

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

144th Legislative Day

June 8, 1994

Speaker McPike: "The House will come to order. The Chaplain for today is Reverend Eugene Weitzel of the St. Alexius church in Beardstown, Illinois. Reverend Weitzel is the guest of Representative Edley. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Weitzel: "O' God, our Father, as we continue to honor and memorialize all those who gave their lives during World War II, and especially on D-Day, and those who were injured of mind and body, and those who gave their time and their efforts to win for us precious freedom, we ask Your blessing upon them and their families. Let us pray also, O' God, our Father, for today we seek Your guidance and blessing on all of the Members of this august House. They have very important work to do, Lord, for all the people of the sovereign State of Illinois. But dear God, today our thoughts are not only on our military heros and upon this House, for they are also upon the devious evil of excessive and unnecessary bashing. Yes, Lord, I do say bashing and harassment of those who hold office in our country and in our states in both our political parties. It seems that today, dear Lord, those who hold high office in our nation and in our state are continually hampered in carrying out their programs by excessive and negative criticism. Their public and official lives and deeds are under constant fire, and even their private lives before they came into office are under constant scrutiny. Lord, help us to give them support and guidance as they go about doing their work rather than negative criticism. You know well the difference between fair and unfair treatment. Guide them, the Members of both parties, as they seek to point out the strengths of the other side. Give us the courage to be supportive rather than critical in an unfair fashion. And

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

144th Legislative Day

June 8, 1994

we pray all these blessings upon our military heros, upon this House, upon our political leaders in the nation and in the state, of You, Lord, who live and reign a giving God, a loving God, for ever and ever. Amen."

Speaker McPike: "We will be led in the Pledge of Allegiance by Representative Kotlarz."

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

Speaker McPike: "Roll Call for Attendance. Mr. Saviano."

Saviano: "Mr. Speaker, all Members are present on this side of the aisle."

Speaker McPike: "Thank you. Ms. Currie."

Currie: "Thank you, Speaker. The record should reflect that both Representatives Tom Homer and Eugene Moore are excused today."

Speaker McPike: "Mr. Clerk, take the record. One Hundred and Fourteen Members answering the Roll Call, a quorum is present. Representative Biggins, for what reason do you rise."

Biggins: "Thank you, Mr. Speaker, I'd like to let Members of this chamber know that today is a very special day to my seat mate, Representative...Representative Robert Olson's birthday is today. It's a very special birthday for him. This is the 25th anniversary of his 38th birthday, and I think that's a very special day and should be acknowledged. I'd also like to briefly read from his horoscope taken from today's newspaper, just very briefly if I may. It says, 'Circumstances take sudden turn in your favor. Start project. Get to heart of matters, and if you are a Legislator in the minority party, you will have the

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

144th Legislative Day

June 8, 1994

majority after November.' We have cake over here for all who wish to partake in this...event."

Speaker McPike: "Resolutions."

Clerk Rossi: "House Resolution 2908, offered by Representative Hoffman; House Resolution 2909, offered by Representative Biggert; House Resolution 2910, offered by Representative Biggert; House Resolution 2908, offered by Representative Hoffman; House Resolution 2913, offered by Representative DeJaegher; House Resolution 2914, offered by Representative DeJaegher; House Resolution 2915, offered by Representative Deuchler; House Resolution 2916, offered by Representative Walsh; House Resolution 2917, offered by Representative Younge; House Resolution 2918, offered by Representative Novak."

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

Clerk Rossi: "House Resolution 2911, offered Representative Pugh, with respect to the memory of Mary Reynolds. House Resolution 2912, offered by Representative Ryder, with respect to the memory of John Plackett."

Speaker McPike: "Mr. Granberg moves for the adoption of the Death Resolutions. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. Death Resolutions are adopted. For all of the Legislators who may be in their office, the Chair would encourage you to come to the Floor. It's our intent to go to Senate Bills Third Reading. Third Reading, State Operations, appears Senate Bill 33. Representative Schoenberg. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 33, a Bill for an act amending the Drug Paraphernalia Control Act. Third Reading of this House

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

144th Legislative Day

June 8, 1994

Bill."

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

Olson: "Thank you, Mr. Speaker. Point of personal privilege. A few minutes ago, my seat mate, Representative Biggins announced that today was my birthday, and he invited everyone over for cake. At that time, we did not have paper plates, but right now the cake is here, it's ready to be cut. My secretary, Trudy, would love to give you a piece of my birthday cake. Thank you, Mr. Speaker."

Speaker McPike: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have discussed this particular measure at great length, and I won't belabor the point. This is the legislation which creates an offense for obstructing access to or egress from a medical facility. I'd be happy to answer any questions. The Amendment...to the Bill did, indeed, become the Bill and there are no further provisions."

Speaker McPike: "Representative Schoenberg, are you aware that you have an Amendment filed to this? Mr. Schoenberg."

Schoenberg: "Yes, I'm aware of that. I have no intention of moving it back to Second."

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

Black: "Yes, thank you very much. Inquiry of the Chair. Could the Clerk tell us what Amendments have been added to the Bill?"

Speaker McPike: "Certainly."

Clerk Rossi: "Floor Amendment #1."

Black: "Floor Amendment #1 is on the Bill?"

Speaker McPike: "Yes."

Black: "All right. Thank you very much, Mr. Speaker. Will the

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

144th Legislative Day

June 8, 1994

Sponsor yield?"

Speaker McPike: "Yes, he will."

Black: "Representative, Amendment #1 becomes the Bill, is that correct?"

Schoenberg: "That's correct."

Black: "Amendment #1 has nothing in there about the elder care Savings Bond Act that we at one time talked about does it?"

Schoenberg: "That's correct."

Black: "All right. So Amendment #1 basically...the Bill that we're talking about creates the offense of unlawful interference with access or egress from a medical facility. That's the Bill?"

Schoenberg: "That's correct. That is it."

Black: "Okay. Is this Bill in sink with the newly enacted and signed federal law creating an offense if you block a clinic that might be performing abortions?"

Schoenberg: "This Bill is in sink with federal law for all medical facilities and will enable law enforcement officials to prosecute in state and local and county courts...state, local, and county courts for this offense."

Black: "Okay. Is there anything in this Bill that would be considered more stringent than the newly enacted federal law?"

Schoenberg: "No."

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

Speaker McPike: "Mr. Salvi."

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

Speaker McPike: "Yes."

Salvi: "Does the federal law exempt labor disputes?"

Speaker McPike: "Mr. Schoenberg."

Schoenberg: "To the best of my knowledge, I would have to get back to you on the answer to that. To the best of my

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

144th Legislative Day

June 8, 1994

knowledge there is no specific language that refers to...I have a copy of it here, that refers specifically to labor disputes."

Salvi: "Okay. To the Bill, the federal law doesn't exempt labor, because that would be unconstitutional. This Bill does exempt labor disputes. I want to talk to why it is unconstitutional, why the courts have said this Bill is unconstitutional. Think about this. You're voting on a Bill that has been clearly determined to be an unconstitutional Bill. It's unconstitutional simply because this Bill is saying that if you are doing something out in front of a medical facility which could be regarded as deterring someone from getting in, hindering someone from getting in, if you're doing so for one reason, labor dispute, as opposed to another reason, to prevent someone from going in to have an abortion, there...this law distinguishes between those two things. In other words, it is prejudiced against a particular group of people because of the content of their speech, because of what they're saying and not what they're doing. We've heard all these arguments before when we debated the Amendment to Senate Bill 33, and I don't want to rehash those arguments, but be very careful. Even if you're pro choice, this is an unfair Bill. This is a Bill that says we don't like what you say, and so we don't want you to say it. We don't want you to deter people from going in to have an abortion. And if you believe in the First Amendment, be careful, because if you vote 'yes' on this and the winds change a couple of years from now and somebody wants to clamp down on your speech, you will have no standing to vote to protect your own speech in the future. So, if you're pro life or pro choice, that's not the issue here. This is an issue of

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

144th Legislative Day

June 8, 1994

fairness. This is an issue regarding the First Amendment.
Vote 'no' on Senate Bill 33."

Speaker McPike: "Mr. Schoenberg to close."

Schoenberg: "Thank you, Mr. Speaker. I'd like to correct something that I said earlier. In reviewing the federal...final federal copy of the Bill, it does, indeed, exempt labor. The arguments that Mr. Salvi made in one respect are, indeed, correct. And that is, this is not a pro choice matter. This is not a pro life matter. This is to ensure that the constitutional rights of everyone are equal under the law. This is not prejudice against any content of speech. First Amendment rights are protected fully under this measure, and you've been very accommodating thus far in supporting this regardless of where you are on the abortion question, and I think it's time that we make it possible to make certain that anyone entering a medical facility, whether it's a hospital or a clinic, is protected not only under the law but that their physical safety is protected as well. I urge a favorable vote."

Speaker McPike: "The question is, 'Shall Senate Bill 33 pass?' All those in favor vote 'aye'; opposed vote 'no'. Representative Biggert to explain her vote. Ms. Biggert to explain your vote."

Biggert: "Thank you, Mr. Speaker. I rise in support of this Bill now that it involves only the #1 Amendment, and I think that in view of what's happened across the United States and what has happened as far as the Supreme Court and federal legislation, that this is a good vote."

Speaker McPike: "Saviano, 'aye'. Mr. Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to oppose this Bill. I felt I needed to get

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

144th Legislative Day

June 8, 1994

up and talk about it, because I did vote for it last year. But upon consideration of the issues and the larger issue of freedom of speech, I think the proper vote is a 'no' vote. This is, indeed, curbing the right to demonstrate, the right to speak. I think that if this Bill were to have been passed in the 60's or the 50's when the Civil Rights Movement was full of bloom, this would...we might have a different result up here. But the bottom line is that this is the beginning of a curbing of the rights to freedom of speech. Let me say by voting 'no', I do not in any way condone the violence which has occurred at these abortion clinics. That is reprehensible. But the fact of the matter is, people ought to be able to demonstrate and express their rights under the law. This Bill would remove their rights."

Speaker McPike: "Have all voted? Representative Schakowsky."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. As one who holds very precious the right to free speech, the right to demonstrate an expression of that speech, I rise in support of this legislation. I think the right of people to have access to medical care without interference is primary here. We are still protecting the right of speech, and I urge everyone to vote 'aye'."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 73 'ayes', and 37 'noes'. Senate Bill 33, having received a Constitutional Majority, is hereby declared passed. Senate Bill 357, Representative Santiago. Steczo...Mr. Steczo is a hyphenated Co-Sponsor. Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I'd ask leave to bring Senate Bill 357 back to the Order of Second Reading for the

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

144th Legislative Day

June 8, 1994

purposes of an Amendment."

Speaker McPike: "No. You'll have to clear that with the other side, because I doubt if we have 60 Members here. Senate Bill 630, Representative Tom Johnson. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 630, a Bill for an Act in relation to appropriations for environmental purposes. Third Reading of this Senate Bill."

Speaker McPike: "Representative Johnson."

Johnson, Tom: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. As I explained on this Bill when it was on Second Reading, this Bill is a culmination of 15 years of bi-partisan work to remove the thorium mill tailings which are present in the center of the City of West Chicago, out of the City of West Chicago, and finally remove this blight on that community once and for all. The Bill basically provides a continuing appropriations so that storage fees that are paid in to the Department of Nuclear Safety are used for the clean up purposes over the next few years. And again, I wish to thank this General Assembly because of its support a couple of years ago that brought this to the head that it is today and, finally, the citizens of West Chicago see the end of this blight and wish to thank you for your continuing support in their effort, and I would appreciate an 'aye' vote on this."

Speaker McPike: "Representative Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I simply rise in support of this legislation. As Representative Johnson has indicated, this is a culmination of much work dealing with the 'Kerr-McGee' situation in the City of West Chicago which is smack dab in the center of his district. A few years ago, we did start the

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

144th Legislative Day

June 8, 1994

legislative process to begin to remediate this problem. This legislation corrects a very, very serious environmental problem that has been festering in the City of West Chicago with tremendous environmental implications. It does...it does allow for appropriations. It does not, and I underscore the word not involve any general revenue funds, and so I would simply ask my colleagues on both sides of the aisle to support this legislation to begin to correct a serious environmental problem."

Speaker McPike: "The question is, 'Shall Senate Bill 630 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Brady to explain his vote. Have all voted? Have all voted who wish? Mr. Steczo. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 113 'ayes' and no 'nays'. Senate Bill 630, having received a Constitutional Majority, is hereby declared passed. Representative Steczo on Senate Bill 357...357. Mr. Steczo would ask for leave to return this to Second Reading, and leave is granted. The Bill is on Second Reading. Are there any Amendments, Mr. Clerk?"

Clerk Rossi: "Senate Bill 357 has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. Floor Amendment #2, offered by Representative Steczo."

Speaker McPike: "Mr. Steczo."

Steczko: "Mr. Speaker, please withdraw Amendments #2, 3, and 4. Withdraw 2, 3, and 4."

Speaker McPike: "The Gentleman withdraws Amendments #2, #3, and #4. Further Amendments?"

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

Speaker McPike: "Mr. Steczo."

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

144th Legislative Day

June 8, 1994

Steczo: "Thank you, Mr. Speaker, Members of the House. Amendment #5 deletes everything after the enacting clause in this Bill, and attempts to try to correct a problem which occurred with the passage of Senate Bill 1043 last year and its enactment into law last March, I believe. This Amendment relates to the question of tax increment financing districts, and the passage of Senate Bill 1043 created a few problems with TIF districts that were supposed to have been grandfathered in with the passage of that legislation and, unfortunately, they were not. So, this Amendment does three things: One, it provides that in cases where TIF's have begun, that they do not have to start the planning process all over again with the passage of Senate Bill 1043. Second, there were municipal buildings that were proposed for TIF's that with the passage of 1043, would have provided that those municipalities pay 25% of the cost of those buildings to other local governments. This Amendment says that if you started that process, identified those buildings, and have those buildings as part of your plan prior to the enactment of Senate Bill 1043, that those buildings were grandfathered in. Thirdly, this Bill makes a change in the TIF law that says that if you have a TIF and you are going piecemeal through your redevelopment process, that the TIF automatically does not expire after seven years. However, if there is no redevelopment that takes place that, in fact, the TIF according to the law does. Mr. Speaker, I'd answer any questions the Members might have about this Amendment or, in fact, would ask for a favorable vote in its adoption."

Speaker McPike: "All right. Now, on the Motion, Representative Balthis."

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

144th Legislative Day

June 8, 1994

Balthis: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Motion. This was part of negotiations that went on last year. It's correcting some of the technical errors. It's supported by the TIF Association. The schools were part of the negotiations that went on. So, I rise in support of the Gentleman's Motion."

Speaker McPike: "Representative Biggert."

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

Speaker McPike: "Yes."

Biggert: "In deleting the other Amendments, were they similar and you just modified the language or have you taken something out of this Bill?"

Steczo: "No. Representative Biggert, the...Amendment #5 went through about three or four redrafts. So, what we see here is the last and best redraft with all the different problems taken into consideration and resolved."

Biggert: "Thank you very much."

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

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

Speaker McPike: "Mr. Flinn."

Flinn: "Mr. Speaker, Amendment #6 extends the TIF district for the Scott Joint Use Airforce till July 1, 1996. It would expire this year if we do not pass this Amendment. I would ask for the adoption of the Amendment."

Speaker McPike: "On the Motion, Mr. Black."

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

Speaker McPike: "Yes."

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

144th Legislative Day

June 8, 1994

Black: "Representative, the only question...well, a couple here. This Bill was originally House Bill 4235, is that correct?"

Flinn: "I can't remember the number, but you might be right."

Black: "All right. Well, our staff tells us that you introduced this Bill and it didn't get out of House Rules Committee. That's...one of the concerns I have, is I find it odd that it wasn't released."

Flinn: "Well...the reason it didn't, because we had stopped acting on this type of Bill by the time...in the Rules Committee by the time it got introduced. I introduced the Bill and took that from that and made an Amendment out of it. They said that was the fastest way to go."

Black: "All right. Is the basic thrust of your Amendment is...deals with the Scott...does it deal with the Scott Airforce Base joint use?"

Flinn: "Deals with Scott joint use only."

Black: "Okay."

Flinn: "Nothing else."

Black: "It doesn't affect any other county's economic development efforts?"

Flinn: "No. It does not."

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

Speaker McPike: "Mr. Stephens."

Stephens: "Simply to rise in support of the Gentleman's Motion to adopt the Amendment."

Speaker McPike: "The question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 1230, Representative Woolard. Mr. Clerk, read the Bill."

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

144th Legislative Day

June 8, 1994

Clerk Rossi: "Senate Bill 1230, a Bill for an Act amending the Illinois Swine Disease Control and Eradication Act. Third Reading of this Senate Bill."

Speaker McPike: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is taking care of a needed area in the import of swine into the state, and I think it's allowing the department to correct something that they identify will prevent some disease. I don't think there's any opposition. I would encourage everyone to support."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there's 112 'ayes' and no 'nays'. Senate Bill 1230, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1311, Representative Kotlarz. Representative Kotlarz asks leave to return the Bill to Second Reading. Mr. Black. Representative Kotlarz asks leave to return the Bill to Second Reading. Leave is granted. The Bill is on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "Amendments 1 and 2 were adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Kotlarz."

Speaker McPike: "Mr. Kotlarz."

Kotlarz: "There's a little problem. Jim, 1318 not 1311."

Speaker McPike: "Oh, this is the wrong Bill? My apology. Mr. Kotlarz, my apology. All right. On Senate Bill 1311, return that to Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1311, a Bill for an Act concerning the dissemination of credit information. Third Reading of this

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

144th Legislative Day

June 8, 1994

Senate Bill."

Speaker McPike: "Mr. Kotlarz."

Kotlarz: "Mr. Speaker, Members of the House. This was fully debated in the Financial Institutions Committee, and we'd like a favorable vote."

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

Deuchler: "Will the Gentleman yield for a question, please?"

Speaker McPike: "Yes."

Deuchler: "What Amendments, Representative Kotlarz, are on this Bill?"

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

Clerk Rossi: "Committee Amendments 1 and 2 have been adopted to the Bill."

Speaker McPike: "Representative Deuchler."

Deuchler: "None of the Floor Amendments have been accepted?"

Speaker McPike: "No."

Deuchler: "Representative Kotlarz, I believe that Committee Amendment #2 still exempts 'The Big Three' credit reporting agencies, and for that reason, I would stand opposed. Can you comment, however on that exemption?"

Kotlarz: "I...I...you're allowed your opinion, and if you'd like my comment..."

Speaker McPike: "Mr. Lindner. Representative Lindner..."

Kotlarz: "...I stand in favor of the Bill."

Speaker McPike: "Representative Lindner."

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

Speaker McPike: "Yes."

Lindner: "Just to follow up on Representative Deuchler's question, wasn't this Bill crafted because there were so many violations, and the three largest credit organizations were the ones that had the most violations?"

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

144th Legislative Day

June 8, 1994

Kotlarz: "I...I think that's inaccurate, Representative. I think that..."

Lindner: "Okay. And now they are exempt from this then?"

Kotlarz: "Again...I think your basic premise is inaccurate. Here is what we have, and here's what the Bill is attempting to do. First of all, we have a situation in Illinois where credit reports are being issued by unlicensed companies. Mortgage companies are then relying on these credit reports sometimes in error to either grant or decline mortgages. It's true, there were 140 complaints last year; 105 by what we'll call 'The Big Three'. There are still 35 or roughly a third of the complaints where I think we can remedy with the Bill under consideration and, hopefully, in years to come, we can get the rest of the credit report...reporting companies included in this legislation. It's a first step. It's definitely a situation that we should address."

Lindner: "But most of the complaints were from those 'Big Three', and now they are not included. Do you have plans to include them at a later date or some kind of agreement as to that effect?"

Kotlarz: "Like I said, this is definitely a first step. It's not the greatest first step, but it's a first step towards this legislation, and I'd like you to consider this a move in the right direction."

Lindner: "Well, to the Bill, I would oppose this also as I remember the testimony in committee and that was that the Commissioner of Savings and Residential Finance and the smaller credit unions were not included in this, 'The Big Three' were not included and those were ones that had most of the violations. So, I don't think the legislation addresses what it set out to address."

Speaker McPike: "Representative Kubik."

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

144th Legislative Day

June 8, 1994

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First of all, I want to say I have a great admiration for the Sponsor, and the Sponsor...my comments are in no way directed at the Sponsor, because he is a fine Sponsor. This Bill is, however, is really a bad Bill. I mean, it's a Bill which basically says that we're going to regulate the credit industry, but we're going to exempt out the three biggest companies. Now that, to me, doesn't make a whole lot of sense. That's like, as I explained in committee, like saying that we're going to have auto emission standards and then exempting 'The Big Three' from the auto emission standards. It's...this is...it just doesn't make sense. The Sponsor, I know, has worked very hard to try to move this Bill and reach some agreement with those companies, but he has been unable to do that. But it really makes no sense, in my opinion, to regulate a third of the industry and forget about the other two-thirds who really are the majority of the industry, and as the Sponsor acknowledges, most of the major complaints against these credit agencies are by 'The Big Three' companies. So, really, I don't think he has much of a Bill. This is trying to regulate a very small part of the industry, and the Sponsor notwithstanding, I think what we ought to do, is oppose this Bill and send a message to 'The Big Three' that if regulation is important in the credit industry, they should be included as well. So, I would stand in opposition, and I would hope that my colleagues on both sides of the aisle would look at this issue very carefully and examine it, and I think you'll see them come to the same conclusion that I did, that it is...this is not a good idea."

Speaker McPike: "Representative Black."

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

144th Legislative Day

June 8, 1994

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

Speaker McPike: "Yes, he will."

Black: "Yes. Representative, could you tell me, please, why the association of credit bureaus are so opposed to the legislation?"

Kotlarz: "Well, I think...I think when you attempt to regulate any industry, you're going to meet with some recalcitrance."

Black: "That's probably...yeah, I would probably agree with that. Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. I think everyone on the Floor will have at least one credit bureau in your district other than 'The Big Three'. These credit bureaus are often the only thing between a small businessman or woman and the extension of credit to, perhaps, individual or businesses that they should not extend credit to. And they are usually financed by membership fees or fees for that service by the affected business. I don't know why we need to regulate these at all and, particularly, as Representative Kubik said, I'm certainly not sure why if you want to regulate credit bureaus, you would exempt 'The Big Three'. This has a bonding requirement in the legislation that is not to exceed \$100,000..."

Speaker McPike: "Mr. Black."

Black: "Now I don't think there's a credit bureau in my district that..."

Speaker McPike: "Mr. Black."

Black: "Yes, Sir?"

Speaker McPike: "The Gentleman would like to take this Bill from the record."

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

144th Legislative Day

June 8, 1994

Black: "A very good idea."

Speaker McPike: "Yeah. Senate Bill 1318. Mr. Kotlarz, is this one you'd like to return to Second Reading? Mr. Black, does the Gentleman have leave? The Gentleman has leave to return Senate Bill 1318 to Second Reading. The Bill is on Second Reading. Are there any Amendments?"

Clerk Rossi: "Senate Bill 1318 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lang."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. Amendment #1 is a compilation of several pieces of legislation which previously passed the House. Some were for Representative Kotlarz; a couple of items here for Representative Kubik. They are in agreement. I think there were no dissenting votes on any of these. They relate to demolition issues and publication issues surrounding demolition. I would ask for the adoption of the Amendment."

Speaker McPike: "On the adoption of the Amendment, Representative Skinner."

Skinner: "Is there anything about quick take in here?"

Speaker McPike: "Mr. Lang."

Lang: "No."

Speaker McPike: "Representative Biggert."

Skinner: "Thank You."

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

Speaker McPike: "Yes, he will."

Biggert: "Representative, were there any...anything that's in here, were these House Bills previously?"

Lang: "Yes."

Biggert: "Do you have the numbers?"

Lang: "...2822, 2823, 3058...I just got them right out of the

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

144th Legislative Day

June 8, 1994

back of my brain."

Biggert: "Thank you very much."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 1324, Representative Balthis. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1324, a Bill for an Act relating to education. Third Reading of this Senate Bill."

Speaker McPike: "Representative Balthis."

Balthis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1324 is a Bill that provides for direct payment of general state aid and categorical payments to school districts and the direct submission of financial information to the State Board of Education. It provides additional borrowing and transfer authority for financially distressed school districts. I would be happy to try to answer any questions."

Speaker McPike: "On the...on the Motion, Representative Granberg."

Granberg: "Will the Gentleman yield?"

Speaker McPike: "Yes."

Granberg: "Representative, there were no other Amendments adopted to your Bill, is that right?"

Balthis: "That's correct."

Granberg: "So, Amendment #1 is the only Amendment that is currently on Senate Bill 1324?"

Balthis: "That was a...an Amendment in committee."

Granberg: "All right. Thank you."

Speaker McPike: "The question is, 'Shall Senate Bill 1324 pass?'"

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

144th Legislative Day

June 8, 1994

All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there's 113 'ayes' and no 'nays'. Senate Bill 1324, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1326, Mr. Granberg. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1326, a Bill for an Act amending the Public Utilities Act. Third Reading of this Senate Bill."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you. Can I have leave to bring this back to Second Reading for purposes of an Amendment?"

Speaker McPike: "Mr. Black? Leave is granted. Return the Bill to Second Reading. Are there any Amendments?"

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

Speaker McPike: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment was originally House Bill 2740. It is a totally agreed Amendment between the ICC and the 911 providers. It would delay the effective date. Right now in the law, we have an effective date of December 31, for automatic switching units. Any new switching units that are installed after this date have to identify the location of the call. That time line was not going to be met by the industry, so we, in this Bill, are moving to delay that date for residential and then for private business providers when it comes to the switching service. So, I know of no opposition and would ask for the adoption of Amendment #1."

Speaker McPike: "On the Amendment, Mr. Black."

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

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

144th Legislative Day

June 8, 1994

yield?"

Speaker McPike: "Yes, he will."

Black: "Representative, I'm sorry. I was talking to staff earlier, and I'm sure I know what the Amendment does. As you'll recall, I think you and I have had the conversation...I have a constituent in my district who is in telephone installation business..."

Brunsvold: "Correct."

Black: "...And he has some real concerns about this. All the Amendment does is move it back and will give you and I a chance to continue to address his concerns."

Brunsvold: "Exactly."

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

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

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

Speaker McPike: "And the hyphenated Sponsors are?"

Clerk Rossi: "Representative McPike and Representative Ryder."

Speaker McPike: "Representative Granberg."

Granberg: "Can I have leave to handle the Amendment for Representative Jones?"

Speaker McPike: "All right. Yes. The Gentleman asks leave to handle the Amendment. Leave is granted."

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

Speaker McPike: "Wait just a minute. I think Mr. Ryder is here. Maybe he's not here. Mr. Granberg."

Granberg: "Well, if we prefer Mr. Ryder, I can understand why if..."

Speaker McPike: "Never mind. He's here. Mr. Ryder."

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

144th Legislative Day

June 8, 1994

Ryder: "Thank you, Mr. Speaker. This Amendment concerns a cap on the sale of electric utility property. Currently, there are some limits in with...they require ICC approval. This would be without ICC approval, and it raises it to 300,000 for utilities with gross revenues over 50 million. There's also another portion of the Amendment that discusses property rentals. It simply frees up the ICC to do the business that they need to do concerning rate regulations rather than approving these rentals and sales. I'd be glad to answer any questions."

Speaker McPike: "Mr. Ryder, is there a difference between Amendment #2 and Amendment #3? Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. Representative Ryder, Amendment #3, I think, Amendment #2 and #3 are very similar. It might be in the best interest of the Bill to withdraw 2 and go with Amendment #3. They're identical, except Amendment #3 is to the Bill as amended. So, I think, technically it would be more proper."

Speaker McPike: "Mr. Ryder."

Ryder: "Mr. Speaker, I thank Representative Granberg for bringing that to my attention. We had to file duplicate Amendments because we weren't sure of the status. I would ask to withdraw 3 and would indicate that the explanation for Floor Amendment...withdraw 2 and indicate that the explanation for Amendment #3 is the same as I just made."

Speaker McPike: "The Gentleman withdraws Amendment #2. Further Amendments?"

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

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

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

144th Legislative Day

June 8, 1994

Amendments?"

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 1329, Representative Steczo. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1329, a Bill for an Act amending the Illinois Professional Land Surveyor Act of 1989. Third Reading of this Senate Bill."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1329 as it came over from...as it came to us from the Senate, amended the Illinois Professional Land Surveyor Act and makes a...makes issuing a map or plan of survey where the fee for professional service is as contingent on closing a real estate transaction grounds for disciplinary action. Now, that is a noncontroversial provision both in the Senate and in the House Registration/Regulation Committee. In the Committee, this Bill was amended, and three items were added. It added the provisions from House Bill 4098, which provides that no health facility, health care service plan, managed health care plan, health maintenance organization, or others shall discriminate with regard to physicians or surgeons holding an M.D. or D.O. degree. It also provides that same discrimination against a licensed facility on that basis. In addition, it provides some clean up language to the Professional Engineering Practice Act that was included originally in House Bill 3155. It provides, also, the language in House Bill 2927, with...regarding the grandfathering of a nurse applicant and, also, Ladies and Gentlemen of the House, provides some language offered by Representative Saviano and myself which deals with athletic events in indoor arenas with attendance or seating capacity higher than

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

144th Legislative Day

June 8, 1994

17,000. Those do not have to pay taxes on their gross receipts. This amends the Boxing and Wrestling Act. That's the Amendment that passed this House unanimously just a few weeks ago. Mr. Speaker, that's what the Bill does. I would answer any questions. If not, I would ask for an affirmative vote."

Speaker McPike: "The question is, 'Shall Senate Bill 1329 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 100 'ayes' and 4 'noes'. Senate Bill 1329...Senate Bill 1329, having received a...Representative Currie votes 'aye'. Representative Brunsvold votes 'aye'. Representative Mary Flowers votes 'aye'. Representative Giolitto votes 'aye'. Representative Frias votes 'aye'. Representative Olson votes 'aye'. Mr. Clerk, do you have those? On this Motion, there are 106 'ayes' and 4 'noes'. Senate Bill 1329, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1357, Representative Dart. Mr. Clerk, read the Bill. The Gentleman is not here. Take it out of the record. Senate Bill 1366, Mr. Kubik. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1366, a Bill for an Act concerning municipalities. Third Reading of this Senate Bill."

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1366 is essentially has been amended by Floor Amendment #1, which was offered by Representative Currie, and it becomes the Bill. What essentially this Bill does, is to create a working cash fund for the Cook County Forest Preserve District's Botanical Garden. It would authorize the Cook County Forest Preserve District to

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

144th Legislative Day

June 8, 1994

issue \$2 million in bonds to create this working cash fund. The working cash fund proposal has been enacted for both the Cook County Forest Preserve District and the Brookfield Zoo. The Botanical Garden has requested this sort of mechanism in order to eliminate a lot of short term borrowing that they are currently doing. I'd be happy to respond to any questions and would appreciate your affirmative vote."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes, he will."

Black: "Representative, working cash fund created what, by referendum or by Resolution of the board?"

Kubik: "Mr. Black, you are quite correct. The working cash fund is created by Resolution, not by referendum."

Black: "Okay."

Kubik: "So, that the Cook County Forest Preserve District Board would have to...would have to create this working cash fund."

Black: "In the Amendment is there any sunset provision on this working cash fund?"

Kubik: "The bonds would mature within 20 years. They would be 20 years bonds."

Black: "So, the working cash fund will be used to retire the bonds, is that it?"

Kubik: "Well, essentially what..."

Black: "Or be used to supplement cash flow and the other tax sources retire the bonds?"

Kubik: "Correct."

Black: "Okay."

Kubik: "As you know...well, currently this unit of government

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

144th Legislative Day

June 8, 1994

does not have a working cash fund."

Black: "Okay."

Kubik: "What they are currently doing is floating short term bonds to cover their expenses. This was felt, would be a better mechanism to accomplish an even cash flow."

Black: "Okay. Is...does this only effect one park district, preserve district? Is this only the Cook County Forest Preserve District?"

Kubik: "Yes. That is correct. As you may know, the Cook County Forest Preserve District is a creation of the Legislature. So if it consequent any changes in there, their policy must be done by the Legislature."

Black: "Okay. Thank you very much."

Speaker McPike: "Representative Schoenberg."

Schoenberg: "Question of the Sponsor. Will the Sponsor yield?"

Speaker McPike: "Yes."

Schoenberg: "Mr. Kubik, the question I have is, could you explain in a little greater detail how this is a cost savings mechanism as a result of what private interest are also doing here?"

Kubik: "Well, actually this is Representative Curries Amendment. But, as I understand it, Representative Schoenberg, is that currently the, the Botanical Garden is, is floating a series of short term bonds, with varying interest rates. This would consolidate many of those, those bonds under one interest rate. Frankly, it would eliminate a lot of bonding fees, and would result in a more even cash flow for the district. So, to that extent this would be an improvement and an efficiency measure."

Schoenberg: "Thank you. To the Amendment, and I direct my comment, I'm sorry to the Bill, and I direct my comments to many of you who live in the, live in the northern and

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

144th Legislative Day

June 8, 1994

northwestern suburbs of Cook County, and those of you who are in Lake County as well. The Chicago Botanical Gardens is in Glenco, in my district, private individuals through their efforts have done a great deal to help...to help advance this measure which is ultimately going to mean a cost savings for the public. If you, if your constituents do enjoy the beauties of the Chicago Botanical Garden, particularly if you're in northern or northwestern suburban Cook, or southern Lake Counties, the very least that you could do is support this measure. Thank you."

Speaker McPike: "Representative Biggert."

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

Speaker McPike: "Yes."

Biggert: "Thank you. Representative, why is this just for the one county? Couldn't it be a law that could involve all kinds of...of situations in various counties. Have you heard from any other counties like DuPage, or any of the others that might be interested?"

Kubik: "Well, Representative I have not heard from any other county, but the Legislature, the Cook County Forest Preserve District Act is a separate Act in the statutes of...of the Illinois revised statute. They are, they are as Cook County and Chicago are treated differently in many instances than other park districts throughout the state. So, because they are a creation, a specific creation of the Legislature it was felt we needed to amend this Act. I am not familiar, quite frankly, with the policies of other forest preserve districts...downstate forest preserve districts whether they have working cash funds, that I'm not aware of."

Biggert: "Thank you very much."

Speaker McPike: "Representative Skinner."

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

144th Legislative Day

June 8, 1994

Skinner: "I wonder if the Sponsor would yield for a question or two?"

Speaker McPike: "Yes, he will."

Skinner: "Is there a back door referendum possibility in this Bill?"

Speaker McPike: "Mr. Kubik."

Kubik: "This measure does not have a referendum provision."

Skinner: "What will the tax rate increase be for Cook County taxpayers? How many cents per hundred?"

Kubik: "That I am not aware of, Representative. I would assume it...it would depend upon how large of a cash fund they decide to create."

Skinner: "Well, is there, do you have..."

Kubik: "Their total budget incidentally for the Botanic Gardens is \$11,000,000."

Skinner: "Do you know how large the working cash fund will be?"

Kubik: "As a maximum of the working cash fund would be \$2,000,000."

Skinner: "Well, and this will be levied against all the taxpayers in Cook County?"

Kubik: "I beg your pardon, I'm sorry, I did not hear the question."

Skinner: "Will this be levied against all of the property taxpayers of Cook County?"

Kubik: "Yes, it will."

Skinner: "And, I don't know what the assessed valuation of Cook County is, but \$2,000,000 divided by however many billion dollars it is wouldn't be very much I assume?"

Kubik: "My, my guess is Representative, it would not be a great deal, I understand your concerns, but I don't, frankly, in a budget the size of Cook County, I don't think it will be a great deal."

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

144th Legislative Day

June 8, 1994

Skinner: "Now, did I understand you to imply that because this is not part of Cook County technically, Cook County government a home rule unit, but rather as a creation of state government. Cook County government couldn't just levy the, the working cash funds for this subunit?"

Kubik: "That is correct. What they are doing in the absence of authority, working cash fund authority as I understand it is to float short term bonds, the county's floating short term bonds to meet some of these obligations."

Skinner: "Well, if I might speak to the Bill, Mr. Speaker."

Speaker McPike: "Yes."

Skinner: "I have mixed feelings on this Bill, on the one hand it is an opportunity for Cook County taxpayers to subsidize collar county users of the Botanical Gardens, but on the other hand, it's a tax increase without a referendum. I imagine most of us aren't purists, and it probably will pass."

Speaker McPike: "Representative Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker. I rise in support of this, certainly the Botanical Garden is something that is appreciated not just by Cook County residents, but by everyone in the entire state and it actually has some national significance. It's something to be proud of. This Bill will allow them to do business more efficiently and effectively and I would urge your support."

Speaker McPike: "The question is, 'Shall Senate Bill 1366 pass?' All in favor vote 'aye'; opposed vote 'no'. Representative Currie. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 60 'ayes' and 50 'noes'. Senate Bill 1366, having received a Constitutional Majority, is hereby

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

144th Legislative Day

June 8, 1994

declared passed. Senate Bill 1397, Mr. Flinn. Mr. Clerk,
read the Bill."

Clerk Rossi: "Senate Bill 1397, a Bill for an Act amending the
Illinois Vehicle Code. Third Reading of this Senate Bill."

Speaker McPike: "Representative Flinn."

Flinn: "Mr. Speaker, I'd like to move this Bill back to Second
for purposes of tabling an Amendment."

Speaker McPike: "Mr. Black. Mr. Flinn, would you take this out
of the record, and..."

Flinn: "Yes. I thought it was cleared with them over there..."

Speaker McPike: "All right. Mr. Black, is this all right? The
Gentleman has leave. Return the Bill to Second Reading.
Are there any Motions?"

Clerk Rossi: "No Motions filed. Mr. Flinn."

Flinn: "I would like to move that we table Amendment #4, Mr.
Speaker."

Speaker McPike: "All right. The Gentleman has moved to table
Amendment #4, is there any discussion? There being no
discussion, the question is, 'Shall Amendment #4 be
tabled?' All in favor say 'aye'; opposed, 'no'. The
'ayes' have it. Amendment #4 is tabled. Any further
Motions? Mr. Flinn? Third Reading. Mr. Clerk, read the
Bill. The Bill is on Third Reading."

Clerk Rossi: "Senate Bill 1397, a Bill for an Act amending the
Illinois Vehicle Code. Third Reading of this Senate Bill."

Speaker McPike: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. The original Senate Bill 1397
authorized the state...Secretary of State to authorize
various agencies to serve as remittance agencies for
license plate stickers and fees of that office. Remittance
agencies must be bonded in the amount of \$10,000 and this
was put out...this Bill was put out originally by the

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

144th Legislative Day

June 8, 1994

Credit Union. What we did in the Committee was pass Amendment #1. That includes House Bill 1407 by Walsh, House Bill 3104 with House Amendment #1 by Lang and Hicks. It includes House Bill 3798 by Santiago and McAuliffe. It includes House Bill 3801 by Laurino, and the last Bill was House Bill 4043, Turner and Churchill. All these Bill that were added to the original Bill was passed out of the House by unanimous majority and never were called on the Floor. I would be glad to answer any questions. I move for the adoption of the Bill."

Speaker McPike: "On the Gentleman's Motion, Representative Walsh."

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

Speaker McPike: "Yes, he will."

Walsh: "Could you tell me what Floor Amendments are on this Bill?"

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

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

Speaker McPike: "Representative Walsh."

Walsh: "Thank you, Mr. Speaker."

Speaker McPike: "Representative Deuchler."

Walsh: "I stand in support of the Gentleman's Bill, and I'd specifically like to address the Committee Amendment #1, which includes formerly House Bill 1407, which is the Money Transmitters Act. This is an initiative of the Department of Financial Institutions, and what this does is it regulates the license...businesses which exchange or transmit foreign or domestic currency. What this does is it eliminates some antiquated laws that we have and it forms this...agency which will make this...the transaction of this much more efficient, and I stand in support of the

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

144th Legislative Day

June 8, 1994

Gentleman's Bill, and all these Amendments that are on here are all good, and the Bill overall is good. Thank you."

Speaker McPike: "Representative Deuchler."

Deuchler: "Mr. Speaker, will the Gentleman yield for a question?"

Speaker McPike: "Yes, he certainly will."

Deuchler: "What Floor Amendments have been adopted to this Bill?"

Speaker McPike: "That was answered previously; Amendments #1 and 2."

Deuchler: "Well, I stand in support of this Bill, and also want to point out to the Members that it was enabling legislation for the Credit Unions."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, as you indicated, there are five House Bills incorporated into this particular Senate Bill now. I'd like to ask you a question about one of those; House Bill 3104 that amends the Deposit of State Moneys Act. To get to my question, it requires the State Treasurer to enter into deposit agreements with financial institutions that specify certain interest information regarding public money. Can you tell me what information those banks would have to make public?"

Flinn: "That is Representative Lang's Bill. I would like to yield to Representative Lang..."

Black: "Okay."

Flinn: "...to answer that question."

Speaker McPike: "Mr. Lang, would you answer that question."

Lang: "I'm sorry, could you repeat the question, Representative."

Black: "Yes. It has to do with House Bill 3104, Representative, requiring the Treasurer to enter into deposit agreements

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

144th Legislative Day

June 8, 1994

with financial institutions that specify certain interest information regarding public moneys. I was curious as to what specific information are we asking and to make public. Does it only have to do with compounding or are we getting into community reinvestment or..."

Lang: "No. I don't think this has anything to do with community reinvestment. I think that's part of the law already. It's a different law. This just...this just deals...well, let me tell you what my analysis is, Representative. It allows the Treasurer to negotiate the frequency of interest collection with each institution through the execution of a deposit agreement. It authorizes the Treasurer to enter into banking service agreements and specifies that certain services shall be paid from the State Treasurer's bank services trust fund, processing of payments, taxes, fees, and other moneys through the state, transactional charges related to the investment of funds under his or her control, and the cost of paying bond holders under the state's General Obligation Bond Program. It also authorizes bank savings and loans and credit unions to collateralize loans with a letter of credit. As far as I can tell, that's all it does."

Black: "One other question, this has come up in my district so bear with me. Will there be anything in your underlying House Bill that would indicate that the Treasurer is supposed to or should make those deposit agreements with Illinois banks? I'm concerned that sometimes...some bankers have expressed to me a concern that we may be going to Indiana banks or Iowa banks or..."

Lang: "That's already a requirement under the law, Representative."

Black: "So, it would stay in Illinois?"

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

144th Legislative Day

June 8, 1994

Lang: "That's correct."

Black: "Okay. Thank you very much."

Lang: "Certainly."

Speaker McPike: "The question is, 'Shall Senate Bill 1397 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there's 110 'ayes' and no 'nays'. Senate Bill 1397, having received...Mary Flowers votes 'aye'. On this Motion, there's 111 'ayes' and no 'nays'. Senate Bill 1397, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1427, Mr. Hannig. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1427, a Bill for an Act amending the Illinois Drainage Code. Third Reading of this Senate Bill."

Speaker McPike: "Where's Mr. Hannig? Take this out of the record. Senate Bill 1447. Representative Hughes, for what reason do you rise?"

Hughes: "Pass."

Speaker McPike: "Senate Bill 1447, Mr. Kotlarz. Mr. Kotlarz. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1447, a Bill for an Act amending the Environmental Protection Act. Third Reading of this Senate Bill."

Speaker McPike: "Representative...out of the record. Senate Bill 1448, Mr. Homer. He's not here. Senate Bill 1455, Representative Granberg. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1455, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections. Third Reading of this Senate Bill."

Speaker McPike: "You want this out of the record? Out of the record. Senate Bill 1477, Mr. Hoffman. Read the...read

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

144th Legislative Day

June 8, 1994

the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1477, a Bill for an Act concerning First Aid Training. Third Reading of this Senate Bill."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This, this Bill requires CPR training for a probationary and permanent police officers and firefighters. In addition to that it has provisions, Representative Roskam's Bill regarding optical distorage for recorder of deeds, Santiago's provision regarding recorder of deeds making technical changes, and also Representative Lopez's provision which would approve cultural diversity training curriculum, and that shall be required in colleges and universities. I ask for an 'aye' vote."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Just a question of the Sponsor."

Speaker McPike: "Sure."

Black: "There seem to be dozens of Amendments on this Bill. Could he just kind of run down the Committee Amendments and Floor Amendments."

Speaker McPike: "Mr. Hoffman."

Hoffman: "Yes. First there's Committee Amendment #1 which greatly limits the CPR training that was provided in the original Bill. Now it just says that if you're probationary or a permanent police officer or firefighter you must have the CPR training, that was Committee Amendment #1. That was a provision that was proposed by the Municipal League. Committee Amendment #2 was ruled out of order, was ruled out of order and subsequently was added as Amendment #5, which I'll get to. Committee Amendment #3

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

144th Legislative Day

June 8, 1994

or Floor Amendment #3, allowed CPR training to be conducted using close circuit television demonstrations or written materials. This was a provision that the City of Chicago suggested. Floor Amendment #4 was indicated that we, we will have cultural diversity training curricula and would be required at colleges and universities regarding campus police department curricula would be developed by campus committee. Floor Amendment #5 is Representative Roskam's provision regarding obstacle distorage for recorder of deeds. Floor Amendment #6, Santiago's provision which was eventually ruled out of order and became Floor Amendment #7, which amended a Counties Code to change the page size reference for filing instruments for monitory square inches to 8 1/2 by 11. That's a recorder of deeds provision also."

Speaker McPike: "Mr. Black."

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

Speaker McPike: "Yes."

Black: "Representative, on, on Amendment #4, Floor Amendment #4, our staff feels very strongly that that is an unfunded mandate, totally unfunded mandate to the local government law enforcement officers' training board, unfortunate we don't have a fiscal note on that."

Hoffman: "Representative, if, I don't know, you may have misinformation. I think we went through this when we had the Amendment adopted, and as my understanding that that was...you ultimately came to the conclusion that was not the case. So, maybe you would like to recheck with your staff."

Black: "Staff, I don't think we ever agreed to this Amendment. I...that's on the Bill, so it's, it's a moot point now. I just want to point out to some of my, some of my Members

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

144th Legislative Day

June 8, 1994

that there is at least one unfunded mandate on here. I guess the question I would ask you, maybe you could put my mind at ease. On the Bill as amended, there are numerous proponents, but there are also numerous opponents, and I'm not sure what the, what either side seems to be focusing on, on the Bill?"

Hoffman: "Well, the opponents, the police training board may be opponents but I don't know of no others, but I think that their opponents, I have not heard from them since way before the committee process. Since then, we have greatly changed this Bill, and made it more palatable. That is, has made the municipal leagur..."

Black: "That was the CPR Amendment?"

Hoffman: "Yes."

Black: "Yes let me just, if I could share with you and it could be that they don't know the Amendment, but the Illinois Association of Chiefs of Police, Illinois Sheriff's Association, and the Illinois Police Association, not to mention the Municipal League and others were registered as opponents of the legislation."

Hoffman: "I don't believe they are now."

Black: "Because of Committee Amendment #1, and review with me again. It does not mandate CPR."

Hoffman: "Here's, here's, here's what the original Bill did, the original Bill mandated CPR and then it also mandated recertification. All this does is now it just mandates for probationary and permanent police officers. It says at some point during training you had to have CPR. It's my understanding that that is provided now."

Black: "Okay."

Hoffman: "For new probationary officers. The City of Chicago concern was for some police officers who are older and went

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

144th Legislative Day

June 8, 1994

on to the force many years ago, and now are permanent may have not had it. So, now that it says that they can do it to written materials and through close circuit T.V., because they have that capability in the City of Chicago."

