, just like anybody else, and they get these wonderful benefits. These wonderful benefits are available to them right now. I strongly urge a 'no' vote on this Amendment."

Speaker Giglio: "The Gentleman from DuPage, Representative Roskam."

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

Speaker Giglio: "Indicates he will."

Roskam: "Representative, in any type of situation where a corporation is established there is capital that is put at risk. Whose capital is being put at risk? Who's putting up the money in this situation, and to whose benefit will whatever revenues that are derived, who benefits?"

Hawkins: "Would you repeat the question?"

Roskam: "Are you getting bad advice over there? You know, in any type of corporate setting capital is put at risk."

Hawkins: "There's no...there's no capital at risk in a non-profit corporation."

Roskam: "Well, I have a little experience with that area myself, but that's a whole other story. So, you're saying that there's no money that's going to be at risk as a result of this?"

Hawkins: "No, there will be no risk."

Roskam: "If it's a total risk-free endeavor, then how do you ever get a benefit? In other words, if something is funded, then money is at risk, isn't that right?"

Hawkins: "Not in all cases."

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

Hawkins: "Not in all cases."

Roskam: "You know, you have a certain ability, that I think is worth any rating in some cases. I have no idea what this Amendment is all about, and as the Sponsor of an Amendment, I would just ask for your respect in trying to answer questions on a reasonable basis, and if you can't engage in a dialogue then I don't know what we're doing here."

Speaker Giglio: "Representative Brady."

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

Speaker Giglio: "Indicates he will."

Brady: "Representative, in the way in which you've drafted this, you've drafted it in such a manner that no member of the universities governing board may sit on the board of directors. May I ask why?"

Hawkins: "Potential conflict of interest."

Brady: "Can you explain to me...give me a situation in which you feel there would be a conflict of interest?"

Hawkins: "That board could potentially be sending money back to the university."

Brady: "The board could be sending..."

Hawkins: "It could be deciding how much the university would get, and how much the university would get, and that could be a potential conflict, and how much royalty would be paid."

Brady: "This allows the university to set up a corporation. The university is governed by the governing board. I don't understand why, or how a university could set up a corporation in which it would have ownership, and yet the members who govern that university would...would not be able to sit on that board would be a conflict of interest. Why would any board set up a corporation that they would have no control over?"

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Hawkins: "I don't know the answer to that question."

Brady: "Representative, and I...you alluded to the fact that maybe this piece of legislation should pass, because it could already be done so why not let it pass. I guess my concern is if you do this you might be setting up a law that we really don't want to do. To...to stipulate now, let's assume that corporations now can exist, but now to stipulate the way in which the university can set up a corporation is such that no one on the governing board may sit on the board of directors at that university seems ludicrous at the least to me."

Hawkins: "I would be more than willing to work with anyone to address that issue."

Brady: "Well, is this...let me ask you this question. Is this such an important issue that you'd need to define it in the Constitution of the State of Illinois as emergency legislation? Maybe you could bring this back to us next year. When time is of the essence here we're spending time, maybe next year would be a good time to work on it, and I'd be happy to work on it maybe next year."

Hawkins: "Well, I'd be more than glad to introduce legislation next year to address your concerns."

Brady: "Well, might I suggest that you take this Amendment out of the record."

Hawkins: "No."

Brady: "But you are admitting that there is a flaw in this Amendment in regards to who can sit on the board?"

Hawkins: "No. No, I'm not all. In fact...in fact, I am confused, because you voted for this legislation last year, and didn't raise any concerns about it. Certainly I would think that you wouldn't vote for any legislation that would be bad."

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Brady: "Part of everything we do is re-evaluating and analyzing and as we read farther into it we find..."

Hawkins: "Well, we will re-evaluate and analyze next year."

Brady: "Representative, do you feel or do you not feel that this legislation is flawed in the inability of a member of the governing board to sit on the board of the corporation?"

Hawkins: "No."

Brady: "Ladies and Gentlemen, to the Bill. I think it's important to note that this legislation may prohibit universities from doing something they've been able to do and it may, in fact, be arranged for a negative consequence and I urge a 'no' vote."

Speaker Giglio: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker. I move the previous question."

Speaker Giglio: "You heard the Gentlemen's Motion. All those in favor signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The previous question's been moved. Representative Hawkins, to close."

Hawkins: "I stated earlier that this saves the college money. I've just been informed that some of these firms that do market these inventions charge as much as 50%. I would ask...this saves the universities money. It passed last year 113 to nothing, and I hope it comes out of the House the same way this year. Thanks."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye'... Did somebody make that Motion? I didn't hear anybody ask for a roll call, Representative Black. All right. Okay. All those in favor of the Amendment signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Mulligan, one minute to explain your vote."

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Mulligan: "Thank you, Mr. Speaker. After that lucid explanation which nobody could understand, I don't know how anybody could vote 'yes' on this Amendment. How can you place an Amendment on a Bill that the maker of the Amendment can't even explain. I spent my living...interpreting state statutes for the last ten, years and that's how lawyers make a lot of money. When somebody introduces something, and then says, 'Oh, we'll straighten it out with legislation last year at the taxpayer's expense', that's ridiculous."

Speaker Giglio: "Have all voted who wish? Representative Biggins, one minute to explain your vote."

Biggins: "Thank you, Mr. Speaker. I also noting the poor explanation of the Bill by the Gentleman on the other side of the aisle, it took a team standing around him, he still couldn't answer the questions clearly. By his own admission what he determines is a conflict of interest, he may be guilty of being a member of a union and voting on anything that has to do with the industry that he represents. Therefore, if he...if this board...creates a conflict of interest position, he may be violating, and putting himself in a conflict of interest position."

Speaker Giglio: "Representative Granberg, one minute to explain your vote."

Granberg: "Point of order, Mr. Speaker. The previous Gentleman implied that Representative Hawkins had put himself in a untenable situation. You know, we come up here, and we have insurance people voting on insurance, we have lawyers voting on everything as...law, our future law; we all try to do our best. Representative Hawkins is trying to help his people, trying to help his university. We all do that. There is no bad intent. So, let's please refrain from

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saying...making any statements. We've seen people on that side of the aisle have staff assistants, as we all do on technical issues. That is not a problem. That is certainly not a fundamental issue. That's why all of us here don't...aren't experts on every area of the law. That's why we have professional staff, so let's take the politics out of it. Let's deal with the issues. It's a good Amendment, a good Sponsor, and let's move forward."

Speaker Giglio: "Representative Balanoff."

Balanoff: "Ladies and Gentlemen of the House, Mr. Speaker. Also to explain my vote and respond to some of those on the other side of the aisle. I'm voting in favor of this legislation cause of my deep respect for the Sponsor, and knowing of his very thorough understanding of universities, and I know that he's working very hard to help not only the university in his district, but the universities across this State of Illinois."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there's 62 voting 'yes', 49 voting 'no', and the Amendments adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Giglio: "Third Reading. On the Order of State and Local Government, appears one Bill to be brought back from second, Representative McGuire, Senate Bill 1285. Does the Gentleman have leave? To bring the Bill back from second. Hearing none, leave is granted. Bill on second. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1285, the Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman."

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Speaker Giglio: "Representative Hoffman."

Hoffman: "Yes, Speaker, Ladies and Gentlemen of the House. This Bill mirrors House Bill 3042 which got caught up in...in the deadline issue. What this would do, is it would allow counties, such as Madison County, to expand their jail facility. Right now you could build a new jail facility and incur debt for that, this would allow them to remodel and expand, in addition to building a new jail facility."

Speaker Giglio: "Any discussion? Representative Skinner."

Skinner: "Is this with or without a referendum?"

Speaker Giglio: "That's a question."

Hoffman: "It would be by ordinance."

Skinner: "I'm sorry."

Hoffman: "It would be by ordinance."

Skinner: "A referendum...No referendum?"

Hoffman: "No referendum."

Skinner: "You're sponsoring an Amendment that would allow taxes to go up in your home county without a referendum? Fine."

Speaker Giglio: "Representative Hughes."

Hughes: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Hughes: "Representative Hoffman, are you aware of support or opposition to this Bill?"

Hoffman: "I don't think...I don't think there is...there is...I don't want to say that there isn't opposition, but I don't think there is major opposition. But I don't think that there is a problem. See here is the...whatever that means...let me tell you what this...what the alternative here. This does not mean any taxes are going to be raised. What has happened is, the Department of Corrections comes to Madison County says you have to make some changes in your jail because you're overcrowded. Okay? If they were

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going to build an all new jail they could incur additional debt without a referendum. This allows them to incur debt...incur debt to remodel and expand their existing facility. Now what they could do is, is they could tear down their jail, build a whole new one and not have a referendum. That doesn't make a lot of sense to me, it is cheaper for the taxpayers of Madison County to be able to remodel and expand their existing facility. This will not raise taxes at all, it will just allow them to incur debt."

Speaker Giglio: "Representative Hughes."

Hughes: "To the Amendment. I do believe this is an Amendment that is supported by the Sheriff's Association, United Counties Council, and Metro Counties and I think that this is one instance where yes it's possible to spend money without a referendum. But as was pointed out, counties already have the authority to build entire courthouses and jails without a referendum. It also should be pointed out that judges have the authorities to force counties to build jails whether in fact a referendum passes or fails, that a court order can be issued to force the construction or modification of a jail. So I think this is a Bill that we need to look at in a sensible manner."

Speaker Giglio: "Representative Wennlund."

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

Speaker Giglio: "He indicates he will."

Wennlund: "Representative Hoffman, isn't it a fact that all this Amendment does, number one, it...the Act requires a front door referendum before they can issue bonds. The Act requires a front door referendum to build a county jail.

Hoffman: "Yes."

Wennlund: "Is it a fact that all this does is add, not only to build but to remodel..."

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Hoffman: "And expand."

Wennlund: "Or expand."

Hoffman: "Or expand."

Wennlund: "So the existing law requires that the matter be determined by a referendum within the county, which would then...the county board passes the Resolution, then it goes out for a referendum and if the referendum is successful then they could issue bonds which yes would be general obligation bonds and an obligation to the taxpayers, if it is, in fact, is approved at the referendum. So there is a front door referendum requirement, isn't that correct?"

Hoffman: "What this...if you go over...there is a debt limit set, all right?"

Wennlund: "Correct."

Hoffman: "If they go over that amount, I believe they would still have to have some type of a referendum. However, presently you can go up to that amount incur debt for the construction of jails. This just adds, all it simply does is adds the words expansion and remodeling to construction."

Wennlund: "That correct. I'm just trying to clarify the fact that a couple of speakers have talked about no referendum. The Act, in fact, requires a referendum, so this doesn't change any of that."

Hoffman: "No. All this does is add allowing you to incur debt by...incure debt to expand or remodel a county jail. Right now you could of incurred that for construction of a county jail."

Wennlund: "Correct. My purpose was to clarify what other speakers had actually just spoke of. Thank you."

Speaker Giglio: "Further discussion? Representative Salvi."

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

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Speaker Giglio: "He indicates he will."

Salvi: "Representative, does this...does this apply statewide or there a...Lake County has 516,000 people, would that apply to Lake County?"

Hoffman: "This is for a population of 80,000 or more inhabitants but less than 500,000, so it wouldn't apply to Lake County."

Salvi: "It would not?"

Hoffman: "It would not."

Salvi: "Okay."

Hoffman: "There may be other...other provisions in the statute that does apply to Lake County regarding the building of jails, I'm not familiar with that."

Salvi: "Does the statute that it is changing, does that...is that also limited to 80 to 500,000?"

Hoffman: "Yes. We're...I'm not changing at all the population, the population, the original statute. I'm simply adding the words expand or remodel."

Salvi: "Thank you. I...Mr. Speaker, I would simply ask that there be a Roll Call Vote on this and I am joined by four of my colleagues."

Speaker Giglio: "Representative Stephens."

Stephens: "Will the Gentleman yield for a question? Representative, this...in our part of the state this effects only Madison and St. Clair Counties, would that be correct?"

Hoffman: "It would effect all counties between 80,000 and 500,000 but the main proponent of this is Madison County. Like Lake County is 516,000 so it wouldn't effect Lake County."

Stephens: "Just for the record, would you characterize this as a back door referendum or a front door referendum?"

Hoffman: "Well here...it is kind of a high rated. I wouldn't

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classify it either because what has happen end is, there is a debt limit set in the county. You still cannot go over that debt limit unless you have a referendum. However, up to that debt limit currently you can use that debt to construct a jail. All this says, you can go up to that debt limit and you can also expand or remodel. So it does not, it does not, really in order to incur debt to that limit, does not require a referendum because one was passed a long time ago, I assume, allowing you to incur debt up to that point."

Stephens: "Well, the reason I asked the question, this reminds me of a campaign piece that was used in my campaign against me last time where they take a picture of a Bill, House Bill or Senate Bill, much like Senate Bill 1285 and they shrink it down real little and then they say, Ron Stephens voted for a tax increase. So I guess my question to you is that, would you think it was fair to use that in a campaign to say that Ron Stephens voted for a tax increase if I vote for your Amendment?"

Hoffman: "Well, you know, the whole problem...'

Stephens: "I mean I know you are shocked by that, I was shocked when I saw the piece, at 20 times they blew them up, come to find out there were no tax increases. I don't know who did that over there, but I just want to know if their going to use this to misrepresent the truth? Could you check with one of them over there?"

Hoffman: "There is a lot of people over here wanting to take credit for that piece, so..."

Stephens: "I wish they would because it was characterized by local papers as being one of the most misleading pieces they had ever seen used in a campaign. So I am proud that they are ready to stand in defense of that piece. But I'm

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just trying to make sure that I know how this vote is going to be characterized. But then again I guess you don't know how it's going to be characterized. If you vote 'yes' they're going to say it was a tax increase. If you vote 'no' they'll say it was a tax increase. It's really kind of irrelevant and that's why they raise their hand so proudly in authorship of those kinds of campaign pieces."

Hoffman: "Was that piece black and white? Was it...was it 8 1/2 by 11?"

Stephens: "I...somebody tells me that there might be one delivered in your neighborhood..."

Hoffman: "Okay."

Stephens: "Pretty soon, so maybe you will get your own copy. I hope your name's not on it, Representative, because I hope we never stoop that low."

Hoffman: "Right."

Speaker Giglio: "Representative Hoffman to close."

Hoffman: "Well, I just wanted...I don't want anybody to get...to misunderstand this. What we are saying is, we can expand the jail in Madison County to put violent criminals away. If you vote 'no' on this, you're saying that can't happen. We're not talking about tax increase, there is no tax increase here, we're just allowing the county to expand or remodel their jail. The alternative is, they tear the jail down and they build a whole new one, that doesn't make a lot of sense. They could already do that under existing legislation. We're just saying, let's be pro-taxpayer, let's not be anti-taxpayer. Let's do the reasonable thing and allow them to expand or remodel their jail."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further

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Amendments? Mr. Clerk...All those in favor of the Amendment vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 52 voting 'yes', 47 voting 'no'. And the Amendment is adopted. Further Amendments?"

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

Speaker Giglio: "Representative McGuire, on Amendment #2."

McGuire: "Would you repeat the question, Sir?"

Speaker Giglio: "Do you have Amendment #2, Sir?"

McGuire: "I think we're going to withdraw Amendment #2."

Speaker Giglio: "Withdraw Amendment #2."

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

Speaker Giglio: "The Gentleman from Joliet, Representative McGuire, on Amendment #3."

McGuire: "Thank you, Mr. Speaker. Yes, Amendment #3 actually corrects an error in Amendment...excuse me...Amendment #2. We want to withdraw #3, Mr. Speaker."

Speaker Giglio: "Withdraw Amendment #3, Mr. Clerk. Are there further Amendments?"

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

Speaker Giglio: "Representative Steczo on Amendment #4."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #4 to Senate Bill 1285, is an omnibus Amendment which contains a number of provisions that relate to local government and are pieces of legislation that have been passed overwhelmingly or have been considered overwhelmingly and I think have been agreed to. But I would like to go over the list of items that are contained in Amendment #4.

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Number one; this Amendment provides that in counties not under township organization that elects three year...three commissioners at large, that the commissioner shall serve for staggered six year terms. It amends the drainage codes and deletes provisions limiting the maximum and minimum amounts allowed for compensation for the drainage district treasurer in districts where the treasurer is appointed. That provision was House Bill 3051 and passed this House in April, 110-3. It provides that the township attorney, appointed by a township supervisor, and the fixing of that attorney's compensation by the township board applies only to counties of 3 million in population. It provides also that in towns of 10,000 or fewer inhabitants the mayor or president may appoint a treasurer or clerk where provided by ordinance, with the advice and consent of the city council. That is a provision where we left that provision out of the statutes when we recodified the statutes. It contains a provision by...that was contained in House Bill 3633 by Representative Biggert. Which provides that Members of non-governing boards and commissions of different cities and villages may provide goods to those municipalities providing that they meet the ethic standards already established by the municipal code. It also provides that, if an ordinance under which a local government is ordered to be made provides for the condescension of private property and provides that the improvements shall be wholly or in part paid for by special assessment and if there is an agreement by the private party and by the local government board, that there can be a waiver of normal proceedings. It also makes changes with regard to lowest possible bidder and the situations that have to be taken into account as it relates to sanitary

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districts. It provides for a pop...an increase in the population threshold for the dissolution of sanitary districts from 1,500 to 5,000. It would provide that the water reclamation district board can order a responsible party for the discharge of pollutants, and sewage, and other wastes to pay court reporter costs, not exceeding \$3,000. It provides for the transfer of real property between the water reclamation district and a private citizen relating to property along the river in the...in the City of Chicago, I believe. It provides for dissolution of street lighting districts, if all the territory is annexed by a municipality. It provides for certain circumstances where a water service district may be dissolved. It provides for a situation...it provides for the allowance of reimbursement to the park district in Joliet, as a result of the opening of the OTB Parlor next to the Empress Casino. And also lastly, Mr. Speaker, Members of the House, provides that in populations in less than 3,000, if a county treasurer of a road district requests the county superintendent of highways to report to the treasurer the balance of the road districts moneys administered by the county superintendent of highways. Reports shall be based upon the last day of each six month period ending on May 1st and November 1st. The reports shall be given to the requesting road commissioner...road district treasurer within the 30 days after the six month period. Mr. Speaker, that's what contained in the Amendment, I believe it has been reviewed by both sides, its been signed off and agreed to by both sides. And would answer any questions if need be, if not I would ask for a favorable vote."

Speaker Giglio: "Further discussion? Representative Black."

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Black: "Thank you very much, Mr. Speaker. I rise in support of Amendment #4. It is refreshing to see what can happen when good faith negotiations takes place. There is a number of Republicans initiatives incorporated in Amendment #4. Even...even to the extending the courtesy of adding Republican Amendments to Democrat Bills, incorporated in Amendment 4. It is a lengthy Amendment, I think Representative Steczo has done an excellent job of explaining it. It is truly an Amendment that takes a Republican as Democrat Bills and Amendments and incorporates them in this...in Amendment, we hope the Senate concurs. It is a good Amendment and I rise in favor."

Speaker Giglio: "The Gentleman from McDonough, Representative Edley. Representative Edley, are you seeking recognition? Representative Balthis."

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

Speaker Giglio: "He indicates he will."

Balthis: "Representative, this includes the municipal change for treasurers?"

Speaker Giglio: "Representative Steczo?"

Steczo: "Representative Balthis, yes it does."

Balthis: "And it also includes Representative McGuire's Amendment, he's been trying to get on here."

Steczo: "On Joliet?"

Balthis: "Yes."

Steczo: "And the reimbursement to the park district? Yes, it does."

Balthis: "Okay. Thank you."

Speaker Giglio: "Representative Walsh."

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

Speaker Giglio: "He indicates he will."

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Walsh: "Thank you. Representative, on the Metropolitan Water Reclamation District transfer of property, which is along the north branch of the Chicago River, just to clarify, the Metropolitan Water Reclamation District is in favor of that?"

Steczko: "Representative Walsh, they have requested this language."

Walsh: "Okay. Thank you very much."

Speaker Giglio: "Hearing none. All those in favor of the Amendment signify by saying 'aye'; opposed, 'no'. And in the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Giglio: "Representative McGuire, on Amendment #5."

McGuire: "Be right with you. Okay, Amendment #5 is House Bill 3809, my friend Persico, which is on Second Reading of the House and we would like to add that as an Amendment to the Bill."

Speaker Giglio: "Representative Hoffman, are you seeking recognition? The Gentleman asks for the adoption of Amendment #5. All those in favor signify by 'aye'; opposed, 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Giglio: "The Lady from Cook, Representative Schakowsky."

Schakowsky: "Withdraw."

Speaker Giglio: "Withdraw Amendment #6, Mr. Clerk. Further Amendments?"

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

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Speaker Giglio: "Representative Wennlund on Amendment #7."

Wennlund: "Thank you, Mr. Speaker. Amendment #7 includes the Bill sponsored by Representative Cross. It allows the county board in counties with a population of 3 to 400,000 to regulate unincorporated areas of less than five acres. There...by reason of court decisions that created some confusion in the law and this just clarifies it. The second part of Amendment #7 authorizes the incorporation as the village of an acre...of a square area of three square miles with a population of 8,000 plus inhabitants in counties between 350 and 400,000. This is...because we got 8,000 living in an unincorporated area and they seek to incorporate as a village. Currently it is 4...it's 2,500 and this adds an additional category for, instead of three...four square miles it's three and 8,000 people. These people desperately need services, like police service, their own sewer and water and, as I say now, it is currently unincorporated and without police and fire service. I ask for its adoption."

Speaker Giglio: "Any discussion? Hearing...Representative Granberg."

Granberg: "Would the Gentleman yield, please?"

Speaker Giglio: "He indicates he will."

Granberg: "Representative, I'm sorry, I missed part of that discussion. Could you please describe the incorporation of...you want to incorporate a contiguous area to your town, to your city?"

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

Granberg: "Could you...your Amendment would allow the incorporation of a contiguous entity of three square miles and 8,000 people?"

Wennlund: "Correct."

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Granberg: "Into your county?"

Wennlund: "Correct."

Granberg: "Okay."

Wennlund: "Currently the area is unserved by...they have no police and fire of their own and they have to rely on county deputies, there just aren't enough county deputies to police the area and they need municipal services. And because...it's current this creates an additional category. Currently it is four square miles and 2,500 people and in this instance we've got 8,000 people living in 3,000 square miles. It creates that one window of opportunity so we can incorporate."

Granberg: "Has this been done at any other time? Because I know a lot of us in downstate have this problem. We only have deputy sheriff's and as Representative Black said we have no state police."

Wennlund: "Yes, we've already passed 4101, Representative Hughes sponsored it and it is on the Governor's desk."

Granberg: "Is that the only other incorporation or this type of option that would be allowed?"

Wennlund: "I'm sorry. I didn't hear."

Granberg: "Is that the only time that this has happened, previously?"

Wennlund: "No. There's a long history of...of this where you have unusual situations throughout the state."

Granberg: "Okay. And what would be the...Would this be a referendum to allow of those residents?"

Wennlund: "Yes, yes."

Granberg: "So the referendum would go before the public in the next general election, special election? Would the referendum be offered at the next general?"

Wennlund: "They petition the court, asking the court to put the

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question of whether or not the area shall be incorporated on a...on the November election ballot, for instance."

Granberg: "Okay. So that would be this fall and that would be, obviously, binding?"

Wennlund: "Whatever the court decides, the answer is yes."

Granberg: "Okay. Would there be any...it also deals with agricultural use by, on zoning certain parcels of this property that would be incorporated? I'm not sure if I understand what that entails."

Wennlund: "Does that refer to Representative Cross's portion? I would refer to Representative Cross with respect to that issue."

Granberg: "Oh, I see. Okay. Fine. Okay. Thank you, Representative, I think...thank you again, thank you for your time."

Speaker Giglio: "Further discussion? Representative Dart."

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

Speaker Giglio: "He indicates he will."

Dart: "Representative, as to the portion of the Amendment that is yours. What specific town or village are we talking about?"

Wennlund: "It refers to an area, an unincorporated area, known as Franklin Square."

Dart: "And this would allow for the...it being annexed or incorporated, I mean?"

Wennlund: "No. It permits...it permits an area where there are three contiguous square miles containing 8,000 or more people to incorporate as its own municipality."

Dart: "Okay. And how does that area presently set up now?"

Wennlund: "It's unincorporated."

Dart: "And is there is a large movement by the people of that area to have it incorporated?"

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Wennlund: "Yes."

Dart: "Is there opposition to that?"

Wennlund: "There was at one time but there no longer is."

Dart: "Who?"

Wennlund: "At one time an adjoining village opposed it, but they no longer oppose the incorporation of it and they don't want to annex."

Dart: "Now is this at all involved with the controversy with the annexation of certain lands out there by, Homer Township and all in that area there?"

Wennlund: "No. It does not effect Homer Township. Homer Township is the whole township, that they are trying to incorporate as a municipality. It is an entire township with about 28,000 people in it, but that is a whole separate issue and this doesn't effect it."

Dart: "In the area you're talking about these are people that are wanting this to be done right now?"

Wennlund: "They want it to be done because they have no control over their own zoning, within that area. They don't have control over...they don't have police and fire services. And there are a lot of other municipal services, like garbage collection, that they have to contract from, from the outside on an individual basis and it is a patch work of mess is what it is."

Dart: "I guess my question though, the last sentence here where we talked about the consent of municipality may not be obtained if these...if everyone is in agreement on this, why is that we even have that in there?"

Wennlund: "That's correct. Any surrounding municipality would not have to consent to the incorporation."

Dart: "The surrounding municipalities don't want this?"

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

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Dart: "The municipalities surrounding this area, you're talking they do not want this to occur, is that it?"

Wennlund: "They do at this point in time. They do not want to annex them, they want them to incorporate their own."

Dart: "Okay. Has there been an attempt in the past to annex this that failed?"

Wennlund: "No. It did not fail. There has been no attempt because they couldn't comply with the necessary four square miles."

Dart: "Okay. As I said, I guess my only concern is why we even have that sentence in there about the consent of municipality not being needed if everyone seems to be in agreement on this."

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

Dart: "I guess, I guess my only concern, Representative, is that last sentence which says that we don't need to have the concern of a municipality if everybody seems to be in agreement on this thing."

Wennlund: "Well, that's a no municipality like the City of Chicago, couldn't stop it from incorporating. I mean there is 8,000 people without the necessary services."

Dart: "Could...How could Chicago stop this from occurring though? I mean isn't this awfully far removed from the City of Chicago?"

Wennlund: "This says that they don't have to go to every municipality that surrounds that area, that three square miles, and get their consent."

Dart: "Okay. But that wouldn't be Chicago that would be some of these other ones, correct? And as far as you are aware right now, they are all in favor of it?"

Wennlund: "That's correct. The one village that did object, has removed its objection, that's Frankford."

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Dart: "Okay. No further questions."

Speaker Giglio: 'Representative Wennlund, to close.'

Wennlund: "Thank you, Mr. Speaker. And pursuant to Rule 55 (c) and I'm joined by four of my colleagues, request a record vote on this Amendment."

Speaker Giglio: "All those in favor of the Amendment signify by voting 'aye'; opposed, 'no'. The voting is open. Have all voted who wish? Representative Black."

Black: "Yes, I just would like to explain my vote, if I could. Mr. Speaker, you know Representative Steczo and others have done a great deal of work on this Bill and I know we don't want the Senate to dictate to us what we do or not do. But in this case there are some very important legislation attached to this Bill. Democratic and Republican Sponsors and whether we like it or not the powers that be in the Senate, have told us that if Amendment 7 isn't on the Bill, then the entire Bill gets tubed. And I don't think we need to do that, I don't think that it is that controversial, I think there are good Democrat Bills, good Republican Bills incorporated in this. And I would hope that Amendment #7 could be incorporated so we could send this Bill over to the Senate and they will then concur with the Bill and I think everybody comes out a winner."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there is 55 voting 'yes', 55 voting 'no'. And the Amendment fails. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Giglio: "Third Reading. On the Order of Second Reading, Senate Bills appears 1750, Representative Hassert. Government Administration. Representative Hassert in the

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chamber? 1750. Read the Bill, Mr. Clerk. Out of the record. On the Order of Human Services, Second Reading, Senate Bill 1165, Representative Schoenberg. Out of the record. On the Order of Conference Committee Reports, appears House Bill 4, Representative Daniels. Representative Walsh. Representative Ryder is here. Representative Ryder."

Ryder: "Yes, Mr. Speaker, I'm present. What can I do for you?"

Speaker Giglio: "Conference Committee Reports, House Bill #4."

Ryder: "I would ask the House to adopt Conference Committee #1 to House Bill 4 which is a supplemental appropriation for both the Department of Children and Family Services and the Department of Veterans Affairs. In essence the report recommends that the Senate recede from Senate Amendment #1, the title be replaced with an Act making legislative transfers from a supplemental appropriation to the Department of Children and Family Services and Veterans Affairs and it makes the necessary transfers necessary for the appropriations to finish the end of the year. It has...the Conference Committee Report has been negotiated by all four caucuses. The Conference Committee Report contains the signatures from all four caucuses, there are 10 signatures on the Conference Committee Report. And the Senate has passed and approved this Conference Committee Report, when they left the premises this morning. I would be happy to answer questions, if there are any."

Speaker Giglio: "Question is, 'Shall the Conference Committee Report be adopted?' On that question, Representative Hannig."

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

Speaker Giglio: "He indicates he will."

Hannig: "Representative, how many lawyers are in this payroll?"

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Ryder: "Representative, the questions that I asked about the Attorney General's office were answered very promptly, I wish to compliment the Attorney General for answering the questions concerning the department for the Attorney General's office. I received, within 24 hours, an answer to those questions. I am, however, still waiting on the answers to questions that I ask you on that day, and you haven't responded yet. To my knowledge there are no attorneys employed in the funds that we are discussing."

Hannig: "Thank you. What the Representative said about this being negotiated and agreed is true. These are lapsed funds that otherwise would not be spent on any programs that will now be spent on some important programs. It is also some significant new federal money and I would urge all Members on both sides of the aisle to vote in favor of this proposal."

Speaker Giglio: "Representative Schakowsky."

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

Speaker Giglio: "He indicates he will."

Schakowsky: "I wanted to ask a few questions about some of the money that is being transferred. Are there any funds being transferred out of daycare lines?"

Ryder: "No."

Schakowsky: "The department recommends transferring \$240,000 out of the cash assistance in housing locator service to norman class families. Will this result in a lack of services to these individuals?"

Ryder: "No."

Schakowsky: "The department recommends transferring \$250,000 out of children's personal and physical services. Will children continue to receive these services?"

Ryder: "The answer is yes."

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Schakowsky: "The department recommends transferring \$750,000 out of the foster care initiative, which pays for the training and recruiting of foster parents. Will these services continue to be provided for the remainder of this fiscal year?"

Ryder: "Yes."

Schakowsky: "The department recommends transferring \$382,000 out of the counseling line item. Why is this money not being spent?"

Ryder: "The counseling laps resulted because of Medicaid conversion of counseling contracts originally planned for January, could not be completed until mid March. The FY95 requested an appropriation is needed to cover the annual oration appropriation as well as to fund the health care requirements of the BH consent decree. The remaining funds are sufficient to provide these funds to the Department of Children and Family Services, children and families as needed for the balance of the fiscal year."

Schakowsky: "Thank you. And finally, according to the department the supplemental transfer legislation will eliminate any delays in subsidy payments to adoptive parents. Is this your understanding?"

Ryder: "I understand that this supplemental will result in no delays in subsidy payments to adoptive parents."

Schakowsky: "So this will eliminate any delays that may have been occurring?"

Ryder: "That is my understanding."

Schakowsky: "Okay. Thank you very much. With those understandings, I rise in support of this First Conference Committee Report."

Speaker Giglio: "Representative Tenhouse."

Tenhouse: "Thank you...Thank you, Mr. Speaker. Would the Sponsor

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yield? I think they've left us here too long. Would the Sponsor yield? He won't yield."

Ryder: "Okay."

Tenhouse: "I have some questions, first of all, I guess when we're talking here...as far as the Department of Veterans Affairs is concerned, can you enlighten us a little bit. Are any transfers involved here that are going to involve operations at the homes at Mantino, LaSalle or Quincy or the prospective home at Anna?"

Ryder: "Representative, yes there will some transfers from funds that are anticipated to lapse. Our impression is, our belief is, that there will be no changes in the operation but rather from line items that will lapse, there will be funds taken for this other purposes. For example, in the Quincy Veteran's Homes there will approximately \$23,100 transferred, LaSalle Veteran's Home \$8,000, Mantino Veteran's Home \$17,000. That is roughly equivalent to the size and volume of a veterans cared in those homes, roughly in the same size."

Tenhouse: "I know Representative Hawkins is very interested in getting the home started at Anna, but isn't it true that that home will not begin operations until after the end of the fiscal year, after July 1?"

Ryder: "That is correct. We expect to lapse some of the funds, over a half a million dollars, from the Anna funds of which we're using \$28,000 to finance these veterans bonuses."

Tenhouse: "I'm certainly in support of the veterans bonuses. But why would the conferee not just take the money out of the prospective opening at Anna simply because it's not going to take place until the end of the fiscal year, rather than the operations at the homes in Mantino, LaSalle and Quincy."

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Ryder: "Representative, that's a very sensitive question. And I think that it was merely as a result of negotiation. Those who participated in the committee may have wished for a different source of all of the funds that were here. It was arrived at as a matter of negotiation, one that called for compromise and the compromise that you described was one that was necessary. I believe in order to get the agreement of all of the conferees."

Tenhouse: "Are there assurances on the part of the administration that the transfers that are going to take place, will they have any impact at all on the operations, as far as Mantino, LaSalle or Quincy or Anna...of course Anna won't start out until the first of July anyway. But for the three homes that are operational at the present?"

Ryder: "Representative, I assure you because of your strong support for the veteran's homes. That we were most diligent in the negotiations concerning this, that there not be any, I repeat, that there not be any changes or effects in the operation of the three homes that are currently up and operating. We are assured by the Department of Veteran's Affairs that using the funds that would lapse in any event is a acceptable means of financing the bonuses. More importantly that it will not make any changes in the operations of the three existing homes in Mantino, LaSalle or Quincy."

Tenhouse: "Thank you very much. I appreciate your answering the questions to the Bill. I guess as we look at this issue I'm certainly very supportive and certainly the transfers that we are continuing to function as far as DCFS is concerned. I also have some strong concerns and I think, I don't know how people on the other side of the aisle feel, but we certainly are concerned about the continued

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operation of the veteran's homes, not just in my community, but throughout this state and that continued commitment. And I guess I find it a little ironic when we're basically in a situation where we have veteran's groups paying for thermometers that we are taking money out of the operations lines for these other three homes. As a result of that, even though I certainly support the idea of taking dollars and paying the veteran's homes grant assistance program. I am not supportive of this particular action taking money out of the operations lines of Mantino, LaSalle and Quincy. And I am going to vote 'present' on this Conference Committee Report as a result."

Speaker Giglio: "Representative Martinez."

Martinez: "Thank you, Mr. Speaker, Ladies and Gentlemen, General Assembly. Mr. Speaker, this Conference Committee Report is an example of good government, in my opinion, which is something that doesn't come out of this House often. We seldom agree on things, I'm hopeful that we can give bipartisan support to this. This language allows the Illinois Department of Veterans Affairs to utilize money that would otherwise be wasted. As Chair (Chairman) of the Veterans Affairs Committee, I had some reservations about taking money out of the veteran's homes. However, I have been assured that the removal of these funds will not endanger any veterans and all transferred funds will be used to pay off well deserved and earned Persian Gulf War bonuses. I urge the bipartisan support of this Body support."

Speaker Giglio: "Representative Kubik."

Kubik: "Well, thank you, Mr. Speaker. And I certainly would not want to violate the rules of this House. But I would like to introduce the Irving School from Berwyn, they are

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visiting us today and welcome them to Springfield. Thank you, Mr. Speaker."

Speaker Giglio: "Representative Hawkins."

Hawkins: "Okay. Mr. Speaker, will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Hawkins: "I've been informed that \$28,300 is going to be transferred from the new Anna Veterans Home, is that true?"

Ryder: "Representative, the Anna Veteran's Home is going to lapse in GRF over a half a million dollars of funds that they're simply not going to spend. Of the funds that they are not going to spend, we are transferring \$28,300."

Hawkins: "Do I have the assurances that this transfer will in no way effect the Anna facility?"

Ryder: "Representative, in no way will this transfer effect the operations of the facility that is yet to open."

Hawkins: "When is that veteran's home scheduled to open?"

Ryder: "As soon as we can get it there. I don't know the date, Sir."

Hawkins: "Do I have your assurances that all the money transferred will be used to pay off the Persian Gulf war bonuses payments?"

Ryder: "Representative, not only do you have my assurance, you have the assurance of the House because it's being placed in a line item that is to be used for that purpose."

Hawkins: "Well, Mr. Speaker, I'm glad to see that this money that would otherwise lapse is being put to good use. The Illinois Persian Gulf war veteran's should receive the bonuses that they are entitled too. I am extremely disappointed in the Governor, in not getting this veteran's home started in Union County. Union County has suffered a devastating economic blow, there have been factories closed down there, they have double digit unemployment and they

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could have used this half a million dollars that was appropriated by us, the Illinois General Assembly, to get this home started. And the Union County could have used this increased revenue in their county and yet with the lack of leadership, on the Governor's part, the Sponsor here doesn't even know when this home is going to be open. It has been ready for a long time. I would certainly like to know, from someone, when the Anna Veteran's Home is going to be open. Thank you."

Speaker Giglio: "Representative Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Giglio: "Indicates he will."

Novak: "Thank you. Representative Ryder, Representative Giglio and I have a lot of concerns about these transfers. I know you're holding your hands and I know everything is going to turn out fine and our veterans are going to be treated appropriately. But could you give me a few assurances of some questions that I would like to indicate to you? Is it true that \$17,000 is being transferred from lapse money from the Mantino Veteran's Home, is that correct? I believe..."

Ryder: "Seventeen Thousand One Hundred Dollars. And it is from lapsed funds at Mantino."

Novak: "Okay."

Ryder: "The answer to your question is yes."

Novak: "Okay. And you also can give us assurances via the fine dedication through the Department of Veteran's Affairs that these transfers of lapse period dollars will not diminish any services to our veterans and our veteran's homes throughout the State of Illinois? Correct?"

Ryder: "The answer is yes I can give that assurance."

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Novak: "No one is going to be laid off, no contracts are going to be diminished or stopped, materials and services will continue to be provided?"

Ryder: "Is there a question in that?"

Novak: "Correct?"

Ryder: "The answer is yes, I will give that assurance."

Novak: "And one other question, Representative. All this money that is being transferred certainly is going...going to the Persian Gulf War Veteran's bonuses, is that correct?"

Ryder: "Yes."

Novak: "And the money is to be used for no other purposes, is that correct?"

Ryder: "Yes."

Novak: "Representative Ryder, thank you very much. I urge my colleagues to support this legislation."

Ryder: "Yes."

Speaker Giglio: "Representative Dart."

Dart: "Will the Sponsor yield, please?"

Speaker Giglio: "He indicates he will."

Dart: "Representative, in regards to the cut in the personal services for DCFS, is this not going to make it more difficult to reach the target. They have like 500 new staffers in the next nine months?"

Ryder: "Representative, you asked a very sensitive question, one that was asked by the conferees and the negotiators on this. We dealt extensively into the concerns of compliance with the BH decree, most particularly, as to the hiring goals that were set by that. We have been assured by the department that this will in no way affect the schedule of hiring that was agreed to under that decree."

Dart: "Well, now this is truly a question, I'm not sure. But have they not...is not the monitor sort of stated recently

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that they are going to ignore the dates they set anyway because DCFS has been blown all the dates for the different things to be done anyways?"

Ryder: "I have no knowledge of that, Sir."

Dart: "Okay. As far as the targeted case management and that part of the reductions there. Is that going to impact them negatively because of the fact that they are dealing with the most sensitive cases?"

Ryder: "Representative, my understanding is that in the case of the managed care, that the monitor and the department are awaiting the results of a study. And that study will indicate the direction that is necessary to proceed. So that I don't believe this transfer will effect, in anyway, that because we are simply waiting at this point."

Dart: "So and for the upcoming fiscal year they...the money set for the targeted case, management are going to wait on that for this...everything as far as targeted case management is on hold?"

Ryder: "No. I won't say that everything on managed care is on hold because I don't believe that it is. But I believe the main emphasis of managed care is awaiting that...that study. But there are funds in this budget, we're not by any means taking all the funds on managed care, nor should there be any indication that this transfer would in anyway effect what I believe to be a very valid attempt by the Governor and his proposed budget for the next fiscal year."

Dart: "Yes. Well, I was talking about the targeted case management. The initiative in the upcoming budget, is all that on hold also until they get this study back?"

Ryder: "No, that is not all on hold. The study, I'm understanding, is due the end of this year but the department has made some initiatives because the department

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does believe in the case management system, that you described. So, to suggest that we're waiting is not true because some effort is being done in the case management area. But the study is upon agreement of the monitor and the department. The study itself will tell us the direction for the main funds to flow."

Dart: "Okay. And my final question on that, the reductions in the plan ed. system, that's something that integrated to the foster...to children getting hooked in to foster care. And this is of substantial cutback there, is that not going to pose a problem with trying to get the children into placement so that they're aren't crowding up the emergency shelters?"

Ryder: "Representative, we discussed that and we brought that to the attention of the department. Because, as you know, some of the negotiators on your side had some concerned about the original request of the department in the supplemental as to the source of funds to be transferred. And there was some concerns that the original request may have caused some changes in the department, some bills to go unpaid, so we modified that original request and that may be why you're asking the question based on the original request. The plan that we have presented to you, at this point, is to the best of the ability of the conferee, the negotiators and the department. One that is using funds that would not have been otherwise spent. But, more importantly, using funds that will not affect the overall mission of the department. And specifically in the area that you've described even though there is a substantial amount of funds in that particular line item. We believe that it will not affect the plan ed."

Dart: "I guess in general then, as long as the assurances are

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there, that the department is going to keep...it is going to make the proper hirings, it is going to make sure the system is funded to such a level where we comply with everything, we don't end up in court and yet another time on this. I understand we are coming from this. Thank you."

Speaker Giglio: "Further discussion? Representative Edley."

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

Speaker Giglio: "Yes, he will."

Edley: "Is the...is the \$89,000 that we're paying Mac Ryder as a lump sum settlement included in this special supplemental?"

Ryder: "No it is not."

Edley: "Where is it coming from?"

Ryder: "It comes from the personal line item or personal services line item and that is not part of this supplemental, Sir."

Edley: "Well, why don't we transfer the money from that personal line item and not from these veteran's homes? And wait to pay..."

Ryder: "Because, Sir..."

Edley: "Next year?"

Ryder: "Because, Sir, this is a supplemental for this year and I think that you're a little ahead of yourself here. So, we're dealing with the current fiscal year. And also because this is the agreement between your conferee and our conferee."

Edley: "So it's you're...it's you're position that this is the only place we can find it that it is taken away from veterans?"

Ryder: "It is my position that this is the source of funds that all of the conferees agreed. Apparently, when you made the suggestion to take that money from...and your conferees

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didn't agree with you because that suggestion was never placed on the table, Sir."

Edley: "I don't think we knew that there was a \$100,000 in the Department of Children and Family Services, a line item that wasn't being spent..."

Ryder: "I don't know when you found out that such a lump sum was available because I can assure you that negotiation on this Bill has been taking place almost to the point that it was printed and distributed and on which it is being voted. We have had continual conversations here, so if you were in anyway informed on that, it should have been your duty to notify your conferees."

Edley: "That's all."

Speaker Giglio: "Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, apparently Representative Flinn is temporary unavailable so in his behalf, I move the previous question."

Speaker Giglio: "The Lady has move the previous question. All those in favor say 'aye'; opposed, 'no'. The previous question is moved. Representative Ryder to close."

Ryder: "This is a supplemental Conference Committee Report, agreed to by all four caucuses, it has passed the Senate. I would ask your favorable vote on this issue."

Speaker Giglio: "Question is, 'Shall the House adopt this First Conference Committee Report to House Bill #4?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just to make note for Representative Skinner's attention, that Southern Illinois region had the lowest subsidy in this line item than any other in the state."

Speaker Giglio: "Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'yes', none voting 'no', 2 voting 'present'. And the House does adopt the First Conference Committee Report to House Bill #4. And this Bill, having received the required Constitutional Majority, is hereby declared passed. The Chair is prepared to adjourn. Allowing perfunctory time for the Clerk. Representative McPike now moves that the House stand adjourned until the hour of 12:00 noon on June the 1st, Wednesday, June the 1st. Representative Skinner."

Skinner: "Mr. Speaker, aren't we going to get a chance to reject the pay raise?"

Speaker Giglio: "It's not on the schedule, Representative."

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

Speaker Giglio: "We still have...we have 30 Session days, Representative."

Skinner: "I haven't seen the Supreme Court decision on that law yet. I'd feel much more comfortable if we voted today. I want to be on the record, I don't know whether anybody else does or not."

Speaker Giglio: "All those in favor signify by saying 'aye'; opposed, 'nay'. The 'ayes' have it. And the House now stands adjourned until 12:00 noon Wednesday, June 1st."

Clerk McLennand: "House Perfunctory Session will be in order. Messages from the Senate; A Message from the Senate by Jim Harry, Secretary of the Senate. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolutions and the adoption of which I 'm instructed to ask concurrence of the House of Representatives to which Senate Joint Resolution #167, Senate Joint Resolution #168, Senate Joint Resolution #169, Senate Joint Resolution #170 and

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Senate Joint Resolution #172. These Senate Joint Resolutions were adopted by the Senate on May 27, 1994, offered by Jim Harry, Secretary of the Senate'. Introduction and First Reading of House Bills. House Bill 4251, offered by Representative Burke, a Bill for an Act to amend the Illinois Pension Code. First Reading of this House Bill. No further business. The House Perfunctory Session will be adjourned and the House will reconvene on Wednesday, June 1st at the hour of 12:00 noon."

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