

STATE OF ILLINOIS
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TRANSCRIPTION DEBATE

145th Legislative Day

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Speaker McPike: "Come to order. The Chaplain for today is Reverend Jamie Allen of the Ashland Church of Christ in Ashland, Illinois. Reverend Allen is the guest of Representative Moseley. The guests in the balcony may wish to rise this morning and join us for the invocation."

Reverend Allen: "Let us pray. Father in Heaven, we thank You that You have granted us another day and, Father, we thank You for the blessings that we enjoy as citizens of the United States and as citizens of this great State of Illinois. Father, I ask Your blessing on this Session of the House. I ask Your blessing upon the Members, might they may be people of integrity, people that do the things that are right and just and fair. Father, bless them and their families, in Jesus' name we pray. Amen."

Speaker McPike: "Be led in the Pledge of Allegiance by Representative Andrea Moore."

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

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

Currie: "Thank you, Speaker. Let the record show that Representative Eugene Moore is absent today."

Speaker McPike: "Thank you. Mr. Kubik."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representative Weller is excused today. I'd also...I couldn't help but notice you have a guest at the podium. Would you care to let us know who that might be?"

Speaker McPike: "Yes, she's related to Andrea Moore. This is Andrea McPike."

Kubik: "Well, welcome, Andrea. We're happy to have you here with

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us."

Speaker McPike: "Take the record. 115 Members answering the roll call, a quorum is present. We've got a crowd here today. Senate Bills - Third Reading. Mr. McAuliffe, do you have a Bill on Third Reading? House Bill 1346, Mr. Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1346, a Bill for an Act amending the Burial Rights Act. Third Reading of this Senate Bill."

Speaker McPike: "To those Members still in their office, the Chair was not kidding when they said 9:30. All right, Mr. Lang. Mr. Clerk, read the Bill. Been read, Mr. Lang."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill involves several things. Firstly, it involves the right of a cemetery to set aside a religious section without fear of violating the Human Rights Act. It also deals with a provision regarding the licensing of funeral directors. It deals with pre-need cemetery...funeral contracts, and it also deals with an expansion of hate crimes in the State of Illinois. And I believe there's little opposition and I would move passage."

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

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

Speaker McPike: "Yes."

Biggert: "Thank you. Representative, what are the Amendments that are on the Bill now?"

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

Clerk Rossi: "Committee Amendment #1 and Floor Amendments 2 and 3 have been adopted to the Bill."

Biggert: "Thank you. On Amendment 3, which was put on on the floor, could you just explain the hate crime a little bit

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more?"

Lang: "Thank you, Representative. Yes, this Bill provides that as a condition of probation or as a condition of discharge or probation, the court shall sentence the offender to perform at least 200 hours of community service. Today that is discretionary with the court. This would require them to do that. It also requires that a second or subsequent violation of a hate crime where the underlying offense is a felony is nonprobational. It provides that as a factor of aggravation for sentencing if the defendant committed the offense by reason of person's actual perceived race, color, creed, religion, ancestry, gender, et cetera, that those would be the factors. It also increases penalties for institutional vandalism."

Biggert: "So this, part of this really is to address the issue of gangs? Does this address the issue of gangs? As for as...?"

Lang: "Well, yeah, gangs certainly would apply in the case where it's clear to the court that institutional vandalism or hate crimes are being committed by those gangs. If you talk about for instance skinheads, if you were to refer to those as gangs, then that would be correct."

Biggert: "How will this Amendment change how someone is prosecuted under this? Is there any change or just that it's mandatory?"

Lang: "I don't believe there would be any change on how a case was prosecuted. We're talking about penalties here, so we're stiffening the penalties. It doesn't change burden of proof or anything of that nature."

Biggert: "Does it change who is prosecuted?"

Lang: "No."

Biggert: "Okay, thank you. This Bill was heard in our committee

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and passed out without any problem so I would..."

Lang: "I'm sorry, I didn't hear the record...the question."

Biggert: "I said...To the Bill, this Bill was heard in our committee and passed out on a House vote of 10 to nothing, and then the Amendments were put on here, so I would stand in support of it."

Speaker McPike: "Mr. Lang."

Lang: "Mr. Speaker, could we take this out of the record and come back to it?"

Speaker McPike: "Yes, we can."

Lang: "Thank you."

Speaker McPike: "Revenue - Third Reading. Representative Hughes. Miss Hughes. All right, Representative Walsh is here. Senate Bill 1726. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1726, a Bill for an Act amending the Illinois Lottery Law. Third Reading of this Senate Bill."

Speaker McPike: "Representative Walsh."

Walsh: "Thank you, Mr. Speaker. Senate Bill 1726 is the Lottery Administration Bill. It has several Amendments that were put on in committee. I don't know of any of them being controversial and I know of no opposition and I would ask for support of the Bill."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, there are a number of House Bills that have been incorporated into this legislation. Could you at least run down each House Bill and basically tell us what it does?"

Walsh: "Surely. One of them is House Bill 2560, which provides for the tax purchase after July 1st, 1990, the court can

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declare a sale in error if the property contains a hazardous substance, hazardous waste or underground tank that would make the tax deed guarantee liable for clean-up cost. House Bill 2723, which beginning January 1st, 1995, the Homestead Improvement Exemption would increase to \$45,000 statewide. House Bill 3026 provides that a state agency will not lease any of its real property to a person who is delinquent in paying any real property taxes on a leasehold the state under Section 9 - 195 of the Property Tax Code. House Bill 3141, in counties with fewer than three million inhabitants, the County Board may impose a fee up to \$60 upon each person's purchasing any property at a sale held under the Property Tax Code. House Bill 3471 amends the Local Government Debt Reform Act, authorizes governmental unit to levy a tax, to pay off general obligation bonds at any time before March 1st of the calendar year, during which the tax will be collected. House Bill 3719 defines reasonable costs in relation to the Senior Citizen Circuit Breaker Program as the average wholesale price minus 10% Slight change there. House Bill 3969, a facility that has been granted a charitable purposes exemption on the basis that its bylaws provide for a waiver or a reduction of a fee based upon an individual's ability to pay for services that periodically...may be periodically reviewed by the Department of Revenue to determine if the waiver of the reduction was a past policy or is a current policy."

Black: "All right, those were all of the House Bills that are incorporated?"

Walsh: "Yes."

Black: "There's nothing else in the Bill other than the underlying lottery clean up?"

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

Black: "There are no other House Bills incorporated in this language, correct?"

Walsh: "Yes."

Black: "All right, could I ask you a question about House Bill 3471 that becomes a part of Senate Bill 1726? When you say a governmental unit may levy a tax for the payment of principal and interest on GO Bonds, I assume that that tax has already been established. We're not talking about a new tax here, is that correct?"

Walsh: "Yes, that's correct."

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

Walsh: "You're welcome."

Speaker McPike: "Representative Levin."

Levin: "I would just rise in support of Senate Bill 1726, both the underlying Bill and the Amendment enjoy very broad support. The Amendments were put on in committee. These are all Amendments...Bills that enjoyed overwhelming support, both in the Revenue Committee and also on the floor of the House. I want to commend the Sponsor of this Bill for his involvement in our effort to come up with a bipartisan Bill, as well as the Republicans on the committee. I think the committee's operated in a very bipartisan way, and this is one of the good products that have come out of the committee. I encourage your support for Senate Bill 1726."

Speaker McPike: "Representative Walsh, to close. No one else is questioning."

Walsh: "Thank you, Mr. Speaker. I certainly want to thank Representative Levin for his support, and we've certainly appreciated his leadership as the Chairman of the Revenue Committee over the last two years."

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Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there's 109 'ayes'...Johnson 'aye', Meyer 'aye'. We have you 'aye'. Wojcik 'aye'. Mr. Meyer, you're voted 'aye'. All right, on this Motion there's 112 'ayes' and no 'nays'. Senate Bill 1726, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1191. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1191, a Bill for an Act amending the Property Tax Code. Third Reading of this Senate Bill."

Speaker McPike: "All right, Representative Currie will handle the Bill. Ms. Currie."

Currie: "Thank you, Speaker, Members of the House. The Bill contains two provisions. One would expand permissive authority of local governments to abate property taxes from one million to three over a ten year period. The second part of the Bill contains the conservation easement legislation that we passed as a House Bill earlier this Session. And what that program supported by the Department of Conservation and the open lands project provides is that the opportunity for landowners who give valuable parcels of land that have public benefit in value, if they give that land in perpetuity for public easement purposes, they would have assessments at a lower than market rate level. I know of no opposition to either provision. I'd be happy to answer your questions and would appreciate your support."

Speaker McPike: "On the Lady's Motion, Representative Skinner."

Skinner: "This is the Motorola tax break, among other things? I can't hear you, I'm sorry."

Currie: "This is permissive legislation affecting local

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governments who wish to offer abatements to particular industries that choose to develop within those confines. Currently the maximum is one million. This would raise that permissive opportunity to three million and indeed Motorola is part of the rationale behind this proposed increase. This is..."

Skinner: "This specific language was asked for by the Village of...the City of Harvard for the Motorola deal. Other parts of the state could take advantage of it if they wish to."

Currie: "Right."

Skinner: "Thank you."

Speaker McPike: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I simply rise to support Senate Bill 1191. The conservation easement package simply extends that privilege to Cook, the County of Cook. The Motorola incentive package, I was pleased to support Representative Phelps' Bill earlier in the Session. I think it's incumbent on all of us when an area has a chance to attract the kind of jobs that Motorola will bring to the Harvard area. We all need to support that and I stand in total support of Senate Bill 1191."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this Motion there's 110 'ayes', no 'nays'. Senate Bill 1191, having received the Constitutional Majority, is hereby declared passed. Representative Giolitto intended to vote 'aye' on the previous Bill. She intended to vote 'aye' on Senate Bill 1191. Senate Bill 1376. Representative Cowlshaw will handle this for Representative Daniels. Mr. Clerk,

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read the Bill."