Black: "Okay, but, but the CPR requirement still is, you know, you still have to go back and pick up that training. It isn't totally prospective then, is it?"

Hoffman: "No, no, right, that's...If you're a permanent officer you would of had to go through CPR training."

Black: "Okay."

Hoffman: "Or a firefighter."

Black: "Yes."

Hoffman: "And, at some point..."

Black: "Does the Amendment specify, do we have a time line in which those people will have to have this screening?"

Hoffman: "I, I don't believe we do."

Black: "Okay. All right. Okay. Thank you."

Speaker McPike: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just rise in support of this Senate Bill. I think of all the things that we require of units of government, this is one, we're going to save lives. The more people that know CPR, the more people lives will be saved. I commend the Sponsor, and I am very much in favor of that we train more people in CPR. Thank you."

Speaker McPike: "The question is, 'Shall Senate Bill 1477 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Gash, 'aye'. Have all voted who wish? The Clerk will take the record. On this Motion, there's 112 'ayes' and 1 'no'. Senate Bill 1477, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1479, Mr. Brady. Mr. Clerk,

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

144th Legislative Day

June 8, 1994

read the Bill."

Clerk Rossi: "Senate Bill 1479, a Bill for an Act amending the Illinois Insurance Code. Third Reading of this Senate Bill."

Speaker McPike: "Representative Brady."

Brady: "Thank you, Mr. Speaker. This Bill unanimously passed the House Insurance Committee. It does four things. First, it clarifies that providers of health insurance must use a uniform insurance claim form. It also authorizes the conversion of mutual insurance companies into stock companies. It authorizes that township boards, by resolution, can increase their size for hos...board of directors, and it also amend the Corporate Fiduciary Act by providing that certain investments by corporate fiduciaries do not have to be collateralized at the corporate fiduciary or the affiliate has a surety bond. I ask for the passage."

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

Skinner: "I wonder if the Gentleman could repeat what it does for township government."

Speaker McPike: "Mr. Brady."

Brady: "Yes, Representative Skinner, what it does is, it authorizes, by Resolution, a township to increase the size of its hospital board of directors. I believe it's from seven to nine."

Skinner: "Thank you."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you, Mr...thank you, Mr. Speaker. I rise in support of the Bill. As Representative Brady tried to explain, Representative Cross couldn't hear you, so he wanted to ask you to repeat it. These Amendments were adopted in committee. They are supported by the township

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

144th Legislative Day

June 8, 1994

officials and others, and I know of no opposition to the Bill."

Speaker McPike: "The question is, 'Shall 4...Senate Bill 1479 pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Schoenberg 'aye'. Have all voted who wish? The Clerk will take the record. On this Motion, there's 113 'ayes' and...114 'ayes' and no 'nays'. Senate Bill 1479...the Speaker is not here. This Motion, there is 114 'ayes' and no 'nays'. Senate Bill 1479, having received a Constitutional Majority, is hereby declared passed. Representative Steczo in the Chair."

Speaker Steczo: "On the Order of State Operations, Third Reading, appears Senate Bill 1545, Representative Turner. Mr. Turner. Mr. Turner. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1545, a Bill for an Act that amends the Code of Civil Procedure. Third Reading of this Senate Bill."

Speaker Steczo: "The Chair recognizes Representative Turner."

Turner: "Thank you, Mr. Speaker. House Bill 1545 it amends the Civil Code of Procedure, and it deals with public housing evictions. And what it does, is it provides for emergency eviction proceedings. It says that the Chicago Housing Authority may initiate these emergency eviction proceedings based on the grounds that if the tenant has a sale, use, or delivery of a firearm, which is otherwise prohibited by state law, and I move for the favorable adoption of Senate Bill 1545."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1545. On that, is there any discussion? The Chair recognizes Representative Wennlund."

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

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

144th Legislative Day

June 8, 1994

Speaker Steczo: "He will."

Wennlund: "Representative Turner, does this...does this Bill provide for any type of searches with or without consent of public housing residential units to determine the possession of firearms?"

Turner: "No...no, it does not. In fact, Representative, we passed legislation a couple of years ago which says that they can already do emergency evictions in a tenant is caught with a firearm, and what this does is, it just expands the definition of those firearms that would be included. And so that any firearm that is prohibited by a state law, which would be included in that...we're talking about assault weapons and shotguns and things of that nature."

Wennlund: "I'm sorry, I didn't hear that last part. How does it expand the existing law?"

Turner: "Well, those weapons that are right now illegal in this state, would be the same weapons that would come under this classification. If, in fact, the state passes a tougher legislation or just amends and expands the definitions of those firearms, then they would automatically be inclusive in this law."

Wennlund: "I recall some recent controversy about proposals by the City of Chicago to...or maybe the Housing Authority to do searches or something. That's..."

Turner: "This does not affect that at all, Representative. No."

Wennlund: "So, the expansion is that any firearm which is currently unlawful to possess would cause an emergency eviction?"

Turner: "Right. We're asking that we have an emergency eviction, and that would be for any...any firearm that's currently under the violation of state law."

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

144th Legislative Day

June 8, 1994

Wennlund: "So...so, there would be no emergency eviction unless, in fact, a person was convicted of U.U.W. - unlawful possession, or unlawful use of a firearm, is that correct?"

Turner: "That's right."

Wennlund: "Okay. Thank you very much."

Turner: "Okay. Right now, the law only calls for emergency evictions regarding narcotics, and so we're now expanding it to...you know...U.U.W's, you're right."

Wennlund: "Thank you."

Speaker Steczo: "Representative Lindner."

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

Speaker Steczo: "He indicates he will."

Lindner: "Could you just tell me what the procedure is for emergency eviction. Do the police have to be called in, or is that done by the Housing Authority, or how does that occur?"

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

Lindner: "Could you please tell me what the process is for emergency eviction. Are the police called in, or is that done by the Housing Authority? How..."

Turner: "It's done by the Housing Authority. They go through the normal proceedings for evictions in terms of court...a normal court proceeding. Sometimes on a normal proceeding, it takes six to nine months before it could actually happen. Under emergency eviction, it could happen within 30 days. So, they will still have to go to court, and the judge then would provide for an expedited eviction."

Lindner: "So, a family wouldn't just be turned out of their house within a day or something."

Turner: "No. The police can't come in and just evict them. It's just that it would go through a normal proceeding. It would allow us to...not...you know, to speed up the time,

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

144th Legislative Day

June 8, 1994

but the police would not say, 'Hey, you're out of here',
and you've got to go right away."

Lindner: "All right. Thank you."

Speaker Steczo: "Representative Rutherford."

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

Speaker Steczo: "He indicates he will."

Rutherford: "All right. Thank you, Representative. Is the...is
the definition of public housing defined somewhere in
this...in this area on the statute? The reason for the
question is, are we talking specifically public housing
because federal or state moneys? Would this also apply to
any place where there may be county or local money
applied?"

Turner: "Representative, I'm not sure. I...I...hold on."

Rutherford: "You understand my question. I mean, we're going to
be expanding the law to cover something for public housing.
Do we have a definition of what public housing means?"

Turner: "I'm sure there's a definition, Representative. I...of
course, in this Amendment, it does not show it, but I'm
certain that there is...If it's managed by a housing
authority, then it would fall under this provision."

Rutherford: "So, it would included let's say, for example that a
county organization had some type of subsidized or assisted
housing that that would fall under this statute? So, it's
not just a federally funded or a state funded public
housing?"

Speaker Steczo: "Mr. Turner."

Turner: "Representative, I think this would include all housing
authorities. Any public housing authority..."

Rutherford: "So, any public housing authority, regardless of
where the funds would come from, even if it was a county
government or so forth, that this would then apply to

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

144th Legislative Day

June 8, 1994

that."

Turner: "Right."

Rutherford: "And again, I just want to make sure that we're clear on what we're going to be doing here."

Turner: "Right."

Rutherford: "Thank you very much."

Speaker Steczo: "Is there any further discussion? Representative Younge. Wyvetter Younge."

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

Speaker Steczo: "He indicates he will."

Younge: "Would you just tell me...this is just for Chicago housing?"

Turner: "No, Representative...I'm sorry, Representative, it's for all public housing authorities."

Younge: "What..."

Turner: "It's not just Chicago."

Younge: "What are the differences in the eviction authority under this Bill and now I mean, what...?"

Turner: "What we're asking for is emergency evictions in this legislation for people who are convicted of firearm violations, state law regarding firearm violations. The intent here is that if a person, let's just use for example, say an assault weapon was illegal in this state, it would allow the authority to then ask...to move for an expedited eviction of that person. Now, we still have to go through the normal court proceeding, but it would ask the courts to say, look that this person here, he could be an intimidation to other witnesses, and so we're trying to expedite them being removed from the premises."

Younge: "Please describe in specific detail what the expediting difference is between the current..."

Turner: "A normal eviction, Representative, takes as much as six

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

144th Legislative Day

June 8, 1994

months sometimes regarding rental eviction, which is normally the case when most evictions that housing authorities go through. In this case, because we're talking...and a couple years ago, we passed legislation which dealt with if a person was selling narcotics, that you could move for an expedited eviction of a tenant who lived in a building because he was selling narcotics. In fact, on non-rentals sometimes it takes a year or more, and so what we're asking is in the case of a person who has the possession of an illegal firearm, in addition to the...well, an illegal firearm because of the danger that that tenant brings or presents, we feel that he should then be...that the authority should at least be able to go in and ask the courts to let's remove that person from the premises on an expedited basis. So, this is what we're asking."

Younge: "Who determines whether or not the firearm is illegal or not? What is the procedure for that?"

Turner: "The firearms that are illegal would be those that currently come under the statute of state law, and so those firearms that are currently defined by state statute as being illegal are the weapons that we're talking about at this point. Weapons that they don't have an F.O.I.D. card for."

Younge: "Is that as the result of a conviction?"

Turner: "I didn't hear you, Representative? Can we, Mr. Speaker, we're having a hard time hearing."

Speaker Steczo: "Can we have order please."

Younge: "What I asked you was, did you say that the determining that the weapon was illegal was as the result of a conviction in reference to the firearm?"

Speaker Steczo: "Representative Younge, could you repeat you're

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

144th Legislative Day

June 8, 1994

question please."

Younge: "Yes. I was asking about the determination of whether or not the firearm is illegal is as the result of a conviction or what is the process of that determination?"

Turner: "I think possession of the firearm would be all that's necessary, if the the authority decides they want to proceed. Now, they can, you know, it's up to the authority to determine if they're going to evict, but possession of an illegal firearm in a public housing authority would be grounds for the authority to then ask for an expedited eviction. So, possession of an illegal weapon. If a person is arrested with that illegal weapon...the rational being, that if he, in fact, owns...and I'm just using assault weapon as an example, if that person is caught with an assault weapon, I don't think that that person should be then left in that unit to be able to intimidate other people or other residents in the building. And so, if the Chicago Housing...not to say Chicago, but if the public housing authority thinks that that person is a threat or is some immediate danger to other residents in the building, this would allow the authority to then go in and ask for an expedited eviction, and I think it's at the discretion of the authority. They would know those tenants, I mean where in particular we're thinking about people who...engage in narcotics trafficking and that...those types of people these are the ones that we're aiming this legislation at."

Younge: "Would the person against whom this action is being taken, would they be served to appear in court? Would they have an opportunity?"

Turner: "Yes, they would. Yeah. It would be the normal proceedings, only we would ask the courts that instead of...and sometimes in evictions, especially in evictions

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

144th Legislative Day

June 8, 1994

that deal with non-payment of rent, that sometimes can go on for six months to a year. And what we're saying is in this case, the courts could very well say, hey look, 30 days you got to be out of here, or less than 30 days. So, it would be...they would have to be served. There would be a normal eviction proceeding, only we could ask the court for an emergency speed up to have that individual put out of the premises."

Speaker Steczo: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Steczo: "Please proceed."

Brunsvold: "Art, would you kind of...let's go back through this...this would affect every housing authority in the state?"

Speaker Steczo: "Mr. Turner."

Turner: "Yes. It would affect all public housings in the state...all housing authorities in the state."

Brunsvold: "Okay, so who...who turns...go through how someone would identify this. Did someone see someone with a gun or someone..."

Turner: "Well, the person would have to be arrested..."

Brunsvold: "Yeah, a resident of the housing authority..."

Turner: "A resident of the housing authority is arrested with a gun, an illegal weapon."

Brunsvold: "Okay. He's arrested by the local police..."

Turner: "By the local police."

Brunsvold: "With a gun..."

Turner: "With a gun. The gun was on the premises."

Brunsvold: "Okay. Okay."

Turner: "And he was arrested with the gun."

Brunsvold: "Al; right."

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

144th Legislative Day

June 8, 1994

Turner: "Now, what the housing authority can do is go in to the courts, which they currently can, and because that person had an illegal weapon, the authority can say, 'Listen, we want him evicted immediately or we want an expedited eviction'."

Brunsvold: "Okay, I..."

Turner: "They can currently evict that person right now. Only...only what we're saying is that instead of the normal four months or six months for an eviction that you could do it within 30 days or less, if the courts rule."

Brunsvold: "Is this offense...the police arrest this person, does it have to be on the grounds of the housing unit or can it be off someplace else."

Turner: "No. It would have to be on the housing authority premises."

Brunsvold: "Okay."

Turner: "On the premises."

Brunsvold: "Okay. On the premises, okay. Now let's get...the legal or illegal gun, if I have a...purchased a legal revolver and I don't have a F.O.I.D. card, does that make this an illegal gun?"

Turner: "It's no problem."

Brunsvold: "That's no problem..."

Turner: "Only those guns that are now currently illegal under statutes..."

Brunsvold: "But if don't have a F.O.I.D. card..."

Turner: "That's two weapons. One is a shotgun, sawed-off shotgun and the assault weapons...or I should say sawed-off shotgun and and machine gun."

Brunsvold: "Yeah, machine guns, sawed-off guns are all illegal, right..."

Turner: "Those are the only two guns that we're talking about

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

144th Legislative Day

June 8, 1994

right now."

Brunsvold: "But if...just for the record, if I don't have a F.O.I.D. card, then does that make any gun I have illegal?"

Turner: "No."

Brunsvold: "It doesn't?"

Turner: "No, it doesn't."

Brunsvold: "Okay."

Turner: "The only guns that are illegal right now is the sawed-off shotgun and the machine gun."

Brunsvold: "All right. Thank you."

Turner: "Okay."

Speaker Steczo: "Is there any further discussion? Representative Mulligan."

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

Speaker Steczo: "He indicates he will."

Mulligan: "Even if the person does not have a F.O.I.D. card, they have no right to have that or purchase ammunition, that would still not mean that they would be evicted?"

Turner: "For purposes of this law, we're talking about evicting people for having illegal...those guns that are currently illegal under state statute, and there's only two guns, that's the sawed-off shotgun and the machine gun. You cannot get a F.O.I.D...a F.O.I.D. card will not let you possess those guns, a sawed-off shotgun and machine gun, so..."

Mulligan: "So, you're only going to address those two weapons?"

Turner: "Those are the only two weapons that are currently illegal under the state statute. So, if the state expands that definition, so that if assault weapons come into that definition, then they would fall under that category, but a handgun is not an illegal gun in this state. And so, therefore, you cannot be evicted for the possession of a

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

144th Legislative Day

June 8, 1994

handgun."

Mulligan: "Unless you have it illegally. Why...if...why would you not do that..."

Turner: "It's not an illegal gun though. Whether you have it legally or not, it's still not...it's not for purposes of this...what we're trying to do here, it is not an illegal handgun."

Mulligan: "Well, quite frankly, I think it doesn't go far enough then, because you can have a sawed-off 22, you can have a gun that is...that is basically in that housing authority project or where ever, basically, with the intent to do no good with it. Not..."

Turner: "Right. So, you...I mean..."

Mulligan: "This is only addressing...I mean if someone has an intention to do this, they just won't use those two guns, they'll use...get another type of gun."

Turner: "No question about it. I'm not arguing...I mean, they may use a knife, too if they intend to take someone's life."

Mulligan: "True, except that it's easier to do it with a gun from farther away than it is close up, particularly if you're intending to rob someone that's on the premises."

Turner: "Right. Well until...until we decide in this state that we want to make those other guns illegal, I mean...this statute would allow for any gun that we determine to be illegal. So, if you think that a 22...sawed-off 22 should be in that category, when that Bill comes up, when the Edgar proposal comes up and we all vote for it, whatever other guns we want to add on to that then they would qualify. But at this point, we're only talking about the two weapons that are now currently illegal in this state, and that is a sawed-off shotgun and a machine gun."

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

144th Legislative Day

June 8, 1994

Mulligan: "Well, I think that it should address a person having a gun illegally. My father was murdered in the Chicago Housing Authority Project with a sawed-off 22. So, that can do it..."

Turner: "With a sawed-off 22?"

Mulligan: "With a sawed-off 22. Now, you can tell me that that gun did just as much damage as any other kind of a gun. I cannot see where it would not be more prudent to have a person that has the gun illegally be evicted, along with an illegal weapon."

Turner: "At this point, a person could be evicted if, in fact, he has a weapon. We're saying that...we're just asking for an expedited eviction based upon those guns that are currently illegal by state law. But I do understand what you're saying, and you're concerns, but we're taking this one step at a time."

Mulligan: "All right. Thank you."

Speaker Steczo: "Representative Davis."

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

Speaker Steczo: "Please proceed."

Davis: "Representative, if...let's say a 20 year old whose a member of a family has an illegal gun, does that mean the entire family is evicted?"

Speaker Steczo: "Representative Turner."

Turner: "First of all, if that 20 year old...I'm not certain about him being...the person that would be evicted, would be the person who is the...it's the leaseholder...right...it's the tenant of the household. The person who is the leaseholder who would be evicted, and that leaseholder has to know that her son or daughter has an illegal weapon. So, if the leaseholder knows that there is a sawed-off shotgun in the household, that would be

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

144th Legislative Day

June 8, 1994

grounds for it to happen. If not, then..."

Davis: "So...so an innocent mother and her other three or four children..."

Turner: "Would not be evicted, no."

Davis: "Oh. Just the one who had the weapon? How could you...I mean..."

Turner: "I'm not...we're not evicting mom. I mean, if the..."

Davis: "If mom is the leaseholder, mom's being evicted though, right?"

Turner: "If mom knows about the sawed-off shotgun in the house. If mom knows, then mom would be evicted."

Davis: "Well, we know what the court has already said about one knows and one's ability to measure what one knows."

Turner: "But the courts have been improved tremendously since we passed judicial redistricting, and I don't want to take that assumption that all judges are like they used to be. We've got some real fine judges serving, and some of them are friends of ours that I think they have the discretionary knowledge to know..."

Davis: "Representative, my question to you is, what problem are you attempting to solve? Are you trying to hasten the move of the Chicago Housing Authority people to the suburban areas in the scattered site housing areas?"

Turner: "No, Representative..."

Davis: "Is that purpose?"

Turner: "I hadn't even thought about that. The problem...my...the intent here is, is that if there is...and I'll use a drug dealer, because those are the people that tend to have these types of weapons. If he lives in a Chicago...in a public housing authority, and in fact...you know, he has this weapon there, and there are witnesses or there may be witnesses in the...on the

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

144th Legislative Day

June 8, 1994

premises themselves, they are in danger as long as that individual is still in that facility. So, the intent is to move that family out of the facility, and to...in terms of expedited eviction so that...for the safety of other residents in the building."

Davis: "Okay, Representative, as they build the scattered site housing in the suburban areas, is this family eligible to reapply?"

Turner: "Representative, I have no knowledge of that. I don't know about building of public housing in other...you know, in a suburban community. All I know, is that we're trying to evict them out of the existing premises. Now..."

Davis: "Because...am I correct in assuming, or are you saying that a drug dealer has a gun, the gun is illegal..."

Turner: "Right."

Davis: "So, you confiscate the gun, and you determine that it's illegal..."

Turner: "Right."

Davis: "Then you determine whether the rest of the family members..."

Turner: "No. If that drug dealer is a leaseholder in the household, then we're saying that the drug dealer should be evicted from the premises."

Davis: "But if the drug dealer is not the leaseholder, the drug dealer is just a relative of the leaseholder..."

Turner: "Right."

Davis: "Then what happens? That's what I'm trying to understand."

Turner: "Then they would be evicted from the premises. Now, the assumption..."

Davis: "The whole family?"

Turner: "The whole family would be evicted. The leaseholder

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

144th Legislative Day

June 8, 1994

would be evicted."

Davis: "Thank you."

Turner: "Now, what you're saying is..."

Davis: "Thank you."

Turner: "Okay."

Speaker Steczo: "Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise to support the Gentleman's Bill. You know, every once in a while a Bill comes before us that is...in it's simplicity, is simply beautiful. You know, all Representative Turner is doing is to say if you misuse and abuse your right to own a weapon, a firearm, then you don't have to be subsidized in public housing. They can evict you. Now, with what we've read and what we've heard in the last few months about what's been going on in some of our housing authorities, what better Bill could come before us? It simply says that if you persist in abusing and misusing your right to own a gun, and in fact you...I'll just quote from the Bill. If you are engaged in the unlawful possession of a firearm in public housing, they could expedite your eviction. And I would think everybody on this floor would want that individual evicted and out of that environment, so the environment can be given back to the people who live there and make it a safer environment. This is a very good Bill. It's probably one of the best anti-crime Bills we've had in the Session. It isn't as glamorous or glorious as super-max or three strikes and you're out or two strikes and you're in or whatever those catchy titles are, but this Bill gets to the heart of the issue. It simply says if you're going unlawfully own and/or God forbid use a firearm and you're a resident of public housing, we could evict you. It makes

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

144th Legislative Day

June 8, 1994

eminent good sense, and a 'yes' vote is the only vote, and I simply congratulate Representative Turner for bringing this Bill to the Floor."

Speaker Steczo: "Representative Giles."

Giles: "Thank you, Mr. Speaker and Members of the House. This is a good Bill. The Bill simply is to expedite time. There is already on the books that if...one of the previous speakers mentioned, will a family member be evicted if a gun is found on the public housing premises. On the books already, if that person is caught with an illegal gun, they will be evicted. They will be in the process. The only thing that this Bill does is just simply expedite the process, and I think it's a good Bill, and I urge both...all of my colleagues on both sides of the aisle to support this Bill. Thank you."

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

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I think that the Bill has been fairly well discussed. The intent here, basically, is just to expedite evictions in a case of...the possession of illegal handguns. I may have erred in terms just limiting it to saying that it dealt with machine guns and sawed-off shotguns. It deals with those guns that are currently illegal under state statute, and I was informed that there are...there is a saturday night...saturday night special, which is a handgun that I think melts under whatever certain degree of temperature, so that gun would also be included. And the intent here is just to protect those law abiding citizens who live in public housing throughout this state, and I move for the favorable adoption of Senate Bill 1545."

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

144th Legislative Day

June 8, 1994

Speaker Steczo: "The Gentleman has move for the passage of Senate Bill 45...1545. All those in favor of the passage of the Bill will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 108 voting 'yes', none voting 'no', 1 voting 'present'. Senate Bill 1545, having received the required Constitutional Majority, is hereby declared passed. On the Order of Senate Bills, Third Reading, State Operations, appears Senate Bill 1670, Representative Flinn. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1670, a Bill for an Act to amend the Bi-State Development Powers Act. Third Reading of this Senate Bill."

Speaker Steczo: "The Chair recognizes Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 1670 amends the Bi-State Development Powers Act. It requires that the agency hire peace officers only through contracts with local law enforcement agencies within the Bi-State service area. It prohibits the agency from issuing weapons that can cause bodily harm, and it also includes the light-rail vehicles and the definition of conveyance. I would move for the adoption of the Bill. I know of no opponents."

Speaker Steczo: "Representative Flinn moves for the passage of Senate Bill 1670. On that, is there any discussion? The Chair recognizes Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Would the...would the Gentleman yield for a couple of questions."

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

Kubik: "Representative, could you refresh my memory. I know this

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

144th Legislative Day

June 8, 1994

Bill went through the exempting of Committee, but if you could refresh my memory, what is the need for this legislation?"

Flinn: "Well, we have light-rail added to the transportation system down there, and we need the authority, in the case there's a need for police officers, to hire police officers. We want to do it through contract. This is a Missouri-Illinois, Bi-State agency, and both states must pass some identical laws so it can be ratified by Congress."

Kubik: "I guess my question is, why...as I understand this Bill, the officers who would patrol this authority, would have to be hired through the local police departments. In this case, it would be East St. Louis and St. Louis as I understand it."

Flinn: "Yeah, the whole Bi-State area. There are a number of counties on each side that's involved, and they not only would hire people to ride on the train, but to hire people to patrol the stations and that sort of thing."

Kubik: "Is there reason why these officers could not be hired, you know, with a local company, a local contractor who would not have any affiliation with the law enforcement agency?"

Flinn: "Bi-State just don't want to get into police business. They'd rather hire through contract with the existing police agencies. This would give them the right to hire off-duty policemen for part time work and that sort of thing, and that's the idea behind it."

Kubik: "All right. The other question I have is, in the Bill on page two, it talks about, 'no personnel shall be issued any weapon that can cause bodily harm'."

Flinn: "That's talking about other employees."

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

144th Legislative Day

June 8, 1994

Kubik: "But..."

Flinn: "That's talking about other employees other than the policemen they're going to hire."

Kubik: "Yeah, but I guess...what...you know...what weapon wouldn't cause bodily harm?"

Flinn: "Well, I don't know. I guess rocks and sticks would for that matter."

Kubik: "I wasn't quite sure why they put it in there, but the reason you put it in there..."

Flinn: "I think the main reason we put it in there is because if Missouri had it in their Bill, we have to have an identical Bill."

Kubik: "So, this essentially, this whole Bill is basically...there's no incident involved here?"

Flinn: "No."

Kubik: "It's just that both the states have to ratify the same legislation, and then this will go to Congress?"

Flinn: "Yes. Congress will ratify this, but they cannot ratify it unless both states have identical Bills and it's a request by Bi-State to start with. So, both the Legislature in Missouri and our Legislature here, in Illinois."

Kubik: "And the ratification, I would assume it would allow for the funding to flow back to the agency. Is that what...what we're talking about?"

Flinn: "Yes. Since this is a compact agency made by Congress to start with, each time they make a change up or down in their authority, it has to be ratified by Congress, but first it must be passed by both states."

Kubik: "Thank you, Representative for responding to questions."

Speaker Steczo: "Representative Black."

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

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

144th Legislative Day

June 8, 1994

yield?"

Steczo: "Please proceed."

Black: "Representative, there's a definition of conveyance in the underlying Bill. Is...are you changing the definition of a conveyance of property or is there a specific piece of property involved?"

Flinn: "Well, the only property that is being added to it is the light-rail, which is already...is in existence in Missouri from East St. Louis to Lambert Field. We're getting ready...already doing the study on extending this to Scott Field in Illinois, but all the other...all the other property that's operated by Bi-State includes Parks Air College...I mean Parks Airport, rather, and it includes a train inside of the Arch. It includes all the bus ground transportation in the entire Bi-State area, and now it would include light-rail also as far as this Bill is concerned."

Black: "Okay, so there's no conveyance of property...specific conveyance of property in the Bill, correct?"

Flinn: "No, that's correct."

Black: "All right. Let me come back to what Representative Kubik was saying. It seems that the major thrust of this Bill is the...I don't know, establishing isn't the right word, but defining the security force or the security officers that will be used by the light-rail."

Flinn: "No. It's defining who they will contract with to secure that...those policemen."

Black: "All right, and it...there is specific language in the Bill that says that...the...this entity, the light-rail...metro-east can only contract with law enforcement agencies in the agency service region. So, you have to be contracting then with either one of those, your

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

144th Legislative Day

June 8, 1994

local police departments or a county sheriff, is that correct?"

Flinn: "Yes. In all the counties...there are numbers...there's three Illinois counties, and I'm not sure how many Missouri counties...there up to five Missouri counties I believe."

Black: "Let me come back to that. Do you think it's good public policy to exclude some of the largest private security companies in the world? There are so many of them out there, I don't want to get into names, but it would seem like you're excluding some...you know, some very substantial privately owned security firms from bidding on this business. Is that good public policy?"

Flinn: "I don't know about that but, frankly, already this is taking place now, and all they're seeking is the authority to continue what's going on now."

Black: "I...let me just...a couple of more questions if you would, Representative. What...was there some incident that happened on...in this...in this service area that has caused this Bill...caused you to bring this Bill to us about security officers and the fact that they cannot be armed?"

Flinn: "No. The only thing that's happened is, Bi-State was reminded by someone, and I don't know who, that they did not have the authority to police the property themselves and, therefore, they must get a Bill passed in both Houses, and they've decided to do it the same way they're doing it now. They went to the Missouri Legislature, they came to the Illinois Legislature, and here we are."

Black: "Yeah, well, I guess what I'm having trouble understanding is that your Bill is going to allow only a sworn piece officer to serve as a security officer on this light-rail system."

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

144th Legislative Day

June 8, 1994

Flinn: "No...not..."

Black: "And yet at the same time, it says they cannot...cannot carry any kind of a weapon that could cause bodily harm. Now, that could be obviously a firearm, but it...that could be extended to be pepper spray, mace, a baton. What are they going to be out there with, a smile and a wink?"

Flinn: "No. I think I explained that to Representative Kubik. That probably got in there to exclude all other employees, that they cannot be armed. Only the police officers can be armed."

Black: "And you're sure that's what the Bill does then?"

Flinn: "Well, I hope that's what it does. At least for the record, let me say that's what it does."

Black: "Well, I hope so too, because if I'm down there riding it with you some day, and somebody is trying to...you know, take your timex watch and my timex watch off on our way to a ball game, I'd hate to call on a security officer that doesn't have anything but a plastic identity badge. I'd hope that he'd have something more than that."

Flinn: "I'm sure he would have. If he points something at you, he's got more than that."

Black: "Okay. Well, I...I look forward to riding that with you at the next Cubs/Cardinals series, but when do you anticipate this system being up and running, Representative?"

Flinn: "What's this? Repeat it."

Black: "This light-rail system. When do you think this will be up and running?"

Flinn: "Well, it's already running in Missouri, running from East St. Louis out almost to Lambert Field, and by the end of this month, it will be running to Lambert Field."

Black: "Isn't there a stop real close to Bush Stadium?"

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

144th Legislative Day

June 8, 1994

Flinn: "Well, there's a stop in Bush...at Bush Stadium."

Black: "Now we're talking."

Flinn: "And you can..."

Black: "So, actually we could get on there at the riverboat in East St. Louis and ride across the river to Bush Stadium for the Cubs/Cardinals series."

Flinn: "Well, don't get on from the riverboat, cause you won't have any money if you do that."

Black: "Well, thank you very much, and heaven forbid I'd have any money left with me, because I still think your Bill won't let these security personnel have any weapons, but I'm sure we can correct that if we have to."

Flinn: "Right."

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

Flinn: "I think it's been well discussed. I just move for the adoption of the Bill."

Speaker Steczo: "The Gentleman moves for the passage of Senate Bill 1670. All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 105 voting 'yes', 7 voting 'no', 1 voting 'present'. Senate Bill 1670, having received the required Constitutional Majority, is hereby declared passed. On the Order of State Operations, Third Reading, appears Senate Bill 1672. Out of the record. Senate Bill 1692, Representative McPike. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1692, a Bill for an Act that amends the Illinois Development Finance Authority Act. Third Reading of this Senate Bill."

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

144th Legislative Day

June 8, 1994

Speaker Steczo: "Representative McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1692 does three things. The Bill as it came across from the Senate says that the IDFA may enter into agreements with a federal or state agency to implement IDFA's Act. Amendment...House Amendment #1 that was adopted repeals language directing IDFA to appoint a technological evaluation committee, because IDFA has never done so, and doesn't intend to do so. And House Amendment #2 takes the Small Business Surety Bond Guarantee Act away from IDFA and gives it to DCCA, because DCCA wants it and IDFA does not. I move for the passage of this Bill."

Speaker Steczo: "The Gentleman moves for the passage of Senate Bill 1692. On that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 111 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1692, having received a required Constitutional Majority, is hereby declared passed. Senate Bill 1724, Representative Novak. Out of the record. Senate Bill 1730, Representative Churchill. Out of the record. Senate Bill 1733, Representative Santiago. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1733, a Bill for an Act concerning school bus drivers. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. Senate Bill 1733 will require the fingerprinting of school bus drivers here in the State of Illinois. As

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

144th Legislative Day

June 8, 1994

you are very well aware, I've been trying to do this for the last five years. The current system that we have of background checks for school bus drivers is a very cumbersome and very inadequate and ineffective system. The intent of this legislation is to streamline and consolidate the permit process with the Secretary of State and close major loopholes in the current criminal history check process. I will entertain any questions that you may have at this moment."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1733. On that, is there any discussion? The Chair recognizes Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I join with Representative Santiago in urging the passage of this Bill. There could be nothing more serious than putting 60 or 65 young students on a school bus in the hands of one driver and make sure that that driver is, indeed, a safe driver and does not have a criminal background. That's what the purpose of this underlying Bill is. It's to provide for the safety of school bus students throughout the State of Illinois. It comes a long way from the drug and alcohol testing Bill which I sponsored and passed this House two years ago. This comes a long way and makes sure that the drivers have nothing in their background that might indicate that they could be a danger to the school bus children throughout the State of Illinois. And I want to make sure before Pat Quinn takes credit for this Bill that, indeed, it is an initiative of Secretary of State, George Ryan, and I urge its instant passage."

Speaker Steczo: "Representative Turner."

Turner: "Yeah, thank you, Mr. Speaker. We have a former Member

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

144th Legislative Day

June 8, 1994

in the House, and I'd just like to introduce him for those new Members here. Former Representative, Phil Bianco. He's in the back talking to Dave Carey. Phil Bianco."

Speaker Steczo: "Representative Black."

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

Speaker Steczo: "He indicates he will."

Black: "Representative, can you give me an approximate cost? If I wanted to drive a school bus, and I had to have this fingerprint procedure done, what does it cost me?"

Santiago: "Just to have the fingerprint process alone?"

Black: "Right. Well, yeah...I mean, if I'm going to show up and be a school driver...a school bus driver in your district and this becomes law, and I have to go through a fingerprinting process, what does it cost me?"

Santiago: "I will estimate between \$25 and \$35."

Black: "You're pretty close. Our staff says \$36. All right, now these are minimum wage jobs. Now, if I apply, and I pay the \$36, is there a way I can get the \$36 back?"

Santiago: "Yes. If you're disqualified, we will refund the money back. But, also, the district could apply for reimbursement through their..."

Black: "Okay. Well...I...thank you very much, Representative. And Ladies and Gentlemen of the House, I think that's a very important part of the legislation. Particularly, as you get into downstate, for a minimum wage job, a \$36 fee to get your fingerprints taken is not a small amount of money. But as the Representative has indicated, the school district can then apply to the State Board of Education for reimbursement funds, and it's my understanding, Representative, correct me if I'm wrong, that that individual could then be reimbursed for the \$36 fee,

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

144th Legislative Day

June 8, 1994

correct?"

Santiago: "You're correct."

Black: "Well, then that makes eminent good sense and, in that case, I don't think we'd hit a situation where many of us in downstate were somewhat concerned that we wouldn't even be able to get applicants because, generally speaking, minimum wage jobs and that's a pretty stiff up-front fee. But if they can be reimbursed for that, then I think the Bill makes eminent good sense. Thank you very much, Representative."

Speaker Steczo: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill, and I think the important thing to keep in mind is that without fingerprints, we cannot guarantee the integrity of the background check. If an alias is used, alias name, then there could be a large criminal record that would not show up. So, for the concern for our school children of our State of Illinois, I urge a 'yes' vote on this."

Speaker Steczo: "Representative Biggert."

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

Speaker Steczo: "Please proceed."

Biggert: "If somebody is having the fingerprinting done, who actually is doing the fingerprinting? Do they go to the police department? Do they go..."

Santiago: "Under this field, the process will go...the state police will be required along...and then they will send the paper work to to the F.B.I., and they will do the initial national research."

Biggert: "My only concern is that, for example, with the Department of Children and Family Services trying to get fingerprinting done, it takes so long. Does this mean that

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

144th Legislative Day

June 8, 1994

there will be no employment by the bus driver until the check has been done?"

Santiago: "I can't hear what you're saying."

Biggert: "Will the bus driver be employed and then have the fingerprinting done as a condition, or will he have to not be employed until the fingerprinting has been done?"

Santiago: "No. I...you have to be certified and get your...your fingerprinting done before you are employed."

Biggert: "Well, how fast can the fingerprinting be done then? What is their projection of how..."

Santiago: "It...I heard estimates between two weeks, three weeks."

Biggert: "Okay. Well, it...I...my understanding is that with DCFS that it takes so...you know, three to four months. So, I have a concern whether we'll be able to have bus drivers."

Speaker Steczko: "Representative Biggert, are you..."

Biggert: "Yeah, I'm through. Thank you."

Speaker Steczko: "Is there any further discussion? There being none, the question...Representative Black."

Black: "Yeah. With apologies to the Chair, because I've already spoken, I just want to say on the record Dave Carey came over to talk to me, and we have...I just want to don't...I want to make sure we don't lead anybody astray. If the bus driver is paying a \$36 fee through a contract agency such as, I think it's Mayflower around here, then the contractor will be reimbursed if he...if the contractor paid for the fee. If it's somebody down in my district who just walks in and the district...the school district runs the buses, the school district is under no obligation to reimburse that individual \$36 and, in fact, as Dave said, the district probably would not reimburse that individual of

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

144th Legislative Day

June 8, 1994

\$36. I wish that that weren't the case, but I don't want to mislead anybody. I guess...I guess I intend to vote for it, because I don't think \$36 is an insurmountable amount of money, but it will make a difference to some people."

Speaker Steczo: "Is there any further discussion? There being none, the question is, 'Shall Senate Bill 1733 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 111 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 733 (sic 1733), having received the required Constitutional Majority, is hereby declared passed. For what purpose does the Gentleman from Will, Representative Wennlund, seek recognition?"

Wennlund: "Thank you, Mr. Speaker. On a point of personal privilege, I have a Resolution that I would ask this House to consider that I think is of the utmost importance in light of the circumstances surrounding an incident yesterday, and it reads thusly (sic thusly): WHEREAS it is the privilege and honor of this Body to commend acts of greatness by residents of the State of Illinois; and WHEREAS it is with extreme pride that we take this opportunity to honor one of our own, that is State Representative, Joel Brunsvold. WHEREAS it is with great dignity that Joel has served as Chairman of the Legislative Sportsman's Caucus; and WHEREAS he performed an act of uncommon courage and valor, risking his life to save a deer, relative of the official state animal, the white-tailed deer; and WHEREAS the deer, known as a Democrat, in a vandal of Republican vehicles was injured from a recent party activity; and WHEREAS Joel did not

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

144th Legislative Day

June 8, 1994

shoot the deer with his assault weapon, rather he showed often unseen and un...compassionate side of a sportsman. WHEREAS Joel performed a rescue on the maimed animal to the applause of many; and WHEREAS be it further RESOLVED that the House of Representatives commemorates this momentous and courageous act by having the Capital cafeteria serve venison, called the Brunsvold Sandwich, in Joel's honor; and WHEREAS it is the sad duty of this Body to announce the death of the courageous deer Joel put his life on the line to save; and WHEREAS suitable copies of this Resolution ought to be presented to Joel, his family, the deer's family, and Members of the Sportsman's Caucus, and to Vince Persico and his mechanic. Thank you, Ladies and Gentlemen of the House."

Speaker Steczko: "Representative Black."

Black: "Yes, I have an inquiry of the Chair. I'm confused. Is this a congratulatory Resolution or a Death Resolution? Or is it both?"

Speaker Steczko: "We are currently checking that, Mr. Black, and I understand that it has not yet been filed officially with the Clerk, so..."

Black: "Well, after hearing my colleague read this wondrous and well-deserved Resolution, I just...I don't know that I can go home and ever read Bambi and have the same kind of thoughts."

Speaker Steczko: "And for my part, Representative Black, for the Chair's part, it will probably be the only time that we've seen recently a congratulatory Resolution go to the Committee on Assignment, cause we're not sure either exactly what category it falls under. Representative Persico."

Persico: "Thank you, Mr. Speaker. Point of personal privilege."

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

144th Legislative Day

June 8, 1994

I heard my name mentioned in an unofficial Resolution. I would wonder if the...not the Sponsor of the Resolution but the person named in the Resolution would yield for a question?"

Speaker Steczo: "Proceed, Representative Persico."

Persico: "I know the story behind my vehicle, but what courageous act did you perform on this deer? You soothed the deer, and yet even with those soothing fingers of yours you were unable to keep it alive? My mechanic is not going to have many problems with my car, but I understand that the deer did hit another car and cause considerable damage before...thank you, Representative."

Speaker Steczo: "Proceeding to the Order of State and Local Government, Senate Bills, Third Reading, appears Senate Bill 398, Representative Granberg. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 398, a Bill for an Act concerning sexually transmitted disease. Third Reading of this Senate Bill."

Speaker Steczo: "The Chair recognizes Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 398 contains the agreement between the Illinois State Medical Society and the Illinois Hospital Association to provide some basic protection for doctors and with...might be terminated for economic credentialing. That is, having too many medicaid patients. It affords some basic due process rights to doctors employed by hospitals. As I said, this...the negotiations for this agreement had taken place over the course of the last year, and I would move for its passage."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 398. On that, is there any discussion? The

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

144th Legislative Day

June 8, 1994

Chair recognizes Representative Kubik."

Kubik: "Would the Sponsor yield?"

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

Kubik: "Representative, I'm not sure I understood or heard all of your explanation, but could you briefly tell us what this does? I mean, what you described has...seemingly has nothing to do with the title of this Bill. I thought it might be a little more interesting."

Granberg: "Representative, I think Representative Novak was the original Sponsor of this Bill, but..."

Kubik: "Sounds like it."

Granberg: "...He had a conflict of interest. This now contains for its basic due process rights for doctors employed by hospitals in case of termination. Last year, there was a proposal by the Illinois State Medical Society that afforded those doctors certain protections. The Illinois Hospital Association had strenuous opposition. They thought those protections went too far. Negotiations took place over this year, and they have reached an agreement to afford some just basic due process rights on a right to a hearing and right to object to the items listed for termination."

Kubik: "Well, I'm glad to see that...this sounds like a very excellent proposal, notwithstanding the title of the legislation, and I'm glad to see that you're, you know, looking out for Representative Novak..."

Granberg: "All of us have to look out for Representative Novak."

Kubik: "Good. Okay. Thank you, Mr. Speaker."

Speaker Steczo: "Representative Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this proposal. As you know, I spoke against this Bill when it first came through because,

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

144th Legislative Day

June 8, 1994

indeed, I thought it did go too far for the Medical Society. I am pleased to see that there has been a compromised agreement reached, and I would urge your support."

Speaker Steczo: "Representative Brady."

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

Speaker Steczo: "Please proceed, Mr. Brady."

Brady: "Representative, is...Floor Amendment #3 becomes the Bill, is that what I'm to understand?"

Granberg: "Yes, Representative."

Brady: "And I didn't hear your complete explanation to Representative Kubik, but what...is this...this deals with a...exactly what does this deal with?"

Granberg: "Hypothetically, Representative, if a doctor is terminated at a hospital or suspended, this would afford some basic due process rights before that termination is complete."

Brady: "And this is an Agreed Bill between the Hospital Association and the Medical Society?"

Granberg: "Correct."

Brady: "Thank you."

Speaker Steczo: "Representative Walsh."

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

Speaker Steczo: "Please proceed."

Walsh: "Thank you. Representative, just one quick question. Is this to resolve the case that 'Dr. Lyle' had? Do you know?"

Granberg: "Representative, if my memory serves me correctly, that was one of the instances that brought this to the Medical Society's attention."

Walsh: "'Dr. Lyle's' case?"

Granberg: "Yes."

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

144th Legislative Day

June 8, 1994

Walsh: "Okay. Thank you."

Speaker Steczo: "Representative Novak."

Novak: "Yes, Mr. Speaker, since my name was mention in debate, I just want to lament the fact that...and...sorry for the fact that Kurt Granberg has a sexually transmitted disease."

Speaker Steczo: "Is there any further discussion? There being none, the question is, 'Shall Senate Bill 398 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 114 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 398, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1138, Representative Novak. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1138, a Bill for an Act that amends the Environmental Protection Act. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill, first of all I should point out, is devoid of any Amendments. So, when we pass this Bill, it goes on to the Governor's Office. This Bill simply exempts landscape waste sites that hold landscape waste for 24 hours or less from the Senate Bill 172 siting process. It makes it pursuant to local zoning approval, and I ask for its adoption."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1138. On that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' Representative Persico."

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

144th Legislative Day

June 8, 1994

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

Speaker Steczo: "He indicates he will."

Persico: "Representative, your Bill only...as you have mentioned that there are no Amendments on this Bill."

Novak: "Correct."

Persico: "And your Bill only exempts landscape waste?"

Novak: "Correct."

Persico: "Thank you. I stand in support of this Bill, and I urge the colleagues on both sides to vote for it."

Speaker Steczo: "The question is, 'Shall Senate Bill 1138 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 94 voting 'yes', 14 voting 'no', 2 voting 'present'. Representative Maureen Murphy votes 'no'. There are 93 voting 'yes', and 15 voting 'no'. Representative Sheehy votes 'no'. Any further changes? Representative Hawkins votes 'no'. Representative Currie votes 'no'. Representative Biggins votes 'no'. Representative Meyer votes 'no'...votes 'no'. Representative Levin votes 'no'. Representative Kaszak votes 'no'. On this question, there are 89 voting 'yes', 21 voting 'no', 1 voting 'present'. Senate Bill 1138, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1146, Representative Hughes. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1146, a Bill for an Act that amends the Criminal Code of 1961. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Hughes."

Hughes: "Thank you, Mr. Speaker, Members of the House. Senate

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

144th Legislative Day

June 8, 1994

Bill 1146 is an attempt to resolve a loophole that relates to a case in my district where a school superintendent was involved in indecent solicitation of minors. The underlying Bill provides that any person 17 years of age or older who solicits a person to arrange with a child under the age of 13 an act of aggravated criminal sexual assault, criminal sexual assault, aggravated criminal sexual abuse, or criminal sexual abuse is guilty of indecent solicitation of a child and provides that prosecution for concealment...excuse me, that is the underlying Bill. It is also amended in the Senate to provide that prosecution for concealment of homicidal death and aggravated arson may be commenced at any time. That Amendment is an Amendment from the Cook County State's Attorney's Office and was presented to them because of experience they have had prosecuting a couple of cases. Amendment #4 is the Safe Neighborhood Act from Representative Dart. This is important in the area of indecent solicitation of minors, and I would urge a positive vote. Thank you."

Speaker Steczo: "Representative Hughes, are you...have you completed your opening? Have you completed your opening?"

Hughes: "Yes, I have. Thank you."

Speaker Steczo: "The Lady has moved for the passage of Senate Bill 1146. On that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 113 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1146, having received the required Constitutional Majority, is hereby declared passed. On the Order of State and Local

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

144th Legislative Day

June 8, 1994

Government, Third Reading, appears Senate Bill 1149, Representative Curran. Mr. Curran. The Gentleman will take it out of the record temporarily. Senate Bill 1172, Representative von Bergen-Wessels. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1172, a Bill for an Act that amends the Public Utilities Act. Third Reading of this Senate Bill."

Speaker Steczo: "Representative von Bergen-Wessels."

von Bergen-Wessels: "Thank you, Speaker, Members of the House. This is the Bill that provides that public utilities ordered to make refunds must make refunds to former customers. It's a good Bill for everybody's district, whether or not they have two large and differing utility companies within them and have movement of population from one utility service area to another or whether you have seniors in your...senior citizens in your area who may move in with a son or a daughter and, therefore, not be a current customer and therefore not be able to get any refund that's ordered. This Bill would correct that situation so that the public would be able to participate in refunds if they were former customers of the utility. And I would urge your favorable consideration."

Speaker Steczo: "The Lady has moved for the passage of Senate Bill 1172. On that, is there any discussion? The Chair recognizes Representative Black."

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

Speaker Steczo: "Please proceed."

Black: "Excuse me. Before I get into that, let me give an inquiry of the Chair. Is Floor Amendment #6 is on this Bill, correct?"

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

144th Legislative Day

June 8, 1994

Speaker Steczo: "Mr. Clerk?"

Clerk McLennand: "Floor Amendment #6 is the only Amendment on the Bill."

Black: "All right, and then will the Sponsor yield?"

Speaker Steczo: "She indicates she will."

Black: "Representative, I noticed there were several Committee Amendments that had tried to be added to the Bill. It appears that all of them...all of them failed or were tabled. Is that your understanding?"

von Bergen-Wessels: "Yes, Representative, that's correct."

Black: "It seems like all the Committee Amendments were sponsored by a Republican. That wouldn't have any...there's nothing...I shouldn't read anything into that, should I?"

von Bergen-Wessels: "I don't think you should. The underlying Bill is a Senate Republican's Bill."

Black: "Who...who is that? Roco? Raica oh Raica, okay. So, the only thing...the only thing that's in the Bill then is Floor Amendment #6, right?"

von Bergen-Wessels: "That's correct."

Black: "Okay. Representative Persico had so many Committee Amendments. They all look so good, but they didn't get on. Bear with me, it's very hard to hear on the floor. Amendment #6 has something to do with refunds. Is that correct? On all utilities?"

von Bergen-Wessels: "Representative, Amendment #6 simply defines the word 'prove' and how will a former customer would go about proving that they were a customer during the refund period?"

Black: "Does that...does that change the underlying Bill that Senator Raica had?"

von Bergen-Wessels: "It certainly changes it to the extent that proof is defined a little more clearly than what the

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

144th Legislative Day

June 8, 1994

underlying Bill had."

Black: "All right, so if I...if I want a refund from my telephone company and I don't have...for some reason I didn't keep any of my old bills, can I...can I walk into the telephone company office and demand a refund? If I don't have any old bill?"

von Bergen-Wessels: "What that...what this Amendment says that if a...if the claimant...if the refund period is less than 24 months between the date of the refund and the period of service to which the refund applies you may have to show a copy of a utility bill. The problem being that the Illinois Commerce Commission only requires that utility companies keep a record of their customers for 24 months. So, if that 24 months has expired, then the company does no longer carrying a computer base to show that that person was a customer. In that case, they may very well have to bring a utility bill. It would certainly be up to the company. This Amendment does not say that this is the only way that one could prove that they were a past customer. Some companies might accept cancelled checks, for example."

Black: "I guess, this doesn't have anything to do with establishing service then, like if I have a telephone in Springfield and then I move to Ottawa, this doesn't have anything to do with how I establish service in my new community?"

von Bergen-Wessels: "No, Sir."

Black: "I'm still going to have go in and put down a deposit and all that. I think that's where I'm confused. I thought it had something to do with establishing service."

von Bergen-Wessels: "No, Sir. It doesn't have anything to do with establishing service. It has to do with establishing that you were a customer during...during the time that the

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

144th Legislative Day

June 8, 1994

refund was ordered."

Black: "So...and it's really then only deals with a refund ordered by the commerce commission, is that right?"

von Bergen-Wessels: "Right, and proving that you were the customer of that utility during the period of time that the refund covers."

Black: "All right, I'm sorry. Now I'm with you. And your Amendment says what again? How do I prove this?"

von Bergen-Wessels: "By bringing a bill."

Black: "Okay, by bringing a bill if it's more than 24 months, correct?"

von Bergen-Wessels: "Right."

Black: "If it's less than 24 months, I...I don't have to bring in a bill."

von Bergen-Wessels: "No. And you may not have to bring in the bill if it's more than 24 months. I mean, the individual utility could say, 'Gee, if you have cancelled checks for ten months, I think that shows pretty clearly that you were a customer'."

Black: "Okay, but I...but I would have to show some kind of proof that I, in fact, was a customer of that utility, wouldn't I?"

von Bergen-Wessels: "Right, if that utility wants you to you would at least have to supply a bill."

Black: "Okay. Thank you very much, Representative."

von Bergen-Wessels: "Thank you."

Speaker Steczko: "Anything further? Representative Lindner."

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

Speaker Steczko: "She indicates she will."

Lindner: "Could you tell me what problem we're trying to correct here? What is the process now for refunds? Are they automatic?"

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

144th Legislative Day

June 8, 1994

von Bergen-Wessels: "Representative, when a refund has been ordered, that refund only goes to current customers. You might have been a customer of the utility and then moved from that service area and you might have been paying those overcharges for a lengthy period of time but now because you have moved out of that service territory, you are not eligible for a refund, even though you paid the overcharges. Another example would be a senior citizen who lived in their home and perhaps paid all these overcharges and then moved into a nursing home or moved in with a son or a daughter and now a refund is ordered. They are no longer a current customer; and, therefore, could not participate in any refund. There's only been one refund case in which historical customers, what we call historical customers, were included in the refund. It's been on a case-by-case basis either by a court decision or an ICC decision. Only one other time have historical customers been able to share in the refund that they deserve to get back just like the current customer does."

Lindner: "Okay, and I wasn't clear, the set aside and interest earned is to be used to pay refunds. Is that interest earned just going to be in the fund or does that interest earned go back to the customer?"

von Bergen-Wessels: "Interest will accrue on the funds that are set aside for the refunds. If at the end of the refund period, there is still money in the pot for historical customers that was accruing interest, then that money is returned to the remaining current customers. So that all the money is paid out to people who are due refunds. If there's more in the pot...that's been set aside for the historical customers, more in that pot, if you would, than is used then at the end of the refund period that extra

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

144th Legislative Day

June 8, 1994

amount is divvied up between the current customers, so it's all paid out."

Lindner: "They're going to divvy up that fund and pay all the current customers that they have."

von Bergen-Wessels: "If...if there is more money set aside for historical customers' refunds, then what is used that residual then is paid out to current customers. So that you never end up with a fund for historical customers that did not get paid out."

Lindner: "Okay, thank you."

Speaker Steczo: "Representative Persico."

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

Speaker Steczo: "Please proceed."

Persico: "Representative, I can understand what you're trying to do here. These customers that have been overcharged, you're setting up a portion of this money to be refunded to them. Who orders the refund?"

von Bergen-Wessels: "Many times what happens is a court overturns a rate case and then it goes back to the Illinois Commerce Commission to determine how to...how to...the mechanism of the refund. But generally it's a court that's decided that these charges were overcharges, that they were illegal charges."

Persico: "So an individual customer really isn't going to know whether they've been overcharged or not? They don't initiate the process? Is it more of a..."

von Bergen-Wessels: "It generally has to do with a rate case, the ICC having granted a rate and then there's an appeal and that's often done by Office of Public Council, Citizens Utility Board, and the courts decide whether or not that that rate case was proper and order a refund if they find that it wasn't. For example, you know charging for nuclear

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

144th Legislative Day

June 8, 1994

plant costs when they are not considered used and useful."

Persico: "And how does the customer know if they've been overcharged then if it's dealing with a rate case and they're no longer a customer?"

von Bergen-Wessels: "This Bill provides that the utility will have to notify the public in a form designated by the Illinois Commerce Commission to let them know that they may be eligible for a refund."

Persico: "Through a newspaper or something like that, an ad in a newspaper or..."

von Bergen-Wessels: "That would be a possibility."

Persico: "Okay. Can a customer bring in their old bills to the public utility company and get a refund that way or do they have to go through the ICC or something like that?"

von Bergen-Wessels: "Once a refund is ordered and the money has been set aside for historical customers, then it's up to the customer to contact the utility and to submit a form that the utility has devised to show that they are entitled to a refund."

Persico: "So, if a group of customers are entitled to a refund and they don't bring in the old bill as proof, there may be a great deal of...or there may be some money left over in this fund that will never be used? It's only if the customer initiates it?"

von Bergen-Wessels: "The customer, of course, would have to after the refund has been ordered initiate contact with the utility to say, 'Hey, I'm in that pot, and I deserve a refund'. The excess money that might be sitting in a historical rate payer refund pot, if there's excess in that at the end of the refund period and a lot of historical payers maybe didn't come forward or they overestimated and there's residual money, that residual money then gets paid

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

144th Legislative Day

June 8, 1994

out and refunded to the current customers. So, you're never left at the end of the refund period when it's all said and done, you're never left with a pot of money that wasn't refunded to somebody."

Persico: "Thank you very much."

Speaker Steczo: "Representative Walsh."

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

Speaker Steczo: "Please proceed."

Walsh: "Thank you. Just to clarify and I think that you said this before, the only Amendment that we're dealing with is Amendment 6 which became the Bill, correct?"

von Bergen-Wessels: "That is correct, Representative. Amendment 6 was added to the Bill. It doesn't become the Bill. It was added."

Walsh: "How do refunds from utilities currently work? Do they...the refunds automatically go, for instance, to the address of the customer?"

von Bergen-Wessels: "Well, as is, if I can remember my utility bill, currently because we're in a refund period from Commonwealth Edison, is there is a credit on that bill, if I'm not mistaken."

Walsh: "So, you're kind of...you're automatically, if you live in the service area of Commonwealth Edison and you're in a refund period, you're automatically entitled to that refund because of the fact that you live in that area."

von Bergen-Wessels: "Right, if you're a current customer, yes."

Walsh: "Now, what you're saying is a former customer, for instance, you pointed out somebody who may have moved into a nursing home, a former customer can go back and say, 'During the time that you are giving this refund I lived in the area so I would like to be entitled to the refund'."

von Bergen-Wessels: "Exactly, and then the commission will

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

144th Legislative Day

June 8, 1994

determine the formula on how amounts for refunds for former customers are calculated."

Walsh: "It wouldn't be the same formula the current customers are receiving, right?"

von Bergen-Wessels: "Not necessarily. Oftentimes with utilities, you have a refund based on current usage instead of past usage, so I would say not necessarily, and that's been left to the ICC to determine what formula to use in refunds to historical customers."

Walsh: "So, what if, for instance, the former customer came back and said, 'I was actually living in this house during the time that we were overpaying', will they then stop giving the refund to the current person who is living in the home?"

von Bergen-Wessels: "No. No."

Walsh: "So, in essence, it would seem that they're, in fact, giving a double refund on these...on these bills."

von Bergen-Wessels: "They're giving a...this Bill would require that they give the refund to the people who had paid the overcharges, which right now cannot access the refund. They've paid the freight, but you know now they're not getting the break."

Walsh: "Right, but they're also giving the refund to the person who's currently living in the home of which this person used to live in."

von Bergen-Wessels: "Yes, that's true. And maybe that...and maybe that person moved from five blocks down the road and was a Commonwealth Edison customer five blocks down the road, as well."

Walsh: "But maybe they also moved from Arizona and weren't paying it before."

von Bergen-Wessels: "Possibility exists. Possibility exists if

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

144th Legislative Day

June 8, 1994

they're a fairly new customer, but they would have had to be a customer during the period in which there was an overcharge, if they're historical. True, like the money we're getting right now in Commonwealth Edison, if I moved from Arizona, moved into Commonwealth Edison territory, lived there for one month, there's an order for a refund, I'm getting that on my current bill; yes, that's true. And I don't know how you escape that."

Walsh: "There is no way...there's no mechanism in the Bill then to prevent Commonwealth Edison, for instance, in this...in this instance from having been possibly paying two or three, I mean, there could have been a couple of residents of the home before the current person that's living in there, also."

von Bergen-Wessels: "This makes...this Bill seeks to take care of those historical customers. The problem that you're addressing is a problem that the Bill doesn't seek to address, that I've never heard Commonwealth Edison ever bring up as a problem, and it is a problem in any refund for any utility. What do you do about the customer who just moved into your territory and now you're giving credits on their current bills but they weren't there for two years."

Walsh: "I have a problem with that because that eventually is costing all of us money. I mean, if it's costing the utility money..."

von Bergen-Wessels: "Absolutely, Representative. And you might want to put forth some legislation, but I would guess that it would be one administrative nightmare and the utility companies probably wouldn't want to have to go through the administrative nightmare of figuring out, you know, who just moved in and who's been there for two years and who's

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

144th Legislative Day

June 8, 1994

been there for five."

Walsh: "Well, I suspect that this is going to be a bit of an administrative nightmare for the utility companies right now."

von Bergen-Wessels: "Representative, there is no...all the utility companies are neutral. We worked very hard in negotiating agreements and coming to understandings and we don't have any opposition to this Bill from the utility companies, to my knowledge."

Walsh: "Okay, thank you."

Speaker Steczo: "Representative Mulligan."

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

Speaker Steczo: "She indicates she will."

Mulligan: "Representative, I'm unclear, do utilities now have to put a public notice out if they're going to issue refunds in the form of credits?"

von Bergen-Wessels: "My understanding is they've only been required to do that in that one instance when they had to give historical rate payers a refund."

Mulligan: "So, in other words, they wouldn't have to do a public notice?"

von Bergen-Wessels: "Not now because it's just put on the current customers' bill, the credit."

Mulligan: "My concern was that that if you moved, there might be no way for you to find out that that would be in place unless there were a public notice that went along with it."

von Bergen-Wessels: "Representative, you're correct, and this Bill says that they have to give public notice in a form designated by the commission, so that there would be some public notice, but you're right, I mean..."

Mulligan: "Well, then the commission..."

von Bergen-Wessels: "...you could have moved and may never hear

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

144th Legislative Day

June 8, 1994

about the refund and may never participate in it."

Mulligan: "All right, so the commission could require them to issue a public notice."

von Bergen-Wessels: "According to the Bill, yes, in a form that they so designate."

Mulligan: "Thank you."

Speaker Steczo: "Representative Brady."

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

Speaker Steczo: "Please proceed."

Brady: "Representative, I'm having trouble understanding, exactly what...does this...who does this Bill protect that's not being protected right now?"

von Bergen-Wessels: "It protects those customers who paid illegal rates or overcharges and who now cannot participate in the refund of those overcharges."

Brady: "So, right now, if this legislation doesn't pass, they cannot participate if they aren't present customers in the refund? Is that what you're saying?"

von Bergen-Wessels: "They have only been allowed to do that once. I mean, I could not say that in no...in, you know, that in all rate cases to come they would never ever be allowed to participate."

Brady: "Okay, why were they...why were they allowed to do that once?"

von Bergen-Wessels: "Excuse me?"

Brady: "Why were they allowed to do that once?"

von Bergen-Wessels: "There was a...a court case."

Brady: "So, the courts intervened and showed...the commerce commission."

von Bergen-Wessels: "It was Hardigan versus the Commerce Commission."

Brady: "Would they have the authority today to allow past

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

144th Legislative Day

June 8, 1994

customers to come in?"

von Bergen-Wessels: "I'm a little bit unclear as to whether or not they would have the authority. I know in that one case it flowed out of a court case, and I'm a little unclear of that. The fact of the matter is, we have had numerous refunds and there only has been one instance where historical customers have been able to recoup the money they paid."

Brady: "What we are doing is mandating that they can come in if the commerce commission rules that they are allowed to come in. Is that right?"

von Bergen-Wessels: "This Bill would say that historical rate payers will be able to share in a refund, period."

Brady: "But only if the commerce commission rules that they were rate payers within the right period of time to share in that refund."

von Bergen-Wessels: "No, it's not a...it's not a commerce commission ruling."

Brady: "Okay, who orders the refund?"

von Bergen-Wessels: "Generally, a court orders a refund and then the mechanism of refund is ironed out by the commerce commission."

Brady: "So, the court orders the refund; the commerce commission does not."

von Bergen-Wessels: "Commerce commission carries it out."

Brady: "Okay, and the court order specifically who's allowed to be qualified for that refund?"

von Bergen-Wessels: "Usually the court...to the best of my knowledge, Representative, and I'm not a utility lawyer, so to the best of my knowledge..."

Brady: "I'm trying to understand the issue."

von Bergen-Wessels: "Right. To the best of my knowledge, you

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

144th Legislative Day

June 8, 1994

have a rate case and the ICC says, 'Yes, you can charge these increase rates'. Then there is a court case. Then the court says, 'No, ICC you've made a mistake. You shouldn't allow the utility to charge these increased rates. Now you're going to have to go back and refund the money over the period of time that they charged it', cause they're allowed to charge it almost immediately. Then we go through the whole court process."

Brady: "Okay. But today, without this legislation, would not the court rule that the people who were overcharged, whether past customers or not, wouldn't that be in the court's discretion today without this legislation to rule who would qualify for the refund?"

von Bergen-Wessels: "I think the court, if I'm not mistaken...if I'm not mistaken, I think the court could say, 'You have to pay the historical customers in this particular rate situation'. I think that they may be able to do that. They have not done that in most cases."

Brady: "And wouldn't...and wouldn't they be the most likely ones the... You said they did in one case..."

von Bergen-Wessels: "Yes, in one case."

Brady: "And wouldn't the court be better apt to handle this situation than us here today not knowing the specifics of each individual case as they come down the road?"

von Bergen-Wessels: "Representative, I believe this is a matter of fundamental fairness. If you paid..."

Brady: "No, I'm all for fairness, but we're trying to make a decision before something happens versus allowing a court, in your example, to make the fundamental fair decision. They know the specifics of the case. We do not know the specifics of the case, but yet we want to mandate who's going to get it, and that's my question..."

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

144th Legislative Day

June 8, 1994

von Bergen-Wessels: "We're not mandating who's going to get it. We're saying if you were overcharged, you have a right to get the refund. You paid it, you have a right to get it. That's what we're trying to do in the legislation."

Brady: "Didn't you say that the courts have ruled in that way when it was appropriate?"

von Bergen-Wessels: "My understanding is that the one time that the historical rate payers shared in the refund was that as a result of a Hardigan versus the ICC. Now, I have never read that case, so I don't know what it says about it, but that's just my understanding."

Brady: "But...but if that's the case, it seems to me that we're doing nothing because the courts are going to have to rule on who was overcharged."

von Bergen-Wessels: "The courts will always have to rule that."

Brady: "...will prevail, then the courts would refund those that were overcharged. And, if that's the case, what does this legislation do?"

von Bergen-Wessels: "This legislation makes it very clear that there is a refund, those who have paid the overcharges will be able to share in the refund."

Brady: "If...an overcharge ruled by the court."

von Bergen-Wessels: "The court generally determines whether or not the ICC has erred in granting a rate increase. Then that goes back to the ICC to be able to administer the refund. I cannot answer you specifically, Representative, because I do not know if the whole jurisdiction over historical rate payers lies within the courts..."

Speaker Steczo: "Representative Rutherford."

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

Speaker Steczo: "She indicates she will."

Rutherford: "Thank you. Representative, I just wanted to

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

144th Legislative Day

June 8, 1994

clarify. I think I heard you say that this...that today the commerce commission can provide refunds for present service customers, but it doesn't...the statute today doesn't provide for those service customers that have left the service at the present time, right?"

von Bergen-Wessels: "Right. Right. There's nothing in the law that says when a refund is ordered that the historical customers are allowed to participate in that refund."

Rutherford: "And this applies, again I just wanted for the record to clarify, this applies to all utilities that are regulated under the ICC in which a refund may come to; example, phone, gas, electric, so forth."

von Bergen-Wessels: "That's correct. That's correct."

Rutherford: "Okay. How...is there any guesstimate or opinion as to how much administrative costs this will bring to the process of either...I assume the costs are borne as a part of the utility's refund, that they can take out a part of their administrative costs as I read in the legislation to administer this refund. Is there estimation on how much additional burden this will take on the administrative costs to the utility to go back and try to verify these past customers?"

von Bergen-Wessels: "I don't have information on what increase in administrative costs there might be; however, a portion of the funds that are set aside for the refunds to former customers may be used to pay for those administrative costs of the utility so that the utility is not harmed by the increased costs because that comes out of the refund money."

Rutherford: "Right. Right. Okay. But there's no estimate that it's going to be a significant increase as far as tracking past customers or not. Assuming it's probably more

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

144th Legislative Day

June 8, 1994

than..."

von Bergen-Wessels: "I...Representative, I'm sorry I can't tell you if it is or not. I would have to ask the utilities about that one particular case and if that was a, you know, large increase in administrative costs."

Rutherford: "Okay, and then just..."

von Bergen-Wessels: "Once again, I'd say it comes out of the customers' refund money to administer it, so the utility isn't left with extra charges."

Rutherford: "I understand. And just...on Amendment 6 then, Representative, to clarify then, as long as the refund was to take place within 24 months...or as long as the customer, former customer was a customer within 24 months of the refund period they do not have to provide past billings but if the refund period, and they've been out of the system more than 24 months, then they have to provide copies of past billings. Am I reading that correctly?"

von Bergen-Wessels: "Right. They have to provide a copy of a past bill."

Rutherford: "If it's more than 24 months?"

von Bergen-Wessels: "Right. Representative, in working with the various utility companies on this legislation, there were a number of companies that said, 'Well, you know, if they had a number of cancelled checks to prove that they were a customer, that would be okay with us'. So, it says they have to provide a bill, but a particular utility company might say, 'You know, you've got 24 months worth of cancelled checks, that's good enough for us, even though you don't have a past bill'. So, they don't necessarily have to do this, but this is...this would be a minimum that a utility company could require is the production of a bill."

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

144th Legislative Day

June 8, 1994

Rutherford: "Great. Thank you very much, Representative."

Speaker Steczo: "Is there any further discussion? There being none, Representative von Bergen-Wessels, to close."

von Bergen-Wessels: "Once again, this is a good utility Bill. I started working on this Bill when I first came down to the Legislature. Senator Raica worked very hard on this Bill this year. It's a win-win situation. The utility companies are neutral. They worked with us to try to craft legislation that everybody could live with. I think it's good for everybody's district, and I would certainly urge 'yes' votes."

Speaker Steczo: "The Lady has moved for the passage of Senate Bill 1172. The question is, 'Shall this Bill pass?' All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The voting is open. I'm sorry, all those in favor vote 'aye'; all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 90 voting 'yes', 22 voting 'no', none voting 'present'. Senate Bill 1172, having received the required Constitutional Majority, is hereby declared passed. Going back to a Bill we skipped over on State and Local Government, Third Reading, appears Senate Bill 1149, Representative Curran. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1149, a Bill for an Act that amends the Illinois Pension Code and State Mandates Act. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Curran."

Curran: "Thank you, Mr. Speaker. This is now a shell Bill, in case we need it, on the subject of Pension Codes. It's totally a shell Bill."

Speaker Steczo: "The Gentleman has moved for the passage of

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

144th Legislative Day

June 8, 1994

Senate Bill 1149. On that, is there any discussion?
Representative Wennlund."

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

Speaker Steczko: "Please proceed."

Wennlund: "Representative Curran, do you want to tell us what the
purpose of pushing a shell Bill over to the Senate...back
to the Senate is?"

Curran: "Representative Wennlund, I have no idea. Simply to be
ready in case such a Bill is needed. There is no agenda
that I am aware of, and I have asked over the last week or
so. I'm not aware of any specific agenda on this Bill."

Wennlund: "Is it designed for any type of omnibus pension Bill
or...?"

Curran: "I just don't know the answer to your question. Oh, is
it designed for an omnibus pension Bill?"

Wennlund: "Correct."

Curran: "I would suppose, yeah. The answer to that would
probably be yes."

Wennlund: "At...was that at the request of the Senate Sponsor
that the Bill be stripped and..."

Curran: "No Senate Sponsor talked to me about that."

Wennlund: "What happened...what did the Bill originally do when
it came over here from the Senate?"

Curran: "What it was told to me is that the only way we can get
it back to the Senate is to do it this particular way."

Wennlund: "And did an Amendment strip out the original provisions
of the Bill?"

Curran: "Yes, it did. I believe an Amendment in committee
stripped that out."

Wennlund: "Okay. Thank you, very much."

Curran: "You're welcome."

Speaker Steczko: "Representative Black."

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

144th Legislative Day

June 8, 1994

Black: "Thank you very much, Mr. Speaker. Pursuant to Rule 10, and I believe it's subsection (e), I'm joined by seven of my colleagues, I want to take this Bill off Short Debate status."

Speaker Steczo: "The Bill will be removed from Short Debate."

Black: "Thank you."

Speaker Steczo: "Did you have a further question, Mr. Black?"

Black: "Yes, I do. Will the Sponsor yield?"

Speaker Steczo: "He indicates he will."

Black: "Representative...I...and I think you've already been very forthright in saying you have no particular agenda for this Bill, you know, I guess my question is, why don't we just leave it lay, perhaps get on with the budget or Bills that have a future. I just don't understand why we want to do this, and I...you said you don't know either, so I don't know why we just don't take it out of the record."

Curran: "Because, Representative Black, as you know and I know, as we have lived our lives in this Legislative Body, hope springs eternal, on your side of the aisle and on my side of the aisle. So, if we have an opportunity to do good, this Bill may be the vehicle for that good."

Black: "Well, I used to have a secretary named 'Hope', and she sprung to another state. I don't know what happened to her..."

Curran: "Yes. I think the rest of that is..."

Black: "It always kind of worries me when we have pension code Bills sitting out there at the last possible minute. Actually, I was trying to stall for my colleague who does most of our pension negotiations, and I don't see him here. So, I was hoping he could, perhaps, enlighten us as to what...why we might want to do this."

Curran: "You're being very honest about your questions,

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

144th Legislative Day

June 8, 1994

Representative Black."

Black: "Yes, well, I'm sure there are other people who want to ask him question too, so..."

Curran: "Yes, I'm sure there are."

Black: "Thank you."

Speaker Steczo: "Is there any further discussion? There being none, Representative Curran to close. Representative Walsh, did you have a question?"

Walsh: "Will the Sponsor yield?"

Speaker Steczo: "He indicates he will."

Walsh: "Representative, did you...you don't have...there isn't any specific legislation...you know, just to clarify on this what your intention is."

Curran: "Representative..."

Walsh: "I'm a slow starter."

Curran: "Representative Parke is back now."

Walsh: "Oh, well then, I'm glad to see him. No further questions."

Speaker Steczo: "Representative Parke."

Parke: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield for a question, please?"

Speaker Steczo: "Please proceed."

Parke: "Yes, Representative Curran, is it my understanding that this is a shell Bill at this time?"

Curran: "That is correct."

Parke: "And what is the purpose that you ultimately see this being used for?"

Curran: "It would be my guess that if we are lucky and we get something going in the area of pensions, this might be a Bill to be used for a pension omnibus Bill."

Parke: "I..."

Curran: "I have been asked by no...by no one in the Senate side

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

144th Legislative Day

June 8, 1994

to do this, but in committee, I believe while you were there and while I was there, this Bill was stripped of its original material and just left a vehicle Bill."

Parke: "Are you...have you worked with Representative Granberg, who is the Chairman of the Pension Committee, and this is something that he thinks is appropriate? Have you worked with him on this?"

Curran: "I have conferred with him, but I would say there's been nothing that has been worked on except to make this a shell Bill."

Parke: "Aren't there other Bills that are out right now that would do the same thing? I thought we had two or three other pension Bills that affected the code."

Curran: "We need one for each system."

Parke: "Thank you, Representative."

Speaker Steczko: "Representative Cross."

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

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

Cross: "Representative, I was out in the hall a second, and I just came back in. My understand that there's nothing in this Bill right now, is that..."

Curran: "Yes, and I've told four other people that before I'm telling you, and you're about the last one."

Cross: "We just want to make sure that's what you're telling us. Why are we, on June 8th, running a shell Bill? Have you told four other people that?"

Curran: "To give you five guys a chance to ask the same question."

Cross: "Should we try to get a sixth person to ask you same question?"

Curran: "Yeah, that would be fun. Let's get a female up here."

Cross: "Representative, in all seriousness, is this Bill...what's

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

144th Legislative Day

June 8, 1994

this Bill intended to do down the road?"

Curran: "There is...I have no plan for this Bill. This was stripped in committee of its original provisions. I do not know if that was the Senate Sponsor's request, but the Senate Sponsor did not request that of me. So, now what this might be, is an opportunity for an omnibus Bill, perhaps, an omnibus Bill, and the only way for us to accomplish that is to send it over to the Senate in its current form."

Cross: "Are there other Bills or avenues that we could accomplish the same thing?"

Curran: "Not for this particular pension system."

Cross: "Thank you very much."

Speaker Steczo: "Representative Mulligan."

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

Steczko: "Please proceed."

Mulligan: "Representative Curran, do you expect that perhaps they would extend the teachers...Chicago teachers five plus five extra years through this vehicle?"

Curran: "I do not have an opinion about that, and I do not have an opinion whether this Bill would be used for that."

Mulligan: "I represent a number of Chicago teachers who live in my district who are interested in having that extension and have been looking to see if anything like that was coming up. That's why I'm asking the question. Also, you required a female on our side to ask a question, so..."

Curran: "...Two good points."

Mulligan: "But I am interested in that, and I would be interested in..."

Curran: "It's a good point and a useful question. I wish I had the answer. I think...I hope that they get that by some piece of legislation, and if it would be this piece of

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

144th Legislative Day

June 8, 1994

legislation, it would make me happy to be a small part of it."

Mulligan: "Thank you."

Speaker Steczko: "There being no further discussion, Representative Curran to close."

Curran: "I think we've discussed the Bill. It's a shell Bill. It goes to the Senate. It has nothing on it."

Speaker Steczko: "The question is, 'Shall Senate Bill 1149 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. Voting is open. Representative Black."

Black: "Yes, I...can I explain my vote, Mr. Speaker."

Speaker Steczko: "Please proceed. One minute to explain your vote."

Black: "Thank you. Ladies and Gentlemen of the House, I...there are plenty of pension Bills out there, and I think all of us know how the process works. This Bill could come back in what form...it may not even be related to the Pension Code. I guess I really have a problem with dealing with shell Bills on the 8th of June when we were supposed to adjourn on the 27th of May. There are plenty of things we could be doing. Heaven forbid, we could work on the budget or the Bills that are on the calendar that are substantive Bills, and I just cannot in good conscience, at this late stage, vote for a shell Bill. We have no idea what form it will be in if it comes back to us, and I would just urge all of us to...let's get with the calendar. Let's pass the substantive Bills. Let's go on with the budget if we don't have any substantive Bills left. Heaven forbid, we deal with the budget. So, that's why I vote 'no' and, Mr. Speaker, should it get the requisite number of votes, I'll request a verification."

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

144th Legislative Day

June 8, 1994

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

Skinner: "One of the last times we voted for a pension Bill where we thought we knew what we were doing, we increased the unfunded liability of the downstate teacher's fund by \$324 plus million. Now this was sort of like a reverse mandate. The local school districts got to replace the higher paid teachers with lower paid teachers and state government, that is us, we ended up with the bill. We don't have a clue on how we're going to pay it off. How can anybody say that we can afford more pension legislation this year?"

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 63 voting 'yes', 35 voting 'no'. Mr. Black, did you wish your verification? Mr. Clerk, please poll the Absentees."

Clerk McLennand: "There are no Members not voting."

Speaker Steczo: "Mr. Salvi, for what purpose do you seek recognition?"

Salvi: "Mr. Speaker, I just want to point out that anybody who is voting 'yes' on this could very well be voting for every pension increase that comes up this year. We don't know what's in this Bill. How could you be supporting this? This could end up being a terrible Bill. That's why I'm voting 'present'."

Speaker Steczo: "Mr. Clerk, please proceed with the Poll of the Affirmative."

Clerk McLennand: "Those voting in the affirmative: Representatives Balanoff. Blagojevich. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Dart. Davis. Deering. DeJaegher. Dunn. Edley. Erwin. Flinn. Flowers. Frias. Gash. Giglio. Giles. Giolitto.

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

144th Legislative Day

June 8, 1994

Granberg. Hannig. Hartke. Hawkins. Hicks. Hoffman.
Jones, Lou. Jones, Shirley. Kaszak. Kotlarz. Lang.
Laurino. Levin. Lopez. Martinez. Mautino. McAfee.
McGuire. McPike. Moseley. Murphy, H. Novak. Ostenburg.
Phelan. Phelps. Prussing. Pugh. Raschke-Lind. Ronen.
Rotello. Saltsman. Santiago. Schakowsky. Schoenberg.
Sheehy. Steczko. Stroger. Turner. von Bergen-Wessels.
Woolard and Representative Younge."

Speaker Steczko: "Representative Curran, for what purpose do you seek recognition?"

Curran: "To put this Bill on Postponed Consideration."

Speaker Steczko: "Mr...Mr. Curran, you can't until there are a requisite number of Members removed. Mr...Mr..."

Curran: "Take off four, and then let's put it on Postponed Consideration."

Speaker Steczko: "Representative Hicks wishes to be recorded as 'no'. Representative...Mr. Hicks, 'no' or 'present'? 'No'. Mr. Dunn, 'present'. Mr. Brunsvold, 'no'. Mr. Hawkins, 'present'. Mr. Pugh, 'present'. Mr. Mautino...oh wait. Mr. Mautino asks leave to be verified. Representative Novak, 'present'. Representative Jones 'present'. Lou Jones, 'present'. Mr. Brunsvold...or Mr. Curran asks for Postponed Consideration. Is there leave? Leave is granted. The Bill is on Postponed Consideration with 56 voting 'yes'. Mr. Black, do you have further...have any questions? On the Order of State and Local Government, Third Reading, appears Senate Bill 1181, Representative Wennlund. Mr. Wennlund. Mr. Clerk, please read the Bill.'

Clerk McLennand: "Senate Bill 1181, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

Speaker Steczko: "The Chair recognizes Representative Wennlund."

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

144th Legislative Day

June 8, 1994

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1181 as it originally came over from the Senate was an Amendment to the School Code to extend the time for repayment of interfund loans. Particularly, interfund loans between the educations and operations and maintenance and transportation funds, provided that the amount doesn't exceed 20%. It just extends the time from one year to three, particularly, for those school districts that are in financial trouble and always end up with an excess amount of funds in the operation and maintenance and the transportation funds to transfer them over to the...make an interfund loan to the education fund. It's a noncontroversial Amendment passed out of the Senate unanimously. And secondly, the Bill authorize (sic - authorizes) school districts to abolish or abate a fund for leasing temporary facilities. This applies to a growing district that brings in these temporary facilities like trailers or mobile units and was allowed to tax for them. Unfortunately, the law did not provide what happened when the district passed the bond issue and no longer needed that leasing fund. It provides a method whereby they can terminate it and use the funds to abate taxes. And the rest of the Bill, as it now stands, was kind of omnibus education Bill, consisting of 11 democratically sponsored education Bills and 8 Republican sponsored education Bills that were basically put on by the Chairman of the Education Committee, and I would defer to the Chairman and ask him to explain those if he would."

Speaker Steczo: "The Chair recognizes Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and to go through Committee Amendment #1 for Mr. Wennlund, it contains a number of Bills that were presented in the Education Committee that

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

144th Legislative Day

June 8, 1994

really had almost no opposition. This Committee Amendment #1 contains House Bill 2528, which is an enrollment Bill. It went out of Committee 20 to nothing. House Bill 2638 went out of Committee 20 to nothing, and on the Floor here, 111 to 0, dealing with State Board's changes. House Bill 2639, Representative Santiago's Bill, dealing with early childhood certification...certification, and bilingual certification. House Bill 2640, Representative Levin's Bill, Governor Purchase Care Review Board language. House Bill 2642 dealing with...from Representative McGuire, dealing with public notice on safety bonds. House Bill 2680 dealing with substitute teachers, Representative Hoeft's Bill. House Bill 2771, transfer of student records, Representative Kubik's Bill. House Bill 3151 dealing with the Chicago Board of Education requirements on contracts. That was Representative Persico's Bill. It went out of Committee 23 to nothing. House Bill 3164, four year performance contracts for principals, Representative Burke's Bill; 23 to nothing in committee and 116 to 0 on the Floor. Changed dates for local school councils were incorporated in (sic - House Bill) 3191 from Representative Turner. That Bill went out of Committee 19 to 1. House Bill 3457, eight hours school improvement plan, Representative Sheehy's Bill, if I remember was taken out of this Bill by Representative Cowlshaw's Amendment. House Bill 3519, Representative Black's Bill with hearing officers for laboral employment relation matters; 21 to nothing in committee. Representative Giolitto's Bill, 3553, dealing with sexual misconduct by school personnel; 20 to nothing in committee, 108 to nothing on the Floor. House Bill 3825 was in-service training by Representative Hoeft; 20 to nothing Committee. House Bill 3904,

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

144th Legislative Day

June 8, 1994

reconvening of individualized education programs, Representative Persico's Bill; 18 to nothing in committee. And finally, the education of race track workers, Representative Flower's Bill which was 4028...House Bill 4028; 16 to 2 in committee. That incorporates the Committee Amendment #1 that was put on Mr. Wennlund's Bill in the Committee."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1181. On that, is there any discussion? The Chair recognizes Representative Balthis."

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

Speaker Steczo: "He indicates that he will."

Balthis: "Representative Wennlund, I remember this Bill in committee, and I think a Member of the Committee referred to this Bill as an 18 wheeler. Is that the same Bill?"

Wennlund: "This is very same. It's an 18 wheeler. It...they're noncontroversial Bills, unfortunately...you know, and some are Republican, some Democrat. Unfortunately, the Senate Deadline didn't allow for these Bills to be considered in the House, so they were put on under one Amendment, Committee Amendment #1, and the person to whom that remark is attributable to, and I don't want him to laugh because he's got a couple of broken ribs and is in pretty rough shape and really belongs in bed and not here on the House Floor is Representative Woolard, and I hope you get better Larry."

Speaker Steczo: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Just after I explained the Amendment...Committee Amendment, I would stand in support of Mr. Wennlund's Bill. There really are a lot of provisions on here that take care of a lot of housekeeping matters with the Board of Education, some good substantive

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

144th Legislative Day

June 8, 1994

language from the Senate, and I would ask for the support of the Democrats for the passage of Senate Bill 1181."

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

Wennlund: "Thank you, Mr. Speaker. There's really nothing controversial on here as Representative Brunsvold stated. There's a lot of clean up Amendments for the State Board of Education, and it's...I would ask for its...for 'aye' votes, and let's pass it and send it over to the Senate, because they're all good Bills."

Speaker Steczo: "The question is, 'Shall Senate Bill 1181 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are...Mr. Black."

Black: "Well, thank you very much, Mr. Speaker. Just simply to explain my vote, and I don't intend to blame anyone, there's enough blame to go around. But this Bill is a perfect example of what's wrong with the process. There's 16 House Bills and 2 Committee Amendments on this Senate Bill. If we would do the business of the House in an orderly fashion, we wouldn't have to have these Bills, the omnibus Bills. There are people voting on this who have no idea, and I might be one of them, because I didn't get a chance to read every Bill that's on here. It...something needs to change in the way we do our business."

Speaker Steczo: "On this question, there are 112 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1181, having received the required Constitutional Majority, is hereby declared passed. On the Order of State and Local Government, Third Reading appears Senate Bill 1182,

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

144th Legislative Day

June 8, 1994

Representative Kubik. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1182, a Bill for An Act relating to the provision of financial services on State-owned property. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would ask the Body for leave to return this Bill to Second Reading for the purposes of an Amendment."

Speaker Steczo: "...Kubik, have you checked with the other side to see if this was agreeable?"

Kubik: "I believe it is but...yeah."

Speaker Steczo: "Okay. The Gentleman asks leave to bring the Bill back to the Order of Second Reading. There being no objection, leave is granted. The Bill is now on the Order of Second Reading. Mr. Clerk, any Amendments or Motions?"

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

Speaker Steczo: "The Chair recognizes Representative Kubik on Amendment #4."

Kubik: "Thank you, Mr. Speaker. Amendment #4 corrects a mistake that was made in previous Amendments that were offered by Representative Kaszak. In those Amendments they inadvertently stripped out a provision to allow a grandfather clause for currency exchanges in state office buildings. What this Bill does...What this Amendment does, I should say, is restores the currency exchanges back into the Bill. I know of no opposition to this Amendment and I'd be happy to respond to any questions you might have."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #4. On that is there any discussion? There being none, those in favor of the adoption of the Amendment will signify by saying 'aye'; those opposed by saying 'no'.

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

144th Legislative Day

June 8, 1994

The 'ayes' have it. The Amendment's adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local Government, Third Reading, appears House (sic-Senate) Bill 1200. Representative Hughes. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1200, a Bill for An Act that amends the Illinois Highway Code. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Hughes."

Hughes: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1200 provides that road districts or consolidated road districts located in townships adjacent to a county with a population of 3,000,000 or more may accumulate up to 50% of the taxes collected from a subdivision or road...for road improvements. Provides that the roads be improved or maintained. Must have been platted prior to July 23, 1959, and that those roads then become part of the township and district road system. This Bill is something we've been working on for a long time. It basically applies to McHenry County only where we have a number of very old subdivisions that have private...they have public roads that have never been dedicated. It allows for these areas to provide a source of funding to upgrade those roads and enhance the neighborhoods that are there. It will be a tremendous boost to those areas. There's been a lot of work put into this. As I am aware, there is no opposition to the Bill as it stands. Also, in the House, Amendment #2 was added in committee which provides for making it unlawful for any person to knowingly possess a traffic sign and changes the penalty for a knowing violation to be a

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

144th Legislative Day

June 8, 1994

county Class A misdemeanor with a fine of \$500. And again, I know of no opposition to the Amendment as it stands. As I said, the Bill is one that applies locally. It would affect about 15,000 residents of our district and enable them to improve their neighborhoods, and I would urge a 'yes' vote for this Bill. Thank you."

Speaker Steczko: "The Lady has moved for the passage of Senate Bill 1200. On that is there any discussion? The Chair recognizes Representative Dart."

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

Speaker Steczko: "She indicates she will."

Dart: "In regards to Amendment #2 that was put on, the basic change in it was you now have made, in addition to someone who removes a control device, it's also for someone who knowingly possesses. Is that correct?"

Hughes: "Yes, that's correct."

Dart: "Does this...doesn't that conflict with our present theft statutes right now? Because I would imagine most of these control devices are worth over \$150. So that if you presently steal one of those that would be a felony, whereas now under this law, we're making it a misdemeanor?"

Hughes: "Mr. Speaker, with your agreement I would like to defer questions on the Amendment to Representative Olson, as it is his Amendment, and I would be more comfortable with his responding to it."

Speaker Steczko: "Representative Olson."

Olson: "Thank you, Mr. Speaker. Would Representative Dart repeat the question?"

Speaker Steczko: "Mr. Dart, would you repeat the question?"

Dart: "Sure. Sure. From what I see as far as the Amendment goes, it now changes as opposed to just where you remove a sign, now it is also...you can be found guilty of this

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

144th Legislative Day

June 8, 1994

offense if you knowingly possess a barrier or traffic device or the like. Right now under present existing law if you steal something, commit theft, if you're found in possession of certain items over \$150, that's a felony offense. Now it seems to me what we may be doing with this Amendment, could be lowering the penalty because now we're saying that if you're in possession of these traffic devices it's a Class A misdemeanor. Because most of these devices, I've got to imagine, are worth at least \$150."

Olson: "Representative, you're probably more familiar with the law, what is a felony and a misdemeanor, but this is based on an actual case in my home county where a traffic control sign, a stop sign, was stolen, taken to a local college for a room decoration."

Dart: "Sure. Sure."

Olson: "So we have the theft and we have the possession."

Dart: "Sure. Sure."

Olson: "An accident happened within six hours where there was a fatality because of the sign."

Dart: "Sure."

Olson: "The best our state's attorney could come up with was a Class B misdemeanor. That was the best they could do, a Class B misdemeanor. I thought the penalty should be higher than that and so I brought this Bill. So we raised it from 250 to 500, from Class B to Class A. I would like more to be that, but that seems...at least...The interpretation of our local state's attorney was that Class B was the best he could do under current law."

Dart: "Okay. See...I guess my only concern is that, as I said, we're...when we change some of these laws I'm just concerned to how they're going to reflect on some of the laws that are on the books right now, and in regards

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

144th Legislative Day

June 8, 1994

to...we...I had a case in Cook County where people were stealing guardrails because they are actually valuable as far as melting them down. We had them charged with felony offenses for stealing those things and they are barriers, like traffic barriers here. And what I was thinking, though, is that with someone say stealing a red light or a control...red control device, that would be a theft and they would be worth over \$150. So, I would imagine in those instances, those type of thefts would in fact be felonies whereas maybe just a sign is not worth that much, and I'm just... My only concern is now that there'll be defendants who heard me saying that I'm being charged improperly. Instead of being charged with theft I should be charged with this removal or possession of a control device."

Olson: "I think the...I think the answer, Representative, is that these traffic control devices would be stop signs, caution signs, but you're talking about a guardrail. That is not a traffic control device."

Dart: "Yeah, but in the Bill it talks about any such barrier or traffic control device."

Olson: "Representative, two things I think... I'm certain this is correct but I don't know how to explain it to you. But I'm certain a traffic control device, we're not talking about a guardrail."

Dart: "Yeah, but there's also talk of a barrier in there. It says..."

Olson: "But...and I see the word barrier. But I would say to you this, that if that's the problem JCARE can certainly correct it."

Dart: "Okay. It said...it said...and then when you talk about..."

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

144th Legislative Day

June 8, 1994

Olson: "Or if this..."

Dart: "...traffic control device, that would be like a red light, green light and the like, and I've got to imagine those have got to cost hundreds of dollars if not a thousand dollars, and right now if someone were to steal one of those devices that would be a felony theft, whereas now if they, under this law, they could possibly charge as a misdemeanor. It's just... Representative, it's just a concern I have."

Olson: "How would that...how would that change...how would this Amendment change previous law where we have a possible felony and a Class B misdemeanor? I only took the Class B misdemeanor to a Class A. I'm not..."

Dart: "Well, no. My concern is now a defendant is going to be claiming that they should be charged under this law as opposed to the one that is on the books already."

Olson: "Then that could have happened...It could happen the day before this becomes law, what you're saying. It's already there."

Dart: "Well, as far as...No, that's only if they remove it. This only deals with removal. I'm talking about possession of it. These people we were talking about were stealing stuff. They were in possession of it. They weren't charged with removing it actually. We have two different standards for actually having possession of it as opposed to being caught removing something."

Olson: "I...Would not the prosecutor make this determination?"

Dart: "Well, my...you're probably right there, Representative, but my only concern is sometimes prosecutors, and I was one of them, you make mistakes and this is one where hopefully they won't. But I just didn't want to be sending confusing signals here."

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

144th Legislative Day

June 8, 1994

Olson: "The mistake could be made going either way then. Somebody could steal a very inexpensive stop sign and the prosecutor might make that a felony which is not my intent here."

Dart: "It couldn't because it's not worth over \$150. Because that would be an element. You'd have to prove the price of it, too. The cost. That's okay. Representative, it was just a concern I had on the Bill. It's not something that I think is going to be harmful to the Bill, but it's a concern that maybe when this goes back over to the Senate that they can take a look at."

Olson: "Well, Representative, I'm going to stand upon my Amendment as came it out of Committee and as that passed as an Amendment here. It was 20 to nothing out of Committee. It came out of here as an Amendment...If there's a problem here it'll have to be addressed in Conference Committee because I'm going to stand upon it."

Dart: "Sure. Sure."

Speaker Steczo: "Is there any further discussion? Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I stand in support...I stand in support of Representative Olson's Amendment. I think it is...We've looked through our files. I think it is exactly as he says it is and I think that if you steal road signs there's no reason why we couldn't enhance the penalty. I was going home last Friday afternoon after a long day and somebody had taken a sign down and I ended up in Decatur; and I got completely lost and turned into what I thought was my home and I found Duane Noland's car in the driveway. And that wouldn't have had to happen if somebody hadn't stolen a sign off the interstate and that put me very, very

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

144th Legislative Day

June 8, 1994

late into Danville and we don't have street lights in my area. So it was very hard to find...find my home. So, I think Representative Olson has a good idea. If you steal street signs, directional signs, stop signs, and use them for your dormitory room decoration there should be a stiffer penalty and he's absolutely correct. I know many of us in our districts have had accidents happen because someone has thought it cute to steal a stop sign. I think it's a reasonable Amendment. I think it's exactly as he purports it to be and it should pass."

Speaker Steczo: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. I know Mr. Black is not the Chief Sponsor of this, but when he was talking about signs missing I wonder if he noticed any speed limit signs missing on U.S. 55, and if so, perhaps he'd want to replace them as soon as possible. Some of his friends seem to have missed them."

Speaker Steczo: "Mr. Stephens."

Stephens: "I think we're on to something here. I thought I saw Representative Noland's car in my driveway."

Speaker Steczo: "No, Mr. Stephens, mine too. Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill as well and I want to certainly support Representative Olson's Amendment. In fact, the person that they were referring to that was killed in that accident happens to be the wife of my first cousin. He was working...just moved to Lincoln and they didn't know the area, and it was certainly a very, very unfortunate accident and I support Representative Olson's efforts on this behalf. Hopefully it will make a difference. Maybe it'll discourage someone so this type of

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

144th Legislative Day

June 8, 1994

thing won't occur again. I guess this traffic sign had only been down for a few hours, but that's all it took when someone didn't know the area they happened to be driving through on this highway and crossed upon a very well traveled road and she was killed. Luckily her kids weren't with her. They happened to be at home. But nevertheless certainly a bad accident, one that we have dealt with as a family, and I would certainly encourage an 'aye' vote on this particular Motion."

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

Hughes: "Thank you. It appears that most of the concern is generated toward the Amendment. I believe the intent of the Amendment is certainly admirable and that any reservations or concerns can be worked out, and urge support not only of the Amendment but the underlying Bill. Thank you."

Speaker Steczo: "The Lady has moved for the passage of Senate Bill 1200. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Mr. Black, for what purpose do you seek recognition?"

Black: "Well, thank you very much, Mr. Speaker. My name was used in debate by my good friend and colleague on the other side of the aisle. I have an old car and when I go home I...it does have cruise control when it works, and I usually put it on about sixty-two, sixty-three miles an hour so that I can get home at a reasonable hour. But you know what's happened recently, I saw an unmarked van with these dark windows chasing me and I thought it might have been a carjacker. And so that's why some of us had to speed up to sixty-eight, sixty-nine miles an hour to try and get away

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

144th Legislative Day

June 8, 1994

from that van. I had no idea there was a candid camera in the van. That's what we ought to look into right there."

Speaker Steczko: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 113 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1200 having received the required Constitutional Majority is hereby declared passed. On the Order of State and Local Government, Third Reading, appears Senate Bill 1221. Representative Biggert, do you wish to handle that for Mr. Johnson?"

Biggert: "Yeah."

Speaker Steczko: "Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1221, a Bill for An Act amending the Crime Victims Compensation Act. Third Reading of this Senate Bill."

Speaker Steczko: "Representative Biggert."

Biggert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1221 amends the Crime Victims Compensation Act. It provides that if a person has provided products, services or accommodations to a victim, a court may order that the award be paid solely and directly to that person. Under the current law all, or a portion of an award shall be...is paid jointly to the victim and the person who provided the benefits, such as a medical provider. And this is recommended by the courts because a victim has...victims sometimes refuse to cooperate because the recovery is either reduced or consumed by the unpaid medical bills and the providers then remain unpaid, and I ask your favorable consideration."

Speaker Steczko: "The Lady has moved for the passage of Senate Bill 1221. On that is there any discussion? There being none the question is, 'Shall this Bill pass?' All those in

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

144th Legislative Day

June 8, 1994

favor will signify by voting 'aye'. Mr. Cross? All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 112 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1221 having received...Please record the Speaker as 'aye'. Representative Steczo as 'aye'. There are 113 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1221, having received the required Constitutional Majority, is hereby declared passed. On the Order of State and Local Government, Third Reading, appears Senate Bill 1228. Representative Pankau. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1228, a Bill for An Act amending the Drug Paraphernalia Control Act. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Pankau."

Pankau: "Thank you and Speaker and fellow Members of the Assembly. This is a drug paraphernalia Bill. The present law is that you're prohibited from the sale and delivery of drug paraphernalia. This would add the possession of drug paraphernalia. So, it would be sale, delivery and possession of drug paraphernalia. It also has a provision on it that you must be in close contact with a controlled substance to be prosecuted under this particular qualification. It would raise it to a misdemeanor, a Class A misdemeanor, with a fine of \$750. It also...This Bill also has two Amendments on it. It has the extra police force Amendment where you'd have a cop on every block, offered by the Democrats; and it also has the Amendment, the safe neighborhoods Amendment, offered by the Democrats.

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

144th Legislative Day

June 8, 1994

So with the initial Bill and these two Amendments, I know of no opposition to it and I ask for your approval."

Speaker Steczko: "The Lady has moved for the passage of Senate Bill 1228. On that is there any discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. According to my Calendar, Floor Amendment #2 is on this Bill. Is that correct?"

Speaker Steczko: "Mr. Clerk, what Amendments have been adopted?"

Clerk Rossi: "Floor Amendment #2."

Black: "And that's...Will the Sponsor yield?"

Speaker Steczko: "She indicates she will."

Black: "Is that the PPA Amendment?"

Pankau: "That is one of the...That is one of Representative Dart's Amendments that he was putting on all of the Justice Bills."

Black: "Yes. Yes. Please..."

Pankau: "I thought there were two Amendments. I've been corrected now. There are only one."

Black: "Yeah, the police protection Amendment."

Pankau: "Correct."

Black: "Okay. Thank you."

Speaker Steczko: "Representative Granberg. Mr. Granberg."

Granberg: "Yeah. Representative, Amendment #4, the BB Amendment, was that adopted? The Bill Black Amendment."

Pankau: "No, that was not adopted."

Granberg: "Okay. So..."

Pankau: "I think he generously removed it."

Granberg: "Okay. All right, thank you."

Speaker Steczko: "Is there any further discussion? There being none the question is, 'Shall Senate Bill 1228 pass?' All those in favor will signify by voting 'aye'; those opposed

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

144th Legislative Day

June 8, 1994

by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 111 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1228, having received the required Constitutional Majority, is hereby declared passed. On the Order of State and Local Government, Third Reading, appears Senate Bill 1232. Representative Homer. Representative Hoeft, for what purpose do you seek recognition?"

Hoeft: "Inadvertently my light did not...I would like to have voted 'yes' on the last Bill."

Speaker Steczo: "Representative Hoeft, the transcript will so reflect. Out of the record. Senate Bill 1251. Representative Granberg. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1251, a Bill for an Act amending the Snowmobile Registration and Safety Act. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1251 came over from the Senate, creates the penalty of DUI for operation of a snowmobile; would mirror the current law in respect to DUI violations for automobiles and I would be happy to answer any questions."

Speaker Steczo: "The Gentlemen has moved for the passage of Senate Bill 1251. On that is there any discussion? The Chair recognizes Representative Black."

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

Speaker Steczo: "He indicates he will."

Black: "Representative, did I hear you say that you're creating the Driving Under the Influence of Snowmobiles Act and it is exactly the same as would be in a Motor Vehicle Code?"

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

144th Legislative Day

June 8, 1994

Granberg: "That was what the representative from the Department of Conservation indicated to me, Representative Black. I'm reading the file right now."

Black: "So, if I'm pulled over on my snowmobile, everything is the same as it is if I'm in my automobile, correct?"

Granberg: "That's my understanding. No, Representative Black."

Black: "Well, you know what the next question is. I mean, if it's exactly the same and I'm convicted of driving a snowmobile under the influence, do I lose my drivers license or my snowmobile license?"

Granberg: "Registration is what they lose."

Black: "You mean I lose the registration on the snowmobile? That means I can't use it."

Granberg: "The registration will be suspended."

Black: "Well, I understand that. But if I lose the registration on a snowmobile then nobody in my family can use the snowmobile because it's not registered. Why would everybody in my family be punished if I'm the one caught DUI on a snowmobile. I don't understand that. While you're looking Representative, you know I'm only being half facetious. I want to make sure that if we...if we render the snowmobile absolutely useless, then nobody in your family, a lot of these are jointly owned by brothers or family members, and then it doesn't make any sense if we have to lock up the snowmobile because it can't be registered just because one individual might have misused the privilege."

Granberg: "Representative Black, your point is well taken. It is for the operator. So, that would not be suspended for the other members to use it, it would just be the operator."

Black: "All right. Well, in other words, the person convicted would lose his or her operating privileges but the

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

144th Legislative Day

June 8, 1994

registration sticker would still be valid on the piece of equipment. Correct?"

Granberg: "Yes."

Black: "All right. Are the fines the same as they are in the Vehicle Code?"

Granberg: "Yes."

Black: "And what, for the first offense couldn't it be what, \$1,000?"

Granberg: "Yes, that would be at the top end, much with the current DUI statutes. You have a fine up to."

Black: "All right. And let me ask you a question. I defer to your legal expertise. If I'm convicted of DUI on a snowmobile, does this record get sent to the Secretary of State and could then come back and cause me to lose my driver's license?"

Granberg: "No, it would not."

Black: "You are absolutely certain? I'm putting a great deal of trust in you."

Granberg: "Well, you should know better than that."

Black: "Well, let me ask you this. You know, snowmobiling is very popular the further north you go in the state. Now, if I'm driving my snowmobile on the Kennedy Expressway, it's only a state trooper who could pull me over then. Isn't that correct?"

Granberg: "Well, they have the state troopers there without your Amendments."

Black: "You know, that's why...If you would have helped me with my Amendment, see, we could have been...we could have had them downstate too."

Granberg: "I agree. And we could have taken them out of DuPage County, as well, and put them where they are really needed."

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

144th Legislative Day

June 8, 1994

Black: "Okay. Well, I see the liaison from the Department of Conservation over there. Does she think this Bill is really...you know, I mean, have we had a lot of trouble with drunken snowmobile drivers?"

Granberg: "I'll ask her."

Black: "Okay."

Granberg: "Yes."

Black: "Yes. Somehow I think it's missed my area, but if she thinks it's important I guess I'll stand in support of it."

Granberg: "Well, we all stand ready and willing to help the Governor and the Department of Conservation."

Black: "Well, yes, I'm certainly for that. And we'll continue to talk about the enforcement because I'm a little concerned about whether we have enough state troopers but...Do we have snowmobile police?"

Granberg: "We have...we currently have conservation police located throughout the state."

Black: "Well, are they on snowmobiles? Otherwise, if I go across the south forty, how are they going to...how are they going to pursue me?"

Granberg: "They have automobiles, they'll track the snowmobiles with the cars."

Black: "Would we...well, okay. I hope this Bill is as you portray it to be because if somebody ends up losing their drivers license over a DUI in the snowmobile, I have a hunch we're going to have some very unhappy people."

Granberg: "I agree."

Black: "All right. Thank you."

Speaker Steczo: "Representative Novak."

Novak: "Yes, Kurt...take your coat off. We've got a few questions we want to ask you. Will the Sponsor yield?"

Speaker Steczo: "Please, proceed."

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

144th Legislative Day

June 8, 1994

Novak: "Kurt, first of all, I'm kind of confused why your sponsoring this Bill. Does snow ever fall in Clinton County down there?"

Granberg: "Once in a while."

Novak: "Okay."

Granberg: "Not very often."

Novak: "Now, let me ask you a question. I want a follow up question from Representative Black. Let's say...let's say it a blizzard, it's a blinding snow storm and there's a snowmobile driver on the shoulder of the road and a police officer is a couple of yards behind him and he thinks this individual is drunk. He pulls the snowmobile operator over. He tells him to get off the snowmobile and tells him to walk in a foot deep of snow, a straight line. So to prove he's not drunk. Now, how are you going to do that. How are they going to enforce that? Do you have a response to that?"

Granberg: "That goes to the question of probable cause and they look at the factors involved when they make that determination."

Novak: "That sounds like 'legaleze' if I've ever heard it before. I mean...I mean, how can any individual, whether they're allegedly drunk or sober, walk straight in a foot...in a foot of snow along the side of the road to prove that they're not drunk."

Granberg: "Given the circumstances, that is one of the things, as you know, that is only one of the items they look at in determining whether they have the probably cause to arrest or not. That is one of the items they would consider. They would consider the speech, whether it was slurred. They would look at the eyes. From the conversation of the individual. All those factors would be considered."

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

144th Legislative Day

June 8, 1994

Novak: "That sounds like more 'legaleze'. Have you conferred with Roger Frazier from the conservation police officers about this Bill?"

Granberg: "No, I have not."

Novak: "You think the conservation police officers wouldn't mind carrying a snow shovel in the car with them, and maybe...so they can shovel off a little line so they can get all the snow to make it all level so they can walk straight?"

Granberg: "Mr. Frazier would probably be opposed to that."

Novak: "Okay. No further questions."

Speaker Steczo: "Representative Deering."

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

Speaker Steczo: "He indicates that he will."

Deering: "Representative, through some of the other testimony, I didn't hear what the fine amount would be. How much is in the amount of fine."

Granberg: "The fine amount would be that with the existing DUI provisions where the ceiling, the most one could receive would be a \$1,000. It would be zero up to \$1,000."

Deering: "Where will those moneys go to? What would they be used for?"

Granberg: "It's my understanding those funds would be deposited into the snowmobile fund for the enforcement and for the...and to create snowmobile trails and other recreational opportunities for the users of snowmobiles."

Deering: "So, we're going...Is this going to be a dedicated fund?"

Granberg: "Yes, it is."

Deering: "Another dedicated fund. How many do we have now? How many dedicated funds do we have now?"

Granberg: "In the..."

Deering: "In the state."

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

144th Legislative Day

June 8, 1994

Granberg: "In the states? I do not know."

Deering: "Well, we have another dedicated fund we're starting."

Granberg: "Yes."

Deering: "What happens if we get in a situation where we have...have to make budget cuts. Is this fund going to be untouched? People going to cry and whine when we take moneys out of this fund to use to fund education, medicare and the worthwhile important services that we have in the state?"

Granberg: "No fund is sacred if we have to make the budget cuts to protect our citizens."

Deering: "Thank you."

Speaker Steczko: "Representative Biggert."

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

Speaker Steczko: "He indicates that he will."

Biggert: "Thank you. Representative, you very nicely included as a Floor Amendment House Bill 2950, and I want to make sure that that was still included in this Bill?"

Granberg: "Your...your Floor Amendment is on the Bill, Representative."

Biggert: "All right. And that it amends the...the code to provide for boot camps for youthful offenders."

Granberg: "Right. Correct. Your Amendment was put on this Bill last week."

Biggert: "Thank you."

Speaker Steczko: "Representative Balthis."

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

Speaker Steczko: "Please proceed, he will."

Balthis: "Representative, maybe you answered this before and I didn't hear it will all the noise going on. But, the person that the operator that loses their ability or to operate this snowmobile, what if they are caught later

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

144th Legislative Day

June 8, 1994

operating it again? What's...is there a follow-up penalty. How do we guarantee this person's not going to use this piece of equipment."

Granberg: "Representative, it is my understanding that in the second instance then the fine would increase simply because there would be an added violation and we're reviewing it to see if there would actually be a suspension as is the current law with driving under the influence. So, I'll get back to you on that in a moment. If you have any other questions..."

Balthis: "Yes, what I'm concerned about is if this operator is not the owner, is there any penalty at any point to the owner of this snowmobile or someone who is not authorized to use it or who has lost their state right to use it. Is there any penalty to the owner of the snowmobile?"

Granberg: "No. Just the operator."

Balthis: "Okay. Thank you."

Granberg: "In response to your previous question, Representative Balthis. On the...if there is a previous conviction under this, then that person has the potential to be charged with a Class IV felony."

Speaker Steczko: "Representative Balthis, have you completed your questioning? Representative Olson."

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

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

Olson: "Representative, I couldn't hear all the give and take on the debate, it's very noisy in here. But there were some good questions put to you, technical and this and that and there were others which...there was the dedicated fund thing and I think we have a problem with dedicated funds. But that really shouldn't be part of the consideration of this Bill. Is it the real...real purpose of your

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

144th Legislative Day

June 8, 1994

legislation to separate alcohol and snowmobiles?"

Granberg: "Correct, Representative. You know, this legislation came about in the Senate as a result of five tragic deaths took place where people were under the influence and recklessly driving or operating snowmobiles. So, that is certainly the intent."

Olson: "You live somewhat farther south in the state than where I live and I don't know if it snows down in your community or whether you have any snowmobile background or not. I come from a community that rides snowmobiles. I own two snowmobiles. I've been on those snowmobiles back when I was a little bit younger than I am on this day, my birthday. I know that alcohol can be a problem. And this...Ladies and Gentlemen this is good legislation. Forget the technicalities. Just like boating and alcohol do not mix, I assure you that snowmobiles and alcohol do not mix. It's a very safe...it's a hazard to safety and I encourage everyone to support this legislation."

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

Granberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. As was previously discussed, this Bill came about after the tragic deaths of five individuals in northern Illinois. Representative (sic-Senator) Geo-Karis introduced this legislation in response to that terrible, terrible event. We've tried to answer the questions that merely brings the operation of snowmobiles up to that of the boaters standards when someone is intoxicated and that in itself reflects that with the DUI. It's a solid proposal and I would ask for your favorable support."

Speaker Steczo: "The question is, 'Shall Senate Bill 1251 pass?' All those in favor will signify by voting 'aye'; those

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

144th Legislative Day

June 8, 1994

opposed by voting 'no'. The voting is open. Have all vote who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 103 voting 'yes'...Representative Lou Jones wishes to be recorded as 'aye'. Please record Representative Lou Jones as 'aye'. On this question there are 104 voting 'yes', 6 voting 'no', none voting 'present'. Senate Bill 1251, having received the required Constitutional Majority, is hereby declared passed. On the Order of State and Local Government, Third Reading, appears Senate Bill 1260. Representative Wennlund. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1260, a Bill for An Act amending the Wildlife Code. Third Reading of this Senate Bill."

Speaker Steczo: "The Chair recognizes Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A year ago a Bill sponsored by Representative Brunsvold required the wearing of an orange cap during the hunting of upland game. Unfortunately, it didn't exempt out hunting with falcons; and there's a huge falconry crowd that...of people that hunt here in Springfield with falcons called falconry, which I didn't know existed. However, what this Bill does is, at the request of Senator Hasara, it exempts those who are hunting upland game without a firearm. In addition to that, it includes a Bill sponsored by Representative Brunsvold this year that got out too late under the Senate guidelines and the deadlines. It passed out of this House with over 100 votes. And what it did was, is it exempted from the provisions of the Environmental Protection Act rifle and pistol ranges and licensed shooting preserves in public hunting areas that operate as sporting activities. It eliminates the noise

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

144th Legislative Day

June 8, 1994

standards from those so that they can continue to operate, and that's all the Bill does. Representative Brunsvold will be happy to answer any questions, I'm sure, also."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1260. On that, is there any discussion? The Chair recognizes Representative Black."

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

Speaker Steczo: "He indicates that he will."

Black: "I didn't understand what you said, Representative. Last year we passed the Orange Hat Act which I certainly thought that was a momentous piece of legislation, but now you're telling me we didn't exempt falcons. You mean falcons don't have to wear an orange hat?"

Wennlund: "Well, Representative Black, here in the city, the great City of Springfield, there's a relatively large group of people. People. That's homosapiens."

Black: "Oh, yes."

Wennlund: "Human beings."

Black: "Yes."

Wennlund: "Human beings."

Black: "Yes."

Wennlund: "Two-legged, no wings."

Black: "I understand that."

Wennlund: "No wings. No crow feet. Now those people use these birds. Not like ratites though, smaller birds. Smaller than ratites."

Black: "So they use the bird to hunt?"

Wennlund: "I believe they're called peregrine falcons."

Black: "Oh, yes."

Wennlund: "They use those to hunt. That's correct. And they shouldn't have to wear an orange hat because...unless they

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

144th Legislative Day

June 8, 1994

get hit in the head by another falcon, I suppose."

Black: "I was going to say, I...it doesn't make any sense. How does a falcon know where to come back to if he doesn't have an orange hat."

Wennlund: "Oh...The falcon lands on their hand and they wear a glove."

Black: "All right. I...okay...I think once you open the door to these exemptions there's no end to it."

Wennlund: "Oh, no, no, no. This is just one exemption. It was never intended that this be covered by the Orange Hat..."

Black: "If I'd have know you were going to move this I would have amended Representative Granberg's Bill awhile ago. I think snowmobilers should wear orange hats too, but...all right. All right. I'm telling you."

Wennlund: "Orange helmets."

Black: "Once you open these doors for exemptions, there's no end to it."

Speaker Steczo: "Representative Deering."

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

Speaker Steczo: "Please proceed. He will."

Deering: "Representative Wennlund, kind of going along in the line questioning that Representative Black had on there. These falcons, what's the cost of a hunting license for these falcons?"

Wennlund: "You know, that's a good... Representative Brunsvold, would you indicate...you tell me how much a hunting license costs with falcons. I believe...If it's a combination with a fishing license it's \$18.75."

Deering: "Is that residents or..."

Wennlund: "It's a combination license. Yeah."

Deering: "Is that resident rate or is that out of state rate or..."

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

144th Legislative Day

June 8, 1994

Wennlund: "Oh, no, that's resident. In a combo license with fishing. Yeah."

Deering: "Okay. Do these falcons, do they have a FOID card?"

Wennlund: "The falcons? Well, you know, I suppose that'd be a more proper question for Representative Moseley or Representative Curran who represent a lot of these falconers around this area, but to my knowledge they don't have to have a FOID card, no."

Deering: "Okay. One final question. Do these falcons, do they have to get a upland game stamp or upland air stamp or something when they do all this hunting? Deer stamp?"

Wennlund: "No. As a matter of fact they don't because all they do is at the most carry a 'Red Rider Daisy BB Gun' for self-protection. That's about it."

Deering: "Well, thank you, Representative. I think maybe in the future we need to start looking, as Representative Black said, over some of these exemptions so we take care of the whole problem."

Wennlund: "Well, I'll tell you what. You know, I was going to but I had to turn my headlights on while I had my windshield wipers on while coming from my apartment to the Capitol this morning. I forgot to turn my headlights on."

Speaker Steczo: "There being no further discussion the question is, 'Shall Senate Bill 1260 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 108 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1260, having received the required Constitutional Majority, is hereby declared passed. On the Order of State and Local Government, Third Reading, appears Senate Bill 1267.

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

144th Legislative Day

June 8, 1994

Representative Woolard. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1267, a Bill for An Act concerning livestock market development. Third Reading of this Senate Bill."

Speaker Steczko: "The Chair recognizes Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What our Bill does is a combination of several things, but it adds some language which will be dealing with the sheep and wool producers of this state, adding some language to the Beef Marketing Act. It also deals with the farm loan guarantees for the Illinois Farm Development Act and increases the opportunity for young people to be involved in a program as well as extends the opportunity for more than one loan in a lifetime for those individuals. And the last Amendment deals with the area of allowing the Department of Agriculture to barter for the tickets and various advertising, et certera, that might be necessary in the utilization of good sound management for the fairs, both DuQuoin and Springfield, this year. I would encourage everyone to join with us in voting for this Bill. I don't know of any opposition to any segments, as all of the opposition has been brought on board through negotiations."

Speaker Steczko: "The Gentleman has moved for the passage of Senate Bill 1267. On that is there any discussion? There being none the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this...On this question there are 111 voting 'yes'...Please record Mr. Persico as 'aye'. There are 111 voting 'yes', none voting 'no', none voting 'present'.

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

144th Legislative Day

June 8, 1994

Senate Bill 1267, having received the required Constitutional Majority, is hereby declared passed. The Chair would like to move back to the Order of State Operations, Third Reading. And we'll be right back. We're just moving here momentarily to call Senate Bill 1318. Representative Kotlarz. Is the Gentleman on the floor? Is he here? The Gentleman asks leave to have this Bill returned to the Order of Second Reading. Is there leave? There being no objection, leave is granted. The Bill is now on the Order of Second Reading. Mr. Clerk, any Motions or Amendments?"

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

Speaker Steczo: "The Chair recognizes Representative Kubik on Amendment #2."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Earlier today Representative Lang adopted an Amendment to this Bill which had to do with an expedited process for demolition of abandoned buildings which were hazardous. What this Amendment does is to move the population threshold on communities from 50,000 down to 25,000, which was what my Bill did as it passed the House. So, that is all this Amendment does. I'd be happy to respond to any questions you might have."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #2. Mr. Black, on the Amendment."

Black: "I have an inquiry of the Chair, Mr. Speaker."

Speaker Steczo: "Proceed, Mr. Black."

Black: "I...were...The language that Representative Kubik is talking about is not in this Amendment, unless I have the wrong Amendment. Amendment #2?"

Speaker Steczo: "Amendment #2."

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

144th Legislative Day

June 8, 1994

Black: "Has it been printed and distributed?"

Speaker Steczo: "To our knowledge, Mr. Black, it has."

Black: "We stand in total support. It's just that we don't have it. Okay. I now have a copy. It's dated June the 9th. What is today?"

Speaker Steczo: "Today is June the 9th."

Black: "I think it's the 8th, isn't it?"

Speaker Steczo: "No pestilence today, Mr. Black."

Black: "Oh. The Clerk got ahead of himself. Whatever. All right."

Speaker Steczo: "Is there any further discussion? There being none, all those in favor of the adoption of Amendment #2 will signify by saying 'aye', those opposed by saying 'no'. The 'ayes' have it. The Amendment's adopted. Mr. Clerk, any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. Back to the Order of State and Local Government, Third Reading, appears Senate Bill 1285. Representative McGuire. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1285, a Bill for An Act amending the Counties Code. Third Reading of this Senate Bill."

Speaker Steczo: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker. Senate Bill 1285 amends the Counties Code by providing that a municipality shall be entitled to a \$10 prosecution fee for each conviction for a violation of a non-traffic ordinance violation prosecution by the municipal attorney. And I'd ask for your favorable vote and I'll try to respond to any questions you may have."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1285. On that is there any discussion? The Chair recognizes Representative Balthis."

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

144th Legislative Day

June 8, 1994

Balthis: "Thank you, Mr. Speaker. Will the Sponsor...will the Clerk, please tell us what Amendments are on this Bill?"

Speaker Steczo: "Mr. Clerk, what Amendments have been adopted?"

Clerk Rossi: "Amendments 1, 4 and 5 have been adopted to the Bill."

Balthis: "Could you tell me what happened to Amendment #7?"

Clerk Rossi: "Floor Amendment #7 failed."

Balthis: "Failed. To the Bill, Mr. Speaker. There was an agreement that Amendment #7 had been requested by the Senate and they would not concur with this Bill should it be passed. Although there are some good parts to this Bill, the Senate will not concur with this Bill as it is currently being adopted."

Speaker Steczo: "Representative Hughes."

Hughes: "Yes. Thank you, Mr. Speaker. I also just wanted to address the issue here that a lot of work went into putting together in Amendments to this Bill a number of Bills that were important to many of us on both sides of the aisle. A lot of work went into that and agreement into that, and it did fall down and it's really a shame that that happened to this particular Amendment #7, didn't get adopted. This is a Bill that we should be supporting. It has good legislation in it. We just wish there were a little more there. Thank you."

Speaker Steczo: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker. Would the Representative yield for a question?"

Speaker Steczo: "He indicates that he will."

Meyer: "Representative, I'm unclear. You were talking about fine moneys. Is that my understanding? Could you explain how that is working? Are these current fines? Are we increasing fines? Who are...If it's current fines, who are

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

144th Legislative Day

June 8, 1994

the fines being collected by or who do they go to right now?"

McGuire: "I'm not sure, Representative, I could hear and understand your question. Are you speaking of the underlying Senate Bill?"

Meyer: "Well, when you introduced...or when you made your opening statement there, I believe, if I understood correctly, I know there's a lot of noise here in the chamber, but I understood that we're talking about changing the disbursement of some of the fines that are collected currently, and I wondered...I'm just unclear of where they're going. It's..."

McGuire: "Okay. Hold on a second, Representative. We think we heard your question. It goes directly to the municipalities. Is that your question, Jim?"

Meyer: "It goes to the municipalities currently or..."

McGuire: "No, not currently. That's the gist, I think, of the Senate Bill to go the municipality who wrote the ticket."

Meyer: "All right. Thank you."

McGuire: "Okay. Thank you."

Speaker Steczko: "Representative Skinner."

Skinner: "I guess it's possible to get into a time warp in the General Assembly. Last year, when a Bill like this came up, all the targets would scurry for the sidelines, because it has a fee increase. I wonder if I could ask the Sponsor if, indeed, the underlying Bill has a fee increase."

Speaker Steczko: "Mr. McGuire."

Skinner: "Does the underlying Bill have a fee increase?"

McGuire: "Yeah. It allows the municipalities an additional \$10 fee. Again, if I heard your question correctly."

Skinner: "Yes. Thank you very much."

McGuire: "Thank you."

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

144th Legislative Day

June 8, 1994

Speaker Steczo: "Representative Stephens."

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

Speaker Steczo: "He indicates that he will."

Stephens: "Representative, the adoption of Amendment #1 to your Bill, can you tell me what that's going to do to Madison County property taxes?"

McGuire: "Amendment #1?"

Stephens: "Yes."

McGuire: "Hold on a second please. Representative...Representative Stephens, I'd like to refer to Representative Hoffman, that was his Amendment, so that he could give you the proper answer."

Speaker Steczo: "The Chair recognizes Representative Hoffman."

Hoffman: "Please repeat the question, Representative."

Stephens: "Representative, do you know what passage of this Bill is going to do to Madison County property taxes? Are they going to remain the same, gonna go down, or gonna go up?"

Hoffman: "They'll remain the same."

Stephens: "And failure to pass the Bill?"

Hoffman: "Failure to pass the Bill would result in individuals being let out of the Madison County jail or finding other places for them."

Stephens: "No...property taxes..."

Hoffman: "It would go down by \$1.74."

Stephens: "Okay. To the Bill, Mr. Speaker, I guess the issue is important to Madison County...the board in that they want to be able to incur long term indebtedness without voter approval for repair or expansion of the Madison County jail. Now, it's my opinion that that's an important issue that is important to the residents of Madison County, but also the issue of property taxes are important to the residents of Madison County, and I think that they have

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

144th Legislative Day

June 8, 1994

expressed good judgement in whether or not they should allow the county board to incur further indebtedness for the purpose of expanding the residence and jail facilities at the Madison County facility. Now, I think that issue ought to be debated. It ought to be considered, but it ought to be mostly debated and considered by the residents who have to pay the freight, and that would be the citizens of Madison County. Now, I'm not particularly against expanding or improving the facilities at the Madison County jail, but I would like to have voter input, and I know the people of western...or, excuse me, eastern Madison County consider this a very important issue and would like to have an opportunity to discuss it with the board members and vote on it by proper referendum."

Speaker Steczo: "Representative Cross."

Cross: "Thank you, Mr. Speaker. Will Representative Hoffman yield for some questions?"

Speaker Steczo: "He indicates that he will."

Cross: "Representative Hoffman, what are the taxes now in your county?"

Hoffman: "Well, right now, Representative, they...there's \$1.74 that was used to build the original jail. What is happening is, a jail is averaging overcrowded by about 35 people a day, about 178 people...or over 178 people its averaging. This would not change the tax rate in Madison County. It would remain exactly the same. Unfortunately, under current law, they could use this money to build a new jail, but not to repair and expand a current jail. So, they could tear down the Madison County jail and start from scratch and not go to the voters and keep...and have to raise taxes in Madison County. This says, let's keep taxes the same. Let's not throw violent criminals out on the

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

144th Legislative Day

June 8, 1994

streets, and let's insure that our streets are safe in Madison County...without a tax increase."

Cross: "Are you in a position now where you have to...has the state indicated that you're having some problems with your current jail?"

Hoffman: "Right. Let me quote real quickly from the Alton telegraph...the Alton telegraph editorializes that there is no simple solution to short-term. The options of overcrowding is to release the prisoners or send them elsewhere. The first is not a socially acceptable solution, the second may not be financially possible. Therefore, they are in support of this provision as is every other major newspaper in Madison County. The reason is, is because right now, right now if we don't do something, they could...build an entirely new jail and throw that burden to the taxpayers of Madison County. This saves them money in the long run by just letting them make needed improvements, because the jail is just busting at the seams."

Cross: "Thank you very much, Representative."

Speaker Steczo: "Representative von Bergen-Wessels."

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

Speaker Steczo: "Please proceed. He will."

von Bergan-Wessels: "Representative, is there a provision in this Bill that sets term limits for township commissioners?"

McGuire: "I'm sorry, Representative. I wasn't paying attention. I thought you were talking to Representative Hoffman. Could you repeat the question, please."

von Bergan-Wessels: "Is there a provision in this Bill that sets term limits for township commissioners?"

McGuire: "Term limits? I don't believe so."

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

144th Legislative Day

June 8, 1994

von Bergan-Wessels: "Okay. Thank you."

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

McGuire: "It is not on there Representative von Bergen-Wessels. We'd appreciate your favorable vote. Thank you."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1285. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Persico, for what purpose do you seek recognition? One minute to explain your vote."

Persico: "Thank you, Mr. Speaker. This is the second time in a row that I've recorded myself as 'yes' and nothing shows up on the board."

Speaker Steczo: "Please make sure that Representative Persico is recorded as 'aye'."

Persico: "It works."

Speaker Steczo: "Pardon? It works now?"

Persico: "Wait a minute. I want to see if the 'no' one works...that was the 'yes'. The 'yes' one doesn't work. Only the 'no' button works, is that because I'm a Republican?"

Speaker Steczo: "Lord forbid that. Mr. Electrician, we better check that switch. Mr. Persico, how do you wish to be recorded?"

Persico: "'Yes'."

Speaker Steczo: "Please make sure that Representative Persico is recorded as 'yes'. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 62 voting 'yes'...please record Representative Steczo as 'yes'. There are 63 voting 'yes',

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

144th Legislative Day

June 8, 1994

46 voting 'no', 3 voting 'present'. Senate Bill 1285, having received the required Constitutional Majority, is hereby declared passed. On the Order of State and Local Government, Third Reading, appears Senate Bill 1296, Representative Novak. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1296, a Bill for an Act amending the Environmental Protection Act. Third Reading of this Senate Bill."

Speaker Steczko: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1296 amends the Illinois Environmental Protection Act. The basis of the Bill deals with the innocent land owner defense. This is an initiative of the Illinois Banker's Association. Essentially, what it does is it reduces the time period dealing with phase 1 environmental audits on commercial and industrial property from the current period of 75 years to a period of 50 years as a minimum time required for recorded chain of title document search on real property and the required review of business records when conducting such environmental audits. The Environmental Protection Agency has signed off on the legislation as well as all other parties, and I have no...no opposition. Be more than happy to entertain any questions."

Speaker Steczko: "The Gentleman has moved for the passage of Senate Bill 1296. On that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 110 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1296,

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

144th Legislative Day

June 8, 1994

having received the required Constitutional Majority, is hereby declared passed. On the Order of State and Local Government, Third Reading, appears Senate Bill 1299, Representative Homer. Not in the chair...chamber. Senate Bill 1302, Representative Mulligan. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1302, a Bill for an Act amending the Illinois Municipal Code. Third Reading of this Senate Bill."

Speaker Steczko: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Bill as initially introduced would amend the Municipal Code by providing that the estimated dates of completion of a redevelopment project and retirement of obligations issued to finance redevelopment costs shall not be more than 35 years if the ordinance was adopted in April 1984, or now July 1985. As amended in committee, it leaves the initial Bill in tact and, also, would add an Amendment that would allow Home Retailer's Municipal Tax Act to be amended and allow the Municipality of Chicago 'Ridge' the ability to certify with the Department of Revenue on or before July 1, 1994, the adoption of a home rule sales tax. It authorizes the Department of Revenue to collect the proceeds of this tax beginning in October 1, 1994. The first part of the Bill benefits by adding to the length of time for TIF district of my home municipality of Des Plaines. The second part would benefit the municipality of Representative Steczko and Representative Maureen Murphy. I will...available to answer any questions."

Speaker Currie: "Representative Currie in the Chair. Representative Steczko."

Steczko: "Thank you, Madam Speaker, Members of the House. I rise

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

144th Legislative Day

June 8, 1994

in strong support of Senate Bill 1302. There is a municipality in the southwest suburbs of Cook County that is represented by Representative Maureen Murphy and myself, the Village of Chicago Ridge. That village decided last year, last primary day last March, to go to its voters and ask for home rule status, and as you know, that's always a very, very difficult election to try to convince your individual voters and residents that a municipality should have that home rule status. And not only did the village of Chicago Ridge win, but they won by a margin of over 2 to 1. So, their residents want...wanted home rule. As part of the deal, the village promised to abate some property taxes for an increase in the sales tax. Unfortunately, after the referendum passed and people from the village said, 'Okay, when are we going to start doing this?' They found that they couldn't start collecting the sales tax until next January. This Amendment on this Bill, on Senate Bill 1302, provides an exemption for them to be able to collect in October, as of October 1st. And so, I think it's incredibly important, because they did ask their residents. They did go to that referendum. They did succeed in overwhelmingly passing it. So, it something that I think we should allow them to do and stand in strong support of Senate bill 1302."

Speaker Currie: "Further discussion? Representative Granberg. Representative...no. Representative Mulligan has moved passage of Senate Bill 1302. All in favor, signify by voting 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, please take the recorded. On this Motion, there are 94 voting 'aye', 14 voting 'no'. And this Bill, having received the required Constitutional

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

144th Legislative Day

June 8, 1994

Majority, is hereby declared passed. On the Order of State and Local Government, Third Reading, appears Senate Bill 1328. Representative Clayton. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1328, a Bill for an Act that amends the Liquor Control Act of 1934. Third Reading of this Senate Bill."

Speaker Currie: "Representative Clayton."

Clayton: "Thank you, Speaker. This Bill makes it unlawful for any parent or guardian to permit his residents to be used for consumption of alcohol by an invitee of the parents child or guardians ward, if that invitee is under the age of 21. The parent is deemed to have permitted his residence to be used in violation. If he or she knowingly authorizes, enables or permits the use to occur by failing to control either the access to the home or to alcoholic liquor that is maintain in that residence. To make it a Class A misdemeanor and with a fine of no less than \$500. The Bill additionally provides the license appeal commission...this particular part was at the request of the City of Chicago and is agreement between the city and the liquor industry. It provides that the liquor appeal commission with additional time to render their decision. Presently, the law requires...the commission to render the discussion within 20 days and this Amendment gives them 30 days. This will only apply to municipalities with a population of 500,000. It also provides that...will allow more than one petition for a referendum to vote a precinct dry. Presently, the law permits the city clerk to accept only one petition for that referendum. This language would permit, that if a problem arises with the first petition that if the first petition is bogus, that the next petition submitted would be the one going on to the ballet. It

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

144th Legislative Day

June 8, 1994

changes the time in which the certified record of the proceedings before the Liquor Control Commissioner must be filed with the license appeal commission. Presently, it has to be filed within five days after notice of appeal and this requires that it be done promptly."

Speaker Currie: "Representative Clayton moves passage of Senate Bill 1328, and on that Motion, Representative Dart."

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

Speaker Currie: "She indicates she will."

Dart: "Representative, upon looking at the Bill it appears as if, Amendment #5 guts the previous Amendments out of there. I was wondering if, just so we can have this Bill in a cleaner fashion so the Senate does not mess it up. If we could move it back to Second, we can move it back to Third. Move it back to Second to withdraw Amendment 1, 2, and 3?"

Clayton: "The...Amendment #5 included the original Senate Bill. It included Amendment #1."

Dart: "Yes, it includes those..."

Clayton: "And Amendment #2..."

Dart: "We never withdrew Amendment #1, 2, and 3."

Clayton: "Did not include 3."

Speaker Currie: "Representative Clayton are you ready with a decision here?"

Clayton: "Thank you. Yes, there's no intention to put any other Amendments on? Certainly."

Speaker Currie: "So, Representative Clayton asks leave to return this Bill from Third Reading to Second for the purpose of tabling an Amendment. Does she have leave? Leave is granted. Clerk, the Bill is now on Second Reading. Representative Dart for the Motion."

Dart: "Thank you, Madam Speaker, Members of the House. I would move to table Amendments 1, 2, and 3 to Senate Bill 1328."

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

144th Legislative Day

June 8, 1994

Speaker Currie: "Representative Dart has moved to table Amendment 1, 2, and 3 and on that Motion is there any discussion? If not, all in favor say 'aye'; opposed, 'no'. The 'ayes' have it, the Amendments are tabled. Further Amendments or Motions?"

Clerk Rossi: "No further Amendment or Motions."

Speaker Currie: "Third Reading. Clerk, why don't you, just for the record, read the Bill on Third another time."

Clerk Rossi: "Senate Bill 1328, a Bill for an Act amending the Liquor Control Act of 1934. Third Reading of this Senate Bill."

Speaker Currie: "And Representative Clayton, you've already explained the Bill as it is with these Amendments tabled, that was a technical change as the Chair understands it, right?"

Clayton: "I do have another question. What happened to Amendment #4?"

Speaker Currie: "Representative Dart. That was withdrawn."

Clayton: "Thank you."

Speaker Currie: "Representative Clayton has moved passage of Senate Bill 1328. And on that Motion, Representative Deering."

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

Speaker Currie: "She will."

Deering: "Representative, to the underlying Bill. It's a penalty now if I'm a parent and someone under 21, comes to my home or if my kids are at home and they partake in alcoholic beverages before the legal age, right. It's Class A misdemeanor, I think you said. Okay. Is the intent of this law, does someone have to report the use...the misuse alcohol at the residence or is some law enforcement official or some state official going to have the

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

144th Legislative Day

June 8, 1994

jurisdiction just to walk up to the house out of pure speculation and accuse this...happening."

Speaker Currie: "Representative Clayton."

Clayton: "It would be in most...activities in that, if the underage people are caught in the act, then that is how it would be found."

Deering: "So then, someone would have to report them to the local enforcement agency."

Clayton: "Yes."

Deering: "Okay. Thank you."

Speaker Currie: "Further discussion? Representative Biggert."

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

Speaker Currie: "She will."

Biggert: "Representative Clayton, the Amendments 1, 2, and 3 were withdrawn? What about Amendment...Floor Amendment #4?"

Clayton: "It was withdrawn."

Biggert: "That was withdrawn. Okay. So, there are no Amendments except for Amendment #6?"

Clayton: "That's correct."

Biggert: "All right. To the Bill, Madam Speaker."

Speaker Currie: "To the Bill."

Biggert: "I stand in strong support of this Bill. I think the Sponsor has worked very very hard to address all the concerns that have been stated on this Bill and I commend her."

Speaker Currie: "Further discussion? If not, Representative Clayton has moved passage of Senate Bill 1328. All in favor vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, please take the record. On this Motion there are 104 voting 'aye', 6 voting 'no', and this Bill having received the required Constitutional Majority,

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

144th Legislative Day

June 8, 1994

is hereby passed. Representative Turner now moves that the House stand adjourned until the hour of 9:30 a.m. tomorrow, Thursday. Repres...wait, before we take the vote, Representative Black. All in favor of Representative Turner's sound Motion say 'aye'; opposed, 'no'. The 'ayes' have it, and...Representative Shirley Jones, for reason do you rise?"

Jones, S.: "There will a meeting in Monique Davis' office at 8:30 in the morning for the Black Caucus."

Speaker Currie: "Okay. So, all in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and this House stands adjourned until tomorrow, Thursday at the hour of 9:30 a.m."

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

94/10/19
14:23:22

JUNE 08, 1994

SB-0033	THIRD READING	PAGE	3
SB-0357	SECOND READING	PAGE	10
SB-0357	RECALLED	PAGE	10
SB-0398	THIRD READING	PAGE	71
SB-0630	THIRD READING	PAGE	9
SB-1138	THIRD READING	PAGE	74
SB-1146	THIRD READING	PAGE	75
SB-1149	THIRD READING	PAGE	94
SB-1149	POSTPONED CONSIDERATION	PAGE	102
SB-1172	THIRD READING	PAGE	77
SB-1181	THIRD READING	PAGE	102
SB-1182	RECALLED	PAGE	107
SB-1200	THIRD READING	PAGE	108
SB-1221	THIRD READING	PAGE	116
SB-1228	THIRD READING	PAGE	117
SB-1228	OUT OF RECORD	PAGE	119
SB-1230	THIRD READING	PAGE	14
SB-1251	THIRD READING	PAGE	119
SB-1260	THIRD READING	PAGE	128
SB-1267	THIRD READING	PAGE	132
SB-1285	THIRD READING	PAGE	134
SB-1296	THIRD READING	PAGE	141
SB-1302	THIRD READING	PAGE	142
SB-1311	RECALLED	PAGE	14
SB-1318	RECALLED	PAGE	19
SB-1318	RECALLED	PAGE	133
SB-1324	THIRD READING	PAGE	20
SB-1326	RECALLED	PAGE	21
SB-1326	THIRD READING	PAGE	21
SB-1328	RECALLED	PAGE	145
SB-1328	THIRD READING	PAGE	144
SB-1328	THIRD READING	PAGE	146
SB-1329	THIRD READING	PAGE	24
SB-1366	THIRD READING	PAGE	25
SB-1397	RECALLED	PAGE	31
SB-1397	THIRD READING	PAGE	31
SB-1427	THIRD READING	PAGE	35
SB-1427	OUT OF RECORD	PAGE	35
SB-1447	THIRD READING	PAGE	35
SB-1447	OUT OF RECORD	PAGE	35
SB-1455	THIRD READING	PAGE	35
SB-1455	OUT OF RECORD	PAGE	36
SB-1477	THIRD READING	PAGE	36
SB-1479	THIRD READING	PAGE	40
SB-1545	THIRD READING	PAGE	41
SB-1670	THIRD READING	PAGE	57
SB-1692	THIRD READING	PAGE	63
SB-1733	THIRD READING	PAGE	64

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER MCPIKE	PAGE	1
PRAYER - REVEREND EUGENE WEITZEL	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	2
ROLL CALL ATTENDANCE	PAGE	2
AGREED RESOLUTIONS	PAGE	3
DEATH RESOLUTION	PAGE	3
REPRESENTATIVE STECZO IN CHAIR	PAGE	41
RESOLUTION - SAVE A DEER - BRUNSVOLD	PAGE	69
REPRESENTATIVE CURRIE IN CHAIR	PAGE	142
HOUSE ADJOURNED	PAGE	148