Clerk Rossi: "Senate Bill 1376, a Bill for an Act amending the Illinois Emergency Management Agency Act. Third Reading of this Senate Bill."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1376 was approved by the Senate by a margin of 53 to 0. It was approved by the House Committee by a margin of 8 to 0. This Bill has no controversy associated with it. It is a Bill that has been examined by all of those people related to emergency management services at all levels in Illinois and been approved by all of them. All this Bill does is to correct some inaccurate language in the legislation that was enacted originally, enabling communities to have emergency management services provided by those local entities. One of the things that this does is to permit emergency services and disaster agencies to perform as well as simply to coordinate emergency management. We had several people who came here from various parts of Illinois to testify in behalf of this who are experienced in emergency management situations, and they pointed out that they believe that this change is needed in their legislation for the purpose of the safety and the survivability of community residents throughout the state. Since this is a noncontroversial Bill and since it is agreed upon by all emergency management services throughout the state, I will be glad to answer any questions, and I move for the adoption of Senate Bill 1376."

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? Clerk will take the

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record. On this Motion there's 113 'ayes' and no 'nays'. Senate Bill 1376, having received the Constitutional Majority...Representative Raschke-Lind, for what reason do you rise?"

Raschke-Lind: "Speaker, on Senate Bill 1191, I intended to vote 'yes' on that Bill."

Speaker McPike: "All right, the record will so reflect that. On this Motion there's 113 'ayes' and no 'nays'. Senate Bill 1376, having received the Constitutional Majority, is hereby declared passed. Representative Martinez intended to vote 'aye' on that last Bill. Representative Prussing, 1384. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1384, a Bill for an Act amending certain Acts in relation to state finance. Third Reading of this Senate Bill."

Speaker McPike: "Ms. Prussing."

Prussing: "This is a Bill that simply sets up two funds, in case there is additional revenue from riverboat gambling. One of the funds would be for pension money, and the other one would be for athletic, capital improvements for a...athletic facilities at state universities. So I would urge approval of this."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, I am a little, I am very interested in the part of your Bill that creates the wagering tax distributive fund. If this Bill becomes law then, and you vote for it, or any of us vote for it, could we not then be subject to the questions of the cynical few, who would say, 'Well, you voted for riverboat gambling!'"

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Prussing: "My understanding is, it is just to set up a fund. It does not establish the riverboat gambling. It just has the funds in case that that passes."

Black: "Wouldn't...Would you think it would perhaps be best that we not create such a fund until the question of riverboat gambling is, in fact, decided?"

Prussing: "This is something that was introduced by my Senator Weaver, and I think it is up to you, what you want to do, but it just establishes the fund as a possibility."

Black: "Senator Weaver, when did he go to the Senate? Mike Weaver?"

Prussing: "Senator Weaver from Urbana."

Black: "Oh, Senator. He isn't here. I thought maybe he went to the Senate. Okay, I...well, I think we had a spirited debate yesterday. I think it was Representative Woolard had some similar language on school construction fund, and I, you know, I would just simply caution my Members that this does set up the Wagering Tax Distributive Fund to utilize profits from riverboat gambling, should riverboat gambling be expanded. The only other question I have, is there anything in this language that could be construed as to being able to access the current riverboat profits?"

Prussing: "No."

Black: "It is totally..."

Prussing: "Just for additional, in case there is a new revenue."

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

Speaker McPike: "Representative Skinner."

Skinner: "Representative Woolard had a Bill, which would take money from riverboat gambling, new riverboat gambling in Chicago, and use it to build or remodel new schools. Now this is an alternative use of that money. Could you explain what that alternative use is?"

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Prussing: "There are two funds to be established under this Bill.

One of them would put some of the new gambling money, if there is new gambling money to get rid of the obligations in the pension funds, and the other one is to establish a fund for athletic capital improvements at state universities."

Skinner: "Excuse me, Representative, it is very noisy here, and I thought you said that you were going to use this new tax revenue to build stadiums instead of schools. Is that basically what you said? You prefer to build stadiums instead of building new schools in the growing areas of Champaign County?"

Prussing: "No, this is only to allow two uses, and one of them is for pensions, and the other one is for capital improvements at state universities for athletic facilities and..."

Skinner: "So, we don't have a state university in our district. There's really not a large reason for us to vote for that half of the Bill."

Prussing: "Well, unless your students go to the school."

Skinner: "I would like to address this Bill, Mr. Speaker. This is a real serious question."

Speaker McPike: "Proceed."

Skinner: "The question is, the conceivable question is, that if we have additional riverboats, where's the money going to go? And we have one plan, which was offered by Representative Woolard, which will...which says we're going to go and use the money to repair schools that need repaired...repairing in cities like Chicago, and to build new schools in growing areas, such as the outer fringe of the suburban Chicago area. And the alternative, we have this Bill, Senate Bill 1384, which is going to take a large part of the money, and build stadiums and other athletic

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facilities. Now I don't have any problem whatsoever making a choice between schools and safe stadiums. It's a difference between bread and circuses. I'll take the bread. I am going to vote 'no' on this."

Speaker McPike: "Representative Lang."

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

Speaker McPike: "Yes, she will."

Lang: "Thank you. Representative, you know I heard the words, 'riverboat gambling' and my ears perked up immediately. So, would you tell us specifically what this Bill does relative to riverboat gambling taxes and proceeds?"

Prussing: "This does not establish riverboat gambling. It does not establish a tax. All it does is establish two funds, and it does not specify how much money will go into the funds. It is just a vehicle that in case riverboat gambling does pass, there will be some funds to put some of the money in. It does not decide how much money. The two funds, one of them is for reducing the debt in the pension funds, and the other one is for capital improvements for athletic facilities at state universities."

Lang: "So, if I understand you correctly, what you are doing here is setting up a couple of funds that if the Legislature so chooses at a later date, we could take riverboat gaming revenues and deposit them into these funds. But there is no mandate?"

Prussing: "That is correct."

Lang: "And this is subject to - completely to - appropriation, is that correct?"

Prussing: "That is also correct."

Lang: "Thank you very much."

Speaker McPike: "Mr. Granberg."

Granberg: "Thank you, Representative Prussing. In the other

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portion of the Bill there is some discussion about creating the Wagering Tax Distributive Fund for the purposes of reducing the deficit in all of our pension systems. So, I rise in support of the Bill, and Ladies and Gentlemen of the House, Members ought to be aware that in a portion of this Bill, any funds that would be designated for this purpose would be put into this fund that is created and would be used to pay off the \$14.6 billion deficit in all of our retirement systems, for retired state employees, current state employees, retired teachers and others. So, it is a very, very laudable goal and I appreciate the Lady taking this Bill for Senator Weaver. And I would urge an 'aye' vote."

Speaker McPike: "Representative Rutherford."

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

Speaker McPike: "Yes, she will."

Rutherford: "Thank you. Representative, is this...I'm trying to find a comparison to Representative Woolard's Bill, does this talk about just riverboat gaming for Cook County or this could happen if other boats came anywhere in the state?"

Prussing: "This would be for any new riverboat gambling revenues."

Rutherford: "Regardless of Cook or elsewhere."

Prussing: "Right."

Rutherford: "All right, thank you. Is there, do you have, again just to clarify. This would include all moneys coming to the State of Illinois. So, are you talking about all revenues from gaming of the boats that would come - of new boats - I understand, would go to this fund?"

Prussing: "No, it does not specify what portion of the revenue, or how much of the revenue, or if any of the revenue. All

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it does is establish the funds."

Rutherford: "Okay."

Prussing: "Those are accounting entities."

Rutherford: "So it just sets up the funds, not designating specifically that the money would go there then."

Prussing: "Exactly."

Rutherford: "What would...who would decide how much of that money would go in those funds?"

Prussing: "The Legislature and the Governor."

Rutherford: "All right, so that in regards to legislation we discussed yesterday, in regards to construction for other school systems that...the way I understand the legislation yesterday, it would require that all moneys would go to that fund. Thus if that was the case, there would be no moneys left to go into these funds? If both of these, if both of these Bills became law, do...would you..."

Prussing: "That is right. We would have to decide how much, if any, of the money would go into these two funds."

Rutherford: "All right, but if the other legislation we dealt with yesterday becomes law, it would require that all moneys would go into that common school fund. Thus there would be no money left at all, already statutorily set by the General Assembly to go into this fund? Is that the assumption?"

Prussing: "Well, I would imagine that there would have to be some discussion on whether there was a desire to put any money into either of these two funds. You have to modify the other one."

Rutherford: "Okay, do you have any estimation on what potential revenue could be from Cook County revenue gaming?"

Prussing: "No, I don't."

Rutherford: "Great. Thank you very much."

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Speaker McPike: "Mr. Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Looking at the Bill, I can't tell whether or not you're talking about new revenues or new licensees. I mean, I do not see riverboats mentioned anywhere in the Bill, as a matter of fact. Can you tell me where..."

Prussing: "My understanding..."

Wennlund: "Can you tell me where in this Bill, it relates to riverboats or new riverboats or new licensees or old licensees?"

Prussing: "My understanding is that it is just a vehicle in case there is new revenue. It does not apply to existing revenues, and the intent of Senator Weaver was to establish the funds in case the gambling revenue became available and in case the Legislature wanted to spend the money in this fashion."

Rutherford: "Well, does it apply to horse racing? Revenues from horse racing?"

Prussing: "My understanding is it does not. Any...does not apply to existing revenue, so there is not new horse racing revenue being proposed."

Wennlund: "It doesn't apply to existing revenue?"

Prussing: "No."

Wennlund: "Can you tell me where in this Bill it designates that it does not apply to existing revenues?"

Prussing: "I think it is just clear from the way it is written. It is very bare-bones."

Wennlund: "It is clear the way it is written?"

Prussing: "It is a very bare-bones thing; it is not a fully developed plan. It is just a setting up to accounting entities."

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Wennlund: "Well, can you point out to me where in the Bill it even relates to riverboat gambling or horse racing or any other form of gambling?"

Prussing: "It does not talk about horse racing. My understanding is, it is the Sponsor's intent that it is for new riverboat gambling revenue. And I am sure, you know..."

Wennlund: "It may be the Sponsor's intent, but where in the Bill does it designate that and relate to it?"

Prussing: "Well, it does not say how much money either, so all of that could be defined when we get to that point. I consider this to be a very rough working document. I don't consider it to be a final version of a law."

Wennlund: "All right. Thank you. To the Bill, Ladies and Gentleman of the House. This is another pig in a poke. The Bill doesn't designate it; she understands what the Sponsor's intent might be, but nowhere in this Bill, does it provide, with respect to riverboat gambling, horse racing or any other form of gambling in Illinois. It merely creates two funds that might - in the event, in the event the mountain crumbles, set up two funds that may at some time in the future, or may not, be used for the purposes set forth in the Bill. It's an empty Bill. It does nothing. But it may do something. We do not know. It's really a dumb idea to create a fund when the intent is that it applies to new riverboat licenses, but we do not know that because it does not say anywhere in the Bill, that may never exist. So maybe a vote for this Bill is a Bill vote for more riverboat gambling in Illinois. And maybe what we ought to do is ask the House Sponsor of this Bill if she supports more riverboats for Illinois. And maybe a vote for this is a vote for more riverboat gambling in Illinois, and that's what this is all about."

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Speaker Steczo: "Representative Steczo in the Chair. Is there any further discussion? Representative Prussing, to close."

Prussing: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a vehicle that is being put in by Senator Weaver to establish two funds. It would be completely up to the Legislature how much money you would like to put into reduce the \$14 billion deficit we have in our pension funds or if you want to have any money put in for athletic improvements at state universities."

Speaker Steczo: "The Lady has moved for the passage of Senate Bill 1384. 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? Representative Levin, one minute to explain your vote."

Levin: "Yes, Mr. Speaker in explaining my 'aye' vote. This Bill came out of the House Revenue Committee, as has already been pointed out. The provision with respect to riverboats is purely permissive. I personally have not made up my own mind on riverboats, but I am voting for this. It also contains in it Amendments, an Amendment put on by Representative Murphy, in committee, with respect to budgeting at the universities. It is a good, good Bill. It really does not have any thing that is controversial in it. I've talked to the City of Chicago, it really does not affect riverboats, and they do not have a problem with it. So I would encourage a few more 'aye' votes for Senate Bill 1384."

Speaker Steczo: "Representative Cross, one minute to explain your vote."

Cross: "Mr. Speaker, if this Bill gets the requisite number of votes, I would like to request a verification."

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Speaker Steczko: "Have all voted who wish? Have all voted who wish? Representative Prussing."

Prussing: "Postponed Consideration on this, please."

Speaker Steczko: "The Lady requests...54...Mr. Clerk, take the record. 54 Members having voted 'yes' on this issue, 53 voting 'no', the Lady requests Postponed Consideration. On the Order of State and Local Government - Third Reading appears Senate Bill 1421, Representative Granberg. Out of the record. Senate Bill 1435, Representative Novak. Out of the record. Senate Bill 1468, Representative Deuchler. Out of the record. Senate Bill 1515, Representative Biggert. Mr. Clerk, please call the Bill. Please read the Bill."

Clerk Rossi: "Senate Bill 1515, a Bill for an Act concerning violent juvenile offenders. Third Reading of this Senate Bill."

Speaker Steczko: "The Chair recognizes Representative Biggert."

Biggert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill to amend the Juvenile Court Act to create a violent juvenile offender provision similar to the current habitual juvenile offender, but triggered by two felonies involving the use or threat of force or felony use or possession of a firearm. It also provides that any minor charged as a delinquent may have a restraining order placed on them at their first court appearance to prohibit the harassing, molesting, intimidating, retaliating or tampering with a victim or witness. There was an Amendment put on the floor which may...the restraining order at the discretion of the court, rather than automatic, and I would ask for your favorable consideration."

Speaker Steczko: "The Lady has moved for the passage of Senate Bill 1515. On that, is there any discussion? The Chair

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recognizes Representative Dart."

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

Speaker Steczo: "She indicates she will."

Dart: "Are the courts presently allowed to issue restraining orders in juvenile matters at all?"

Biggert: "I believe that they are and this Bill would have made it mandatory, but I think that this puts that issue into this part of the statute, and I think there was some concern of the juvenile court...the juvenile court judges, makes it clearer that they have the ability to do this."

Dart: "So, there's no mandatory restraining orders in this anymore?"

Biggert: "No. This...the Amendment was proposed by the Cook County Public Defender's Office and that was their concern, that it didn't make the 'Gutstein' requirements."

Dart: "What Amendments...What other things are contained in this Bill now?"

Biggert: "What other Amendments, did you say, or what else is contained in it?"

Dart: "Yeah, what other Amendments basically have been put on this."

Biggert: "All right, I believe your police protection Bill is on this."

Dart: "Okay. The...Is the Juvenile Court Committee still opposed to this Bill?"

Biggert: "I think that they are neutral on this Bill. They wrote the Amendment and they remain neutral."

Dart: "This is the Juvenile Court Committee? Cause I just received a letter from them the other day and they said they were opposed to this Bill, because of the mandatory sentencing provisions in here, it was going to tie the hands of the judges and mandate certain sentences for

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them."

Biggert: "They have not contacted me, so I don't know."

Dart: "Thank you."

Speaker Steczko: "Is there any further 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', 3 voting 'present'. Senate Bill 1515, having received the required Constitutional Majority, is hereby declared passed. Going back on the Calendar, the Chair will call House Bill...I'm sorry, Senate Bill 1346, Representative Lang. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1346, a Bill for an Act amending the Burial Rights Acts. Third Reading of this Senate Bill."

Speaker Steczko: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We started to debate this before, when we took it out of the record. This Bill does four things. It would allow a cemetery to set aside a section for religious burials without fear of violating the Human Rights Act. It would allow certain people caught in the crossover between licenses who are funeral directors to be legal. It would provide rules and regulations and clean up regarding pre-need funeral contracts, and it would expand penalties for hate crimes and institutional vandalism. We've debated each of these issues previously. There's been no substantial opposition, and I would ask for your 'aye' votes."

Speaker Steczko: "The Gentleman has moved for the passage of Senate Bill 1346. On that, is there any discussion? The

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Chair recognizes Representative Shirley Jones."

Jones, S.: "Will the Sponsor yield?"

Speaker Steczo: "He indicates that he will."

Jones, S.: "When you say burial of religion, do you mean like if I'm Baptist, I could be buried on this side with the Baptist people or..."

Lang: "It's not a question of have to, Representative, certain...There are certain cemeteries today that are purely religious cemeteries, but there are others that are not, that would like to set up specific sections for religious burials. And currently, there's some confusion as to whether or not the Human Rights Act would forbid them from doing that. This Bill would clarify that and would allow cemeteries to set aside a Jewish section or a Catholic section or a Baptist section if they so chose without violation of the Human Rights Act."

Jones, S.: "So, if I wanted to go to a cemetery that's Jewish, and I'm not Jewish, I won't be able to...I'm not your religion, I won't be able to be buried in that section?"

Lang: "Well, this Bill refers to cemeteries that are not all one thing. This Bill refers to cemeteries that are general cemeteries but wish to set aside a certain section for Jewish burials or Catholic burials or what have you. So they would have other areas to bury you in, Representative, in those cemeteries."

Jones, S.: "Okay, thank you."

Speaker Steczo: "Representative Tom Johnson. Representative Jones, were you...had you completed your questioning? She has. Representative Tom Johnson."

Johnson, Tom: "Yes, will the Sponsor yield?"

Speaker Steczo: "Yes, he will."

Johnson, Tom: "Representative, you know, I'm just trying to get

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some clarification on the Amendment dealing with the hate crime section. And I'm looking at page 3 where a person commits institutional vandalism when by reason of the, and then you've added the words, 'actual or perceived race, color or creed'. Would you explain that, what you're attempting to do there?"

Lang: "That's really clean up language, Representative. That language already exists in the hate crime law. It...When we wrote the Institutional Vandalism Law we simply left that out and so it's really clean up language to make both the Hate Crime Statute and the Statute regarding Institutional Vandalism look the same."

Johnson, Tom: "Okay, so you're not adding anything new here in terms of interpretation or anything else. You're just bringing this into conformity with the existing language?"

Lang: "That's correct. We added the language, 'actual perceived' last year as to hate crimes, but we forgot to do it frankly as institutional vandalism."

Johnson, Tom: "Okay, so you're just cleaning up this Section."

Lang: "That's correct."

Johnson, Tom: "Thank you."

Speaker Steczko: "Any further discussion? Representative Lindner.
Representative Lindner."

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

Speaker Steczko: "Yes, she will. Yes, he will."

Lindner: "He will. Could you... He...She! Could you tell me in the Human Rights Act, what Section are you amending and what do you feel in the Section now prohibits you from establishing these portions in the cemetery?"

Lang: "We are not amending the Human Rights Act, Representative. We're amending the Burial Rights Act to allow cemeteries to set up these sections. There's some concern that it would

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violate the Human Rights Act. I don't believe it would, but some have been very concerned about it. Some cemeteries that would like to set aside a Jewish section or a Catholic section have been reticent to do it, because some have said, 'Well, you might be violating the Human Rights Act.'

Lindner: "Well, I understand that. Is there a specific provision that you're talking about in the Human Rights Act?"

Lang: "Well, the Human...the Human Rights Act forbids discrimination on the basis of religion. Accordingly, if you set up a religious section, some could argue that you're violating the Human Rights Act because you are technically, I suppose, discriminating in that section of the cemetery on a religious basis."

Lindner: "Thank you. And could you tell me on the hate crimes...No, I'm sorry, on the institutional vandalism of property, it's a...you want to make it a Class III Felony. What is it now?"

Lang: "It's currently a Class III Felony, but under the current law, Representative, you would have to cause more than \$300 in damage. This would remove that provision, so that any institutional vandalism, as outlined by the statute, would be a Class III Felony."

Lindner: "Okay, thank you."

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

Lang: "Thank you, Mr. Speaker. We've debated this enough. The Section to this Bill relative to hate crimes and burial rights are critical in my community and I would ask for your 'aye' votes."

Speaker Steczo: "The question is, 'Shall Senate Bill 1346 pass?' All those in favor will signify by voting 'aye'; those

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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 98 voting 'yes', 8 voting 'no', 6 voting 'present'. Senate Bill 1346, having received the required Constitutional Majority, is hereby declared passed. The Chair's going to proceed through the Calendar starting from this last Bill, because there were Members that had to take their Bills out of the record this morning. So the next Bill on the list is Senate Bill 1364, Representative Balthis. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1364, a Bill for an Act concerning governmental ethics. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Balthis."

Balthis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1364 amends the Illinois Governmental Ethics Act to clarify and streamline the statement of economic interest filing and who must do it. And I would move for its adoption."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1364. On that, is there any discussion? The Chair recognizes Representative Granberg."

Granberg: "Will the Gentleman yield?"

Speaker Steczo: "He will."

Granberg: "Representative Balthis, Amendment #1 was that adopted, Representative Salvi's Amendment?"

Balthis: "Absolutely not."

Granberg: "Okay. Without that Amendment, is there any formal opposition to your Bill?"

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

Granberg: "Okay. And this was requested by the Illinois Municipal League?"

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Balthis: "Yes. It also includes school districts and community colleges, and there is an extension of time in the latter part of the Bill which gives them an additional time to file the economic statements because they were not...they did not have to do it before."

Granberg: "Thank you."

Speaker Steczo: "Representative Black."

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

Speaker Steczo: "Please proceed."

Black: "Representative, in going through the Bill is this trying to simply clean up some of the over-eager rules we put in the last filing Bill?"

Balthis: "Yes. It, in fact, is attempting to clarify exactly who should be filing these forms. For example, currently there are secretaries in offices that are having to file forms because they deal with permits and licenses. They have no authority to approve it, but they're dealing with the issuance of it."

Black: "Right. Does this, without reading the Bill, excuse me, but does this clear up people who might serve on a village board of say 500 people who don't even draw a total of \$500 salary for a year? All of a sudden they had to file. Are we able to exempt them now?"

Balthis: "I don't think it deals with the village board; it deals with appointed boards and commissions."

Black: "Okay."

Balthis: "Not elected, but appointed."

Black: "Yea, I think it's a good idea. I thank you for bringing this Bill. I think we went overboard a year or two ago when we were having people literally...that you was being interpreted if you went to city hall to pay a parking

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ticket, you might have to file a statement of economic interest. I think the Bill makes imminent good sense. Thank you, Representative."

Speaker Steczo: "Representative Pankau."

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

Speaker Steczo: "He'll yield."

Pankau: "Does this still include like the zoning boards, which do make decisions, but would cut out like the Fourth of July Preservation Board or something like that? Are there still boards that will have to fill out the ethnic statements?"

Balthis: "Yes. There...The language says who have authority to authorize the expenditure of public funds. This subsection does not apply to members of boards or commissions who function in strictly an advisory capacity. So the advisory capacity boards and commissions are the ones they're having the difficulty with. They have no authority to do anything except advise the village board or the town board or town council what they should do."

Pankau: "And as far as the employees go, was there any kind of a dollar amount put in there for if you're making a salary over a certain amount or you have purchasing ability over a certain amount? Because I know in some municipalities to be overly cautious, they were having everybody, every secretary, every clerk, everybody fill out an ethics statement once the provision is there."

Balthis: "The only part of the Bill that's being amended is on page 4. It says item 3, having authority to approve licenses and permits by units of local government. This simply clarifies that this item does not include employees who function in strictly administrative capacity, such as a secretary. Anybody that has the authority to issue that

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license or approve that license still would have to fill out the document. There is no dollar amount. Whoever has the authority to approve that license or permit would have to fill out a form."

Pankau: "To the Bill, Mr. Speaker. I also urge everyone to vote for this. The wording that was previously there was not as accurate and finite as it probably could have been, and so to be cautious on the other side, it was causing a lot of problems for municipalities. Everyone was filling out an ethics statement, even if they didn't have to, just so everybody would be safe. I think this puts in some definitive limits and gives you a reason for filling out the ethics statement. I urge everyone's support."

Speaker Steczko: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in support of Mr. Balthis' Bill. As a former mayor, we went too far when we stipulated who should fill out the economic interest statements. As a mayor when I appointed people to voluntary boards and they served and gave their time to the village or the city, they shouldn't have to fill out these economic statements. They're not making any money; they're only voluntary positions. And I would urge an 'aye' vote for this Bill to correct an error we made."

Speaker Steczko: "Representative Skinner."

Representative Skinner: "I wonder if the Sponsor would yield to a question?"

Speaker Steczko: "He will yield."

Skinner: "Would you tell me if this is going to let zoning and planning board members not have to fill out the income disclosure form? Will it exempt zoning and planning board members?"

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Balthis: "This is a statement of economic interest. They...If they are in a advisory capacity only."

Skinner: "The answer is yes."

Balthis: "Yes."

Skinner: "All right, well, I stand to oppose this Bill. The place you make money in local government and county government is on zoning and planning, actually on zoning deals. Everybody in this room knows that when you re-zone something, the value can increase by several times if you upgrade the zoning. It seems to me that it is particularly...particularly important that planning and zoning folks, that we know where planning and zoning folks are getting their money. I have no objection to taking off any other board member who is appointed who doesn't...who isn't authorized to expend public funds, but I think the exempting that zoning...exempting zoning board members and planning board members is a vote that's going to come back and bite you right in the rear end."

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

Mulligan: "Thank you, Mr. Speaker. To the Amendment. I agree with that, having worked in municipal government law for a long time, and I think that it's also protection for those board members in zoning and planning to have filed such a statement on the outside chance that someone also accuses them of participating in something that's not particularly ethical. I agree that far too many statements are filed. Perhaps there could be something to amend, particularly in that area, because I do think it could cause a problem. Thank you."

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

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Balthis: "Thank you, Mr. Speaker. This Bill simply clarifies those people that should have to file, those people that have some capacity to do something on their own, the people that have only an advisory capacity or administrative capacity are exempted from this. Those people who are only in advisory capacity have a difficult time in my mind making money on a process where they're only an advisor. They are not the final answer on the question. They are not someone who can make the final decision. And unless they're in cahoots with the village board or the town board, and the town board is crooked, the plan commissioner of the zoning board is not going to be crooked. So I would urge an 'aye' vote."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1364. 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. Representative McAuliffe wishes to be voted as 'aye'. Mr. Schoenberg, did you have a question relating to some verification procedure? Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. I'm looking at page D-7 of today's Peoria Journal Star, the obituary section. I see that Representative Krause's switch is voting and there is an obituary here for a Carolyn Krause. I know she's from Cook County and they let them register to vote there, but I didn't know that they let them go so far as to get elected and serve from there."

Speaker Steczo: "Representative Carolyn Krause."

Krause: "Thank you, Mr. Speaker. I just wish to point out once again that you cannot and should not believe what you read

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in a newspaper. I am alive and well and here and will continue to do so."

Speaker Steczo: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. I think this is a classic example of why the Republicans fought so hard to put Amendment #5 on the Motor Voter Bill. See without Amendment #5, if she doesn't have to show up next time and if, in fact, she did expire in Peoria, as I recall many people have died in Peoria, then she'd be able to vote on and on and on. That's why Amendment #5 is so important."

Speaker Steczo: "Please change Representative von Bergen-Wessels from 'no' to 'aye'. Have all voted who wish? Mr. Clerk, please take the record. On this question there are 102 voting 'yes', 11 voting 'no', 2 voting 'present'...Representative Lawfer."

Lawfer: "Change mine to 'aye', please."

Speaker Steczo: "Mr. Lawfer wishes to be voted as 'aye'. Any others? There are 103 voting 'yes', 11 voting 'no', 1 voting 'present'. Senate Bill 1364, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1365, Representative Kubik. Mr. Clerk, please call the Bill."

Clerk McLennand: "Senate Bill 1365, a Bill for an Act in relation to state revenues. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1365 is a Revenue Committee Bill, and what I'd like to do, and this will take a little time, is to explain the provisions of the Bill and then I'll be happy to respond to questions. This...The Bill as it came over from the Senate did a number of things, including the fact it would require the Governor and the General Assembly

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to pass a budget for elementary and secondary education in which the total general revenue fund appropriations are no less than the total GRF appropriation for the previous fiscal year. It amends all Tax Acts to require a sunset date for any future credits, exemptions and deductions instituted by the General Assembly. It would require the Auditor General and the Comptroller to create an annual report of all state agencies that impose some sort of users fees. It would limit the allowable audit period for nonfilers of sales tax liability to six years. It would amend the Property Tax Code to include truth and taxation language mandating hearings if an aggregate tax levy exceeds 105% of the preceding year's final levy. In addition to the underlying Senate Bill is a number of House Bills. There are, I believe 7 House Bills which have been added as an Amendment to this legislation. They include House Bill 3116, which would say that if a part or the whole county is declared a disaster area, the county may adopt an ordinance to stop accrual of interest on delinquent property taxes on property affected by the disaster. Also House Bill 3127 is included in this legislation, which would require...would say that only model homes are eligible to be accessed at the value of the lot prior to construction. The purposes of this benefit, each business is allowed three model homes within a ten square mile area. House Bill 3331 would say that in conjunction with Article VII of the Illinois Constitution authorizing special assessments that are levied by local governments to make improvements, while taxing districts are authorized to sell property on which general taxes are delinquent, tax sales are not authorized for the recovery of special assessments for property outside of Cook County.

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This Bill would allow all counties to recover special assessment through the tax sale process. In addition, there is House Bill 2721, which would...is enacted to avoid making taxpayers who should have received a homestead exemption from having to go to court before receiving a refund. Also House Bill 3598, which responds to a recent change in the federal tax law, which encourage partnerships and other entities to invest in low income housing. This Bill will allow the charitable organizations to receive the federal benefits without losing their property tax exemption. In addition is House Bill 3021, which would validate the 1994 extension of property taxes levied in 1993 by a multi-township assessment district that was promulgated by the Department of Revenue, effective January 1, 1994. It would provide that an amount so extended for a multi-township assessment district that did not file a certification of compliance with the Truth and Taxation Law may not exceed 105% of the amount extended in '93. This is an initiative of the township officials of Illinois. And finally, House Bill 4168, which would allow...which would state that a certificate of error shall be issued for the period of eligibility, but in no event for more than five assessment years prior...immediately preceding to the assessment year for which the exemption was approved. The municipality must request these certificates are there before January 1 of 1995. That is...those are the provisions of the legislation. All of these Bills passed out of the Revenue Committee, and I'd be happy to respond to any questions that anyone would have and would appreciate an 'aye' vote."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1365. On that, is there any discussion?"

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Representative Granberg."

Granberg: "The Gentleman yield?"

Speaker Steczko: "He indicates he will."

Granberg: "Representative Kubik, can you repeat all that, please?
No."

Kubik: "Do we have another half hour?"

Granberg: "Did Amendment #1 remove the mandated provision on
specific site locations for take notice requirements? The
Cook County Clerk had a question."

Kubik: "Yes. It was...let me get my notes here."

Granberg: "I believe that would require specific site location on
the take notice to delinquent property owners. It was
supposed to be removed. That was..."

Kubik: "Yes."

Granberg: "Okay, thank you."

Speaker Steczko: "Representative Levin."

Levin: "This is another of our bipartisan Bills. This is truly
an excellent Bill, both the underlying Bill as well as the
Amendments that were put on. In the underlying Bill that
came over from the Senate Revenue Committee, there's some
absolutely phenomenal provisions long overdue, some which
came from the 'Eager Beaver Senate Conservative
Republicans' who occasionally have some very good ideas.
For example, putting a sunset in the future on credits,
exemptions and deductions so that they come back on a
regular basis to the General Assembly so that they can be
reviewed, as well as the various bipartisan provisions that
were added by Amendment #1, which include Amendments from
both Democrats and Republicans. Again, this is a result of
an awful lot of work from people on both sides of the aisle
and would encourage your support for this very good Bill."

Speaker Steczko: "Representative Wylvetter Younge."

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

Speaker Steczo: "Yes, he will."

Younger: "Would you explain further the provision in reference to the county being able to include in a public sales special assessments and would you explain when you say special assessments, would you explain that provision, please? Mr. Kubik? Representative, would you explain the provision having to do with the county being able to sell...at public sell properties that have special assessments?"

Kubik: "Representative, as I recall, this...that would be House Bill 3331, which was a Bill that was offered by Representative Monroe Flinn. And I quite honestly am not familiar with all of the details of that Bill. I would defer to Representative Flinn to explain that provision if you would like."

Speaker Steczo: "Representative Younger, are you satisfied with your answer or should we have Representative Flinn perhaps answer that for you?"

Younger: "I would like an explanation in order to establish legislative intent."

Speaker Steczo: "So you would...Representative Flinn then would answer that question."

Younger: "Yes."

Speaker Steczo: "The Chair recognizes Representative Flinn."

Flinn: "Yes, Mr. Speaker. House Bill 3331 only provides that where there's special assessments such as a sewer being repaired or a street sidewalk being repaired, that sort of a thing, if that is still old, that whoever buys the property for taxes would have to pay that assessment also. That's all it does."

Younger: "All right, Representative Flinn, the staff has explained it. This does not have anything to do with American

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Bottoms Regional..."

Flinn: "No, not at all."

Younger: "All right. Thank you very much, Mr. Speaker."

Speaker Steczko: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I have an inquiry of the Chair."

Speaker Steczko: "Mr. Black, proceed."

Black: "I hope you can help me, because I just had some coffee and I don't know where it came from. These are relatively new glasses and I looked up at the board and all of a sudden I can't see the board over there on the west side. What... Is there something going on or is it me? What does that say?"

Speaker Steczko: "First, what was in that coffee?"

Black: "That's what I'm afraid of. I don't know."

Speaker Steczko: "Secondly, I believe that's a new Member."

Black: "It looks very interesting. I think the House Rules say that if that isn't working, we have to adjourn. Some obscure rule."

Speaker Steczko: "Well, Mr. Black, I think we're keeping such a feverous pace the last two days, the board simply just can't keep up."

Black: "Well, we'll waive that rule. You're doing a fine job. Let's just keep going down the list."

Speaker Steczko: "Is there any further discussion? There being none, the question is, 'Shall Senate Bill 1365 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Mr. Kubik, for what purpose do you rise?"

Kubik: "Just a point of personal privilege. I would...explain to Representative Black, I hope that it's de-caf. As one who has high blood pressure as well, although not as severe a

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case as yours, you should always drink de-caf, so... Don't let them slip you any caffeinated coffee, Bill."

Speaker Steczo: "Have all voted who wish? Mr. Clerk, please take the record. On this question there are 109 voting 'yes', 1 voting 'no', 3 voting 'present'. Senate Bill 1365, having received the required Constitutional Majority, is hereby declared passed. Representative Granberg, did you wish to proceed with Senate Bill 1421? Out of the record. Representative Novak, Senate Bill 1435. Out of the record. Representative Deuchler, Senate Bill 1468. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1468, a Bill for an Act concerning the reproduction of business records. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1468 came before Financial Institutions Committee. It was reported out on a 'do pass' Motion 21 to nothing. It permits documents that have been produced by optical imaging as reproductions which qualify as original records for purposes of being introduced as evidence in all courts and administrative agencies. Proponents for this legislation: Illinois Bankers Association, Mortgage Bankers Association, Community Bankers. There was similar legislation that passed out of the House on 111 to nothing roll call. This is an identical proposal."

Speaker Steczo: "The Lady has moved for the passage of Senate Bill 1468. Is there any discussion? Representative Granberg."

Granberg: "Thank you. Will the Lady yield?"

Speaker Steczo: "She will."

Granberg: "Representative, is this the...identical to

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Representative Kotlarz' Bill that we had passed out of this chamber? Is that what you referenced?"

Deuchler: "Yes, it is."

Granberg: "There is no difference with that previous Bill?"

Deuchler: "Identical."

Granberg: "All right, thank you."

Speaker Steczko: "Is there any further discussion? Representative Levin."

Levin: "Would the Sponsor yield?"

Speaker Steczko: "She'll yield."

Levin: "I assume this is intended to allow the destruction of paper checks and things like that and just to be able to keep the records for the future. Is that correct?"

Deuchler: "Well, this legislation moves us into the twentieth century. We know that reproductions often are used and this qualifies them as the same as the original records."

Levin: "Now are there any requirements as far as, for example, copying both sides of a document so that you can see that the check has been cancelled or any standards in terms of the reproduction that is supposed to be used under this."

Deuchler: "Normal court rules would apply, so I think that would be covered under normal court procedures."

Levin: "So the understanding is you would have to do both sides of the documents and..."

Deuchler: "Yes."

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

Speaker Steczko: "Is there any further discussion? There being none, the question is, 'Shall Senate Bill 1468 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 115 voting 'yes', none

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voting 'no', none voting 'present'. Senate Bill 1468, having received the required Constitutional Majority, is hereby declared passed. We'll move back to Senate Bill 1435, Representative Novak. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1435, a Bill for an Act amends the Boiler and Pressure Vessel Safety Act. Third Reading of this Senate Bill."

Speaker Steczko: "The Chair recognizes Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1435 amends the Boiler and Pressure Vessel Safety Act. Passed the Senate 58 to nothing. It amends the... It allows for pressure vessels containing propane gas to be exempted from the Boiler Pressure Vessel Safety Act. The propane gas industry is under standards promulgated by the National Fire Prevention Association. If they were included in the Boiler Pressure Vessel Safety Act, they must adhere to a different set of standards. Therefore, this exemption would give the industry uniformity of standards. I know of no opposition and I ask my colleagues to join me in passing Senate Bill 1435."

Speaker Steczko: "The Gentleman has moved for the passage of Senate Bill 1435. 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? Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I just wanted to compliment the Sponsor on this heavy-duty Bill, but I would also request that he say Boiler Pressure Vessel Act five times quickly and see what it sounds like."

Speaker Steczko: "Mr. Novak."

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Novak: "As long as you say, 'She sells seashells down by the seashore' five times. Then we'll try it, Tom."

Speaker Steczko: "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 1435, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1517, Representative Cross. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1517, a Bill for an Act amends the Rights of Crime Victims and Witnesses Act. Third Reading of this Senate Bill."

Speaker Steczko: "Representative Cross."

Cross: "Thank you, Mr. Speaker. This Bill amends the Rights of Crime Victims and Witnesses Act in four different situations. Gives notice to witnesses and victims of post-conviction review filed by a defendant when a defendant is discharged from a department of mental health and developmental disabilities unit, if there is an escape from prison and when a prisoner is released from the Department of Corrections. It got out of committee 16 to nothing; passed out of the Senate 57 to nothing. I'd be happy to answer any questions."

Speaker Steczko: "The Gentleman has moved for the passage of Senate Bill 1517. On that, is there any discussion? Representative Dart."

Dart: "Sponsor yield?"

Speaker Steczko: "Mr. Dart."

Dart: "Is Amendment #2 on this Bill?"

Cross: "I don't believe there are any Amendments on this Bill. Sorry about that. Which #2?"

Dart: "Is Frank O'Neil on this Bill at all?"

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Cross: "Frank O'Neil asked me to sponsor this Bill. It's a good Bill because of his input."

Dart: "Nothing further."

Cross: "Thank you, Representative."

Speaker Steczo: "Is there any further 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'. Voting is open. Have all voted who wish? Have all voted who wish? Who is seeking recognition? Is anybody seeking recognition? Representative Biggert? Mr. Clerk, please take the record. On this question there are 115 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1517, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1558, Representative Martinez. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1558, a Bill for an Act amends Consumer Fraud and Deceptive Business Practices Act. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Martinez."

Martinez: "Thank you, Mr. Speaker, Ladies and Gentlemen of this House. Senate Bill 1558 amends the Consumer Fraud and Deceptive Business Practice Act, and it allows the Attorney General to set maximum fees that may be charged for immigration services, prohibits anyone from charging fees for referring a person to an attorney for any immigration matter covered under the Act. It requires the Attorney General to promulgate rules to administer and enforce the Act of January 1, 19...by January 1, 1995. The Bill also allows a partial exemption to not-for-profits that are recognized by the Federal Government and Immigration Services. Effective date is immediately."

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Speaker Steczko: "The Gentleman has moved for the passage of Senate Bill 1558. Is there any discussion? Representative Black."

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

Speaker Steczko: "He indicates he will."

Black: "Representative, does Amendment #6 become the Bill?"

Martinez: "Amendment #6 on Second Reading...Yes, it does."

Black: "So, we don't need to pay any attention to other Amendments. Amendment #6 is, in fact, the Bill. Is that correct?"

Martinez: "Yes, it puts the Bill where it originally was meant to be...the language."

Black: "This was the Bill that you had explained some...about people, I can't remember. There are people evidently in your area who are offering to help immigrants. Is that the Bill we're talking about?"

Martinez: "Yes, primarily it deals with immigration matters."

Black: "Okay, and what kind of relief...What kind of penalty are we placing on these people who are advertising they can help you get your family member into this country and may take your money and then, of course, don't do anything to help you?"

Martinez: "(Senate Bill) 1558 actually was creating a new Act but, in fact, it's similar to existing law and it merely is intended to..."

Speaker Steczko: "Representative Martinez, excuse us for just one minute. Representative Dart, for what purpose do you seek recognition?"

Dart: "Thank you, Mr. Speaker. I would ask the Gentleman if he would move the Bill back to Second so that we can table Amendments 2, 3 and 5, because Amendment #6 deleted

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everything prior to that in an effort to clean up the Bill."

Speaker Steczko: "Mr. Dart, perhaps Representative Martinez would agree to take the Bill from the record, so you could discuss this with him. So Representative Martinez asks leave to return this Bill back to the Order of Second Reading. Is there leave? There being no objection, leave is granted. Mr. Dart, which Amendments need to be tabled? Representative Dart."

Dart: "Thank you, Mr. Speaker. I move that Amendments 2, 3 and 5 are tabled."

Speaker Steczko: "The Gentleman moves to table Amendments #2, 3 and 5. All those in favor of the tabling of the Amendments will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it; the Amendments are tabled. Any further Amendments, Mr. Clerk, or Motions?"

Clerk McLennand: "No further Amendments or Motions."

Speaker Steczko: "Third Reading. Mr. Clerk, please read the Bill a third time."

Clerk McLennand: "Senate Bill 1558, a Bill for an Act amends Consumer Fraud and Deceptive Business Practices Act. Third Reading of this Senate Bill."

Speaker Steczko: "Mr. Black, the Bill has been explained. Do you still have further questions?"

Black: "No, I simply rise and support the Bill. I think now that we've clarified what Amendment is on the Bill, there's some punitive damages in Amendment 6, but staff tells me that that's been worked out so we have no objection to the Bill."

Speaker Steczko: "Representative Biggert."

Biggert: "Thank you, Mr. Speaker. I also rise in support of the Bill. I think that I did have concerns about the punitive

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damages when we discussed this earlier, and I think that that's been answered to my satisfaction. I still have some concern with doing away with the rules for equitable relief, but I think that this is an important area that we need to address, and I stand in support."

Speaker Steczko: "The Gentleman has moved for the passage of Senate Bill 1558. 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 115 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1558, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1560, Representative Ronan. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1560, a Bill for an Act that amends the Minority and Female Business Enterprise Act. Third Reading of this Senate Bill."

Speaker Steczko: "The Chair recognizes Representative Ronen."

Ronen: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1560 amends the Minority and Female Business Enterprise Act. It currently to sunset this year; it extends the sunset for five years to September 6, 1999. This passed unanimously in the Senate; I urge 'do pass'."

Speaker Steczko: "The Lady has moved for the passage of Senate Bill 1560. Is there any discussion? Representative Kubik."

Kubik: "Thank you, would the Sponsor yield?"

Speaker Steczko: "She indicates that she will."

Kubik: "Representative, has this Bill been amended at all in the House?"

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Biggert: "No, no Representative, it has not."

Kubik: "So that...essentially all it has in it right now is the sunset provision?"

Biggert: "That's exactly right. That's the only provision we're making now is to extend the sunset provision."

Kubik: "Okay. I'm looking at the file and it indicates... Is there a cost to this legislation at all?"

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

Kubik: "It indicates that there's...There are GRF costs which take care of the ordinary and contingent expenses for the Bureau of Minority and Female Business Enterprise."

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

Kubik: "I said that... Is there not a Bureau of Minority and Female Enterprise in the Department of C.M.S.?"

Biggert: "Yes, there is."

Kubik: "Okay. Just wanted to establish the fact that that is the case. My understanding is that this is a five year extension of the law?"

Biggert: "That's exactly correct."

Kubik: "Great, okay. No further questions, rise in support of the Bill."

Speaker Steczo: "Is there any further discussion? There being none, the question is, 'Shall this Bill pa...Representative Black, do you have a question?'"

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

Speaker Steczo: "Yes, she will."

Black: "Yes, Representative, your Bill is simply extending the sunset provision. It isn't creating a new panel or adding to the existing panel, is that correct?"

Biggert: "That's correct."

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Black: "So, we could read into this that you're very supportive of the Minority and Female Business Act. Is that correct?"

Biggert: "Yes."

Black: "So am I and I think Governor Edgar is, too, and that's why we simply rise to add our support to your Bill. Thank you, Mr. Speaker."

Speaker Steczko: "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 112 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1560, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1570, Representative Biggins. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1570, a Bill for an Act concerning state provided housing and state employees. Third Reading of this Senate Bill."

Speaker Steczko: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I urge the passage of Senate Bill 1570. It tightens the housing requirements for state owned properties and prevents possible abuse by state employees of those facilities."

Speaker Steczko: "The Gentleman has moved for the passage of Senate Bill 1570. On that, is there any discussion? The Chair recognizes Representative Black."

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

Speaker Steczko: "Indicates he will."

Black: "Representative, is House Amendment #1 on this Bill?"

Biggins: "Yes, it is."

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Black: "Can you tell me what House Amendment #1 does?"

Biggins: "Well, it provides that, except under extraordinary circumstances, no lease entered into by C.M.S. may require rental permits...payments before occupancy of the space occurs. And extraordinary circumstances may permit a lease to require rental payments, but it should be no longer than one year. So it does allow for an exception to that rule."

Black: "Who is the Sponsor of that Amendment?"

Biggins: "That would be Representative Hannig, I believe."

Black: "Representative Hannig was the Sponsor? Are you aware that Governor Edgar..."

Biggins: "Representative Curran, excuse me. Representative Curran on Amendment #1."

Black: "Representative Curran?"

Biggins: "Yes."

Black: "Oh, okay. Are you aware that Governor Edgar has already issued an administrative order as of July 21, 1992, that prohibited the very things that are contained in this Amendment?"

Biggins: "I am aware of that and the Governor, as usual, ahead of things in our state, but this still is a good Amendment and I think it should be a part of Senate Bill 1570."

Black: "Are you also aware that this Amendment is so narrowly drafted that you may create, certainly create, more problems than you'll ever solve?"

Biggins: "Well, it's possible that that can create a problem. A lot of Bills are passed out of this Body that create a little bit of problem in its administration, but overall it's a very sound Bill."

Black: "Well, I'm not talking about the Bill, Representative. Don't confuse the Bill. I'm talking about Amendment #1."

Biggins: "Yes."

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Black: "All right, to the Amendment. Let me just, if I could, Mr. Speaker, Ladies and Gentlemen of the House, I don't intend to vote against the Bill but I would like the record to reflect that House Amendment #1, it was my understanding would be further amended. For those of you that went through the great flood last year, had this Amendment been law at that time, you...the Central Management Services would not have been able to enter into a long term lease with those people who had farm land or pasture land that they were able to lease to put house trailers on, so that the people who were displaced by the flood could have a place to live, because the leases had to be for an eighteen month period. That was because of the amount of site preparation work that had to be done before those house trailers could be moved onto the lot. So once again, we see that...while the Amendment may certainly be well-intentioned, you are limiting the scope and the authority of the state agency to enter into leases that may be very vital, and it was vital to those people on the western side of the State of Illinois last year who were displaced by flood waters. I just want the record to reflect I'm disappointed that this Amendment was not expanded as I thought it was going to be. You are putting a severe limitation on the ability to lease property that may come back and hurt the people we're here to serve. I just would hope that the Governor would use his Amendatory Veto pen and strike House Amendment #1 to this Bill, if, in fact, the Senate does not remove it on a nonconcurrency. Other than House Amendment #1, I certainly stand in support of the Bill."

Speaker Steczo: "Representative Davis."

Davis: "Mr. Speaker, I wish to be recorded as 'aye' on that Bill

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that passed right before this one. Wojcik's 1560."

Speaker Steczo: "Representative Davis, the transcript will so reflect."

Davis: "Thank you."

Speaker Steczo: "Is there any further 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 107 voting 'yes', none voting 'no', 1 voting 'present'. Senate Bill 1570, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1595, Representative Cowlshaw. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1595, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1595 came to us from the Senate as a very simple proposal, which simply reauthorizes a program for children with certain kinds of disabilities. It reauthorizes that program and that program is, in fact, entirely federally funded, so that it was simply a matter of reauthorizing something that benefits children who are hearing impaired or behavior disordered. And once again let me repeat, that is entirely federally funded. However, in addition to the contents of this very simple Bill as it came to us from the Senate, we then went ahead in the committee and adopted an Amendment, which contains the contents of House Bill 2528, sponsored by Joel Brunsvold; House Bill 2638, sponsored by

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Representative Brunsvold; House Bill 2639, sponsored by Representative Santiago; House Bill 2640, sponsored by Representative Levin; House Bill 2642, sponsored by Representative McGuire; House Bill 2680, sponsored by Representative Hoeft; House Bill 2771, sponsored by Representative Kubik; House Bill 3151, sponsored by Representative Persico; House Bill 3164, sponsored by Representative Burke; House Bill 3191, sponsored by Representative Turner; House Bill 3457, sponsored by Representative Sheehy; House Bill 3519, sponsored by Representative Black; House Bill 3553, sponsored by Representative Giolitto; House Bill 3825, sponsored by Representative Hoeft; House Bill 3904, sponsored by Representative Persico; and House Bill 4028, sponsored by Representative Flowers. We then adopted here on the floor, Amendment #2, sponsored by Representative Ostenburg, that has to do with the recognition process; Amendment #3, which was sponsored by me and which removed the contents of the prior Amendment, because there had been an agreement reached on that; Amendment #4 was withdrawn; Amendment #5 failed; Amendment #6 was adopted. That was sponsored by Representative Rotello and has to do with the school to work program that Representative Rotello, I will have to say, deserves a lot of credit. He has worked very hard on that proposal. Floor Amendment #7 was also amend...adopted and that also was sponsored by Representative Rotello and has also to do with the school to work teaching and transition program. Floor Amendment #8 failed. Floor Amendment #9, Representative Murphy proposed that Amendment. It was adopted and requires the State Board of Education to report annually to the Governor/General Assembly and Illinois Institutions of Higher Education

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by Joel Brunsvold; House Bill 2638, sponsored by Representative Brunsvold; House Bill 2639, sponsored by Representative Santiago; House Bill 2640, sponsored by Representative Levin; House Bill 2642, sponsored by Representative McGuire; House Bill 2680, sponsored by Representative Hoeft; House Bill 2771, sponsored by Representative Kubik; House Bill 3151, sponsored by Representative Persico; House Bill 3164, sponsored by Representative Burke; House Bill 3191, sponsored by Representative Turner; House Bill 3457, sponsored by Representative Sheehy; House Bill 3519, sponsored by Representative Black; House Bill 3553, sponsored by Representative Giolitto; House Bill 3825, sponsored by Representative Hoeft; House Bill 3904, sponsored by Representative Persico; and House Bill 4028, sponsored by Representative Flowers. We then adopted here on the floor, Amendment #2, sponsored by Representative Ostenburg, that has to do with the recognition process; Amendment #3, which was sponsored by me and which removed the contents of the prior Amendment, because there had been an agreement reached on that; Amendment #4 was withdrawn; Amendment #5 failed; Amendment #6 was adopted. That was sponsored by Representative Rotello and has to do with the school to work program that Representative Rotello, I will have to say, deserves a lot of credit. He has worked very hard on that proposal. Floor Amendment #7 was also amend...adopted and that also was sponsored by Representative Rotello and has also to do with the school to work teaching and transition program. Floor Amendment #8 failed. Floor Amendment #9, Representative Murphy proposed that Amendment. It was adopted and requires the State Board of Education to report annually to the Governor/General

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Assembly and Illinois Institutions of Higher Education concerning the relative supply and demand of education staff for the common schools. Floor Amendment #10, sponsored by Representative McGuire, was adopted. This is the Bill that was needed... This was the proposal that was needed to solve a problem in Representative McGuire's own district. It is the kind of thing we do for our colleagues; we do it for one another; we have for years. When you have a specific school problem, we try to help you. Floor Amendment #11 was offered by Representative Balanoff. That was also adopted; it has to do with saving money on energy costs for the City of Chicago schools; it is an excellent proposal. Floor Amendment #12 adopted...or sponsored by Representative Santiago was adopted and this Amendment is noncontroversial at all...has... There's no controversy associated with it at all. It has to do with bilingual early education programs. Floor Amendment #13, represented by Representative Novak, was adopted. This allows a provisional certificate to be valid for three years, rather than two years. Floor Amendment #14, offered by Representative von Bergen-Wessels, also was adopted. It makes certain changes in provisions concerning the issuance of bonds by the governing board of a special education joint agreement, and to the best of our knowledge is also noncontroversial. Floor Amendment #15, offered by Representative Hicks, was adopted. This amends the Council on Vocational Education Act, Higher Education Assistant (sic-Assistance) Act and the Personnel Code and changes the word 'handicap' to 'disability'. That is a noncontroversial change. It is just that there is now apparently a feeling that the word, 'disability' is a more appropriate word rather than the word, 'handicap' which is

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what we had been using in the statutes. Floor Amendment #16 was offered by Representative Wirsing, but it was withdrawn. Number 17, offered by Representative Salvi, was adopted, allows public school teachers and administrators to use, read from or post historically significant documents, writings and records. Floor Amendment #18, offered by Representative Davis, was withdrawn. Floor Amendment 19, offered by Representative Homer, was adopted. It creates the Public Education Affinity Credit Card Act. That is also uncontroversial, to the best of my knowledge, and I think an absolutely brilliant proposal on the part of Representative Homer. Floor Amendment #20 was offered by Representative Levin, who wasn't here to present it, so I presented it in his behalf and it was adopted, and it has to do with the training of local school council members in the City of Chicago. Floor Amendment #21 was adopted; that was offered by Representative Ostenburg. That abolishes the Office of Regional Superintendent in Suburban Cook County. Floor Amendment #22, offered by Representative Woolard, was not adopted. Representative Woolard, perhaps, could nod his head. I don't believe Floor Amendment #22 was adopted. Is that correct? That is correct. Floor Amendment #22 was not adopted. Floor Amendment #23, offered by Representative Skinner, failed. Floor Amendment #24, offered by Representative Salvi, was withdrawn. Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1595, which came to us as such a simple, necessary, kindly sort of Bill, which was intended to help hearing impaired children with a program that is totally federally funded, has now blossomed, as it were, into what I guess we normally refer to as a Christmas tree; but frankly, it's not that season. I think that this is much more like

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actually a peony bush, because all the peony bushes we've ever grown around our house have always had this proliferation of these very fragrant flowers. This Bill now has a great proliferation of very fragrant flowers, that is, all of these things that are in here are noncontroversial. And on that basis and with the cheering section of Representative Brunsvold, I move for the adoption of the peony bush, Senate Bill 1595."

Speaker Steczko: "The Lady has moved for the passage of Senate Bill 1595. Is there any discussion? The Chair recognizes Representative Granberg. Mr. Granberg."

Granberg: "Thank you, Madam Speaker."

Speaker Steczko: "Who? Mr. Granberg, who?"

Granberg: "Mr. Speaker, I'm sorry. Would Representative Cowlshaw yield for a question?"

Speaker Steczko: "She will."

Cowlshaw: "Mr. Speaker, I'll be glad to yield for a question, but it's kind of important to let me know which Amendment or former Bill...House Bill number it is that you want to ask about, because there's so much stuff in this Bill, it's pretty hard to keep it all straight."

Granberg: "Representative, could you just tell me...go through the Amendment numbers, which ones were adopted; we just want to confirm."

Cowlshaw: "You mean the Floor Amendments?"

Granberg: "Correct."

Cowlshaw: "Okay. The first Amendment, which was adopted in committee, I'd hate to have to go through that whole list over again, but well, listen. Doesn't the Clerk keep these records? Can't the Clerk tell you which ones were adopted and which ones were not? Probably more quickly than I can."

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Speaker Steczko: "Representative Cowlshaw, maybe we could just ask the Clerk to read off the numbers that have been adopted. Perhaps, Mr. Granberg, would that serve your purpose? Or have you answered the question already?"

Clerk McLennand: "Floor Amendments #3, 6, 7, 9, 10, 11, 12, 13, 14, 15, 17, 19, 20 and 21 were adopted."

Speaker Steczko: "Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, I don't believe that list is accurate."

Speaker Steczko: "Which...where does it differ?"

Cowlshaw: "My records show that the Amendments that were adopted were...the Floor Amendments that were adopted were #2, 3... Pardon me."

Speaker Steczko: "Representative McGuire, for what purpose do you seek recognition?"

Cowlshaw: "Mr. Speaker, pardon me. I think I have this...an answer to this. I think what happened..."

Speaker Steczko: "Oh. Mr. McGuire, hang on. Representative Cowlshaw, go ahead."

Cowlshaw: "I think what happened here, Mr. Speaker, is that Floor Amendment...Committee Amendment #2 was removed from the Bill by Floor Amendment #3, so 2 and 3 cancelled each other out and therefore, we just go on from there, and I believe then, therefore, that the first Amendment that added anything to this Bill...was 6."

Speaker Steczko: "So...at that point, your list coincides with the list that the Clerk read off?"

Cowlshaw: "That is correct."

Speaker Steczko: "With the exception of Amendment #2."

Cowlshaw: "That's correct."

Speaker Steczko: "Okay, Mr. Granberg, does that square with you, too? Mr. Granberg."

Granberg: "Thank you, Representative, one more question. I

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thought Representative Woolard's Amendment was not adopted.

I thought you mentioned Amendment #20."

Cowlshaw: "Rep... Just a minute, please. I hope you'll be patient."

Granberg: "And 20 was adopted."

Cowlshaw: "Just a minute, please. Representative, let me explain about those last few Amendments, if I may please once again. Floor Amendment #20, was offered by Representative Levin and it's the one that Representative Levin was detained temporarily and I presented that in his behalf and it has to do with training of local school council members in Chicago. That was adopted."

Granberg: "Okay."

Cowlshaw: "Twenty-one was withdrawn...No, 21 was adopted and it was offered by Representative Ostenburg, and that's the Amendment that abolishes the Office of Regional Superintendent in Suburban Cook County. Floor Amendment #22, was the one offered by Representative Woolard and that Amendment failed. That Amendment is not on this Bill."

Granberg: "Representative, thank you very much for your patience."

Cowlshaw: "Well, thank you for your..."

Speaker Steczo: "Any further discussion? Representative McGuire. Mr. McGuire."

McGuire: "Thank you, Mr. Speaker. I just want to clarify Amendment #10 on this Bill, which was my House Bill 4040 for the Manhattan School District in Will County. There may be some confusion and I'd like to clarify that. This is not a tax increase; this is not a backdoor referendum. The school district had their referendum and it passed to build a junior high. So that's all I'm doing. It is not a backdoor referendum, nor a tax increase for the Manhattan

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schools, so I want everyone to be perfectly clear on that.

Thank you very much."

Speaker Steczko: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If the Sponsor will yield for a couple of questions, please?"

Speaker Steczko: "She will yield."

Parke: "Representative Cowlshaw, I am confused with all the Amendments that are on this Bill. Can you give me a general perspective on the Bill on terms of special interests that would be affected? Do you have any concept of whether or not the Illinois School Board Association is in favor of the Bill with all the Amendments?"

Speaker Steczko: "Representative Cowlshaw."

Cowlshaw: "Representative Parke, I have not had any official communication from the Illinois Association of School Boards, from the Illinois School Management Alliance, from the Illinois Education Association or any of the other of the groups that take particular interest in education issues. However, I would like to point out to you that nearly all of the things that are contained in here, other than a couple of things that were not actual House Bills to begin with, all of those things were things that were voted in committee. Things like 22 to nothing and those kinds of things. To the best of my knowledge, and I say this with some fairly good knowledge of what is contained here, as far as I know, there is nothing that is now contained in this Bill that is controversial, and there is nothing that is now contained in this Bill, as Representative McGuire has very appropriately pointed out, so that there is no question about that, there is nothing in this Bill that authorizes any type of tax increase whatsoever."

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Parke: "Okay, so as far as you're concerned and your knowledge of the issues, that the Illinois School Board Association has not flagged any of these to you. How about the Illinois Education Association, the Teachers Union? Anything in there that concerns them?"

Cowlshaw: "As far as I know, Representative, all of the major groups with an interest in schools are...if nothing else, they certainly are not opposed to this Bill because many of the things that are now contained in here were initiatives of those various groups to begin with. So, in many cases we are passing things in this Bill that they all want, including the Illinois Association of School Boards, the Illinois Education Association and so forth."

Parke: "So, therefore, casting a 'yes' vote on this, there's nothing controversial that'll come back and...as far as we know, there's nothing in here that would come back and haunt us. I mean we all ultimately provide quality education in one way or another in Illinois."

Cowlshaw: "As a matter of fact, Representative Parke, I think that anything other than a 'yes' vote on this is the kind of thing that would be likely to come back and haunt you. For example, the underlying Bill is a program entirely federally funded that serves those children who are hearing impaired and behavior disordered, and to fail to reauthorize that program for those very vulnerable students, when, in fact, it does not even involve any state funds, it would seem to me to be a vote that anyone could very justifiably criticize. And therefore, I stand and repeat once again that I cannot see any justifiable reason for anyone to vote any way except 'yes' on my peony bush, which Representative Churchill incidentally has reminded me often attract ants."

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Parke: "Representative, I have a final question. It has been flagged to me that this does abolish the Office of the Regional Superintendent in Suburban Cook County. That does bother me. In fact, this Bill...Amendment #21 does do that. Isn't that correct, Representative?"

Cowlshaw: "That is correct. That Amendment was adopted. I believe there was, in fact, even a Roll Call Vote on that Amendment and as a matter of fact, Representative, I was not in favor of that Amendment, but I'm certainly not going to let that persuade me that all the rest of the contents of this Bill would be something that I would want to vote 'no' on. I think..."

Parke: "Well, certainly when you perceive that this Bill will ultimately end in a Conference Committee because the Senate will probably refuse to recede..."

Cowlshaw: "Representative Parke. That is probably one of the most accurate predictions I have ever heard."

Parke: "Thank you, Representative. I appreciate it."

Speaker Steczo: "Any further discussion? Representative Maureen Murphy."

Murphy, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen. The analogy about peony bushes and ants is true. In order for the peonies to open, the ants have to take over the flower. So again, be assured there are insects that are within this legislation. One thing we must address with this process, a woman with a deaf child came before the Education Committee on the underlying Bill, Senate Bill 1595, which as you heard the Sponsor discuss, involved only federal funds. By the irresponsible actions of the committee that day, 20 some Amendments were put on, a few more on the floor. I'd say 18 in committee and another 4, 5 or 6 were offered on the floor, thereby jeopardizing the underlying

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Bill that would help handicapped, deaf children in Illinois with federal funds was jeopardized. Because let it be certain, these last 24 Amendments are suffering the last gasp of life, and that's why they were put on...on a good underlying Bill helping deaf children in Illinois became a vehicle for many House Bills, and some Bills we never even heard about in committee. So again, to burden a wonderful Bill with 24 additions, no matter how valiant, really speaks against the process that especially occurred in Education Committee that day. Had the Bills been heard in a timely fashion on their own merit, they could have been voted straight up or down. I feel sorry for my colleagues that aren't on Education Committee and have to sort through 24 different ideas and figure out if you're really representing your district when you vote for all these. I really would like to, again, express complete regret for what happened in Education Committee that day, and I felt very sorry for the mother who attended our hearings with her child. So, I support the underlying Bill. There's not much we can do if we take the peonies, you also have the ants. But at least when I bring peonies into my house, I wash the ants out and I suffer the fragrance of the flowers gladly. So again, heads up, be aware, take caution. Thank you."

Speaker Steczko: "Representative Hoeft."

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

Speaker Steczko: "She indicates she will."

Hoeft: "The peony bush does have one blossom that has faded rather dramatically. We did have on Amendment #21, it was voted through. There were 44 people who voted 'no' on that Bill...on that Amendment. Since that point, a number of people have come to me saying that their constituents,

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their superintendents have called telling them that their vote was a bad vote and that they were concerned about it. I don't know if one Amendment would have the weighted ability to take down a whole Bill, but I do know that there are a lot of people who are concerned by this one Bill... this one Amendment and that, in fact, this is not a clean Bill with all Amendments that people agree to. It is a very important concept of removing local control and quite a few people are concerned about that. And I think you ought to think about that before your vote. Thank you."

Speaker Steczo: "Representative Moffitt."

Cowlshaw: "Wait a minute, Mr. Speaker. May I respond to the..."

Speaker Steczo: "Proceed, Representative Cowlshaw. I wasn't sure the Gentleman asked the question, but...please proceed. "

Cowlshaw: "Representative Hoeft, I am one of the people who opposed that Amendment, but it is perfectly apparent that this Bill is going to go to a Conference Committee. And I for one, and I am certain I would be joined by you, will do everything that I can to try to see to it that that portion of this Bill is, in fact, removed. But in the meantime, there are a good many other things contained in this Bill that we most certainly ought to enact, and for that reason I continue to stand in support of this Bill, even though I am in accord with your views of the Amendment that was adopted that abolishes the Regional Superintendent's Office in Suburban Cook County."

Speaker Steczo: "Representative Moffitt."

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

Speaker Steczo: "Please proceed."

Moffitt: "Representative Cowlshaw, the original Bill certainly was one of great merit, and I commend you for sponsoring

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it. A Bill attempting to help children that are hearing impaired. Can you tell me the day that this Bill was presented, I believe a mother of a hearing impaired child was present. Is that correct?"

Cowlishaw: "That is correct."

Moffitt: "And did that mother, did that parent of that child come down to Springfield with the intention of testifying before this...the House Elementary and Secondary Education Committee?"

Cowlishaw: "That is correct."

Moffitt: "And did the House Elementary and Secondary Education Committee allow her to testify then after she made that trip down there and did they take, you know, into account that she came down there to present her case?"

Cowlishaw: "Representative Moffitt, I am not the Chairman of the House Elementary and Secondary Education Committee. I think it is appropriate for your question to be directed to the Chairman who controls the Committee. I do not."

Moffitt: "Okay, thank you. Just, if you had been Chairman, would you have allowed her to testify?"

Cowlishaw: "Most certainly."

Moffitt: "Then, would it be appropriate to ask the Chairman of the Committee that?"

Cowlishaw: "I would think so with the consent of the Chair."

Speaker Steczo: "Representative Cowlishaw, I believe that we're on the Order of the Third Reading of the Bill and to ask the Committee Chairman at this time about occurrences that occurred during the conduct of the Committee Hearing probably would be out of order. I would rule you stay with the Bill."

Moffitt: "Thank you, Mr. Speaker. I just would echo Representative Murphy's comments on such a Bill this

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important to help children who are hearing impaired and you have a parent come down to testify, and then we put it in danger. I'm deeply concerned that that's the approach we use, that that's the tone that has been set. That is wrong and it's a disservice to the people of the State of Illinois. The underlying Bill has merit and it is my intention because of that, and with the intention to clean it up as it proceeds that some of these problems will be corrected. Thank you."

Cowlshaw: "Representative Moffitt, I am certainly in accord with what you have just said. I believe that we treated that woman who had come here to testify very rudely, and I do not support those kinds of attitudes towards the people who come here and seek our ear, and I do not think anyone on this floor really wants those kinds of things to happen here. I regret that that happened, but I do not control the committee."

Moffitt: "I thank you that in a democracy, all people should be allowed to present their views, have an opportunity to speak. That's the basis of democracy and I appreciate the fact that you feel that that's the way it should be run. Thank you very much, Mr. Speaker."

Speaker Steczko: "Representative Levin."

Levin: "Mr. Speaker, I would just like to publicly commend the Sponsor of this Bill for her graciousness in accommodating those of us who have offered Amendments to this Bill. She's been very accommodating and worked very hard with us in terms of getting our Amendments in order, and in fact when I was not on the floor, presented Amendment #20. So I do want to express my appreciation to her publicly for her accommodation and hard work on this Bill. Thank you very much."

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Speaker Steczko: "Is there any further 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? Representative Balthis, one minute to explain your vote."

Balthis: "Thank you, Mr. Speaker, just to explain my vote. I'm voting for this Bill or intend to vote for this Bill for the underlying Senate Bill that came over from the Senate. There are Amendments on here that are not going to survive. The Senate is not going to allow House Amendment #21 to stay on this Bill. The Senate has voted that down several times; they're not going to do it again, so I would encourage people to vote for the underlying Bill."

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

Black: "Thank you very much, Mr. Speaker. I simply want the record to reflect that I'm voting 'present' as my way of protesting the process. Had these Bills been called in an orderly fashion, had been able to be heard in an orderly fashion and handled in accordance with the House Rules on the time line that was adopted, you wouldn't have to collapse 30 to 40 Bills into one Bill. Here are the Amendments added to this Bill. Now the Sponsor did an excellent job of explaining them, but there are Bills in here who are opposed by various groups because of the Amendment process. The underlying Bill is a fantastic Bill. Some of these Amendments aren't worth the paper they're printed on, and I'm not going to go along with this process any longer. These Bills could have had and should had a fair hearing, but because of...for whatever the reason, we can't run the House in an orderly fashion,

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you're collapsing 30 Bills, more than 30 Bills into one Bill. I'm not going to vote 'yes' for that kind of a travesty of the system."

Speaker Steczo: "Representative Brunsvold, one minute to explain your vote."

Brunsvold: "Thank you, Mr. Speaker. Just to comment a little further on what Mr. Black said. You know, these Bills are on Committee Amendment #1 should be on the Governor's desk now. That's where they should be. I agree with him. Bills going out of our committee and off this floor 111 to nothing, 113 to nothing, 113 to nothing, 116 to nothing, they should be on the Governor's desk now without this process. I agree. We shouldn't have to do this, but we had to because of the situation this year. On a comment that was made about committee and allowing test...people to testify, the Education Committee, the twelve years I have served on it, goes out of its way to let people testify and give their point of view. In fact, the Education Committee really over the years has been one of the most, or the least partisan committees probably that we have in the House. And, you know, we and Mary Lou will, I think, verify this that we go out of our way to make sure that we allow people to testify, even if their Bill's not up that week. We do that, so I don't know what the Gentleman is talking about."

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

Granberg: "Thank you, Mr. Speaker. I tend to agree with Representative Black. We should not be in this position. Unfortunately, that side of the aisle slowed this process down to such a crawl that this is only...the only alternative available to help both Members or both sides of

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the aisle in this chamber. These are bipartisan Amendments. They're good...It's good legislation. But again, this...we would not be in this position if it had not been for the deliberate slowdown of the process. And I, too, am sorry to see that occur."

Speaker Steczo: "Have all voted who wish? Representative Black, for what purpose do you seek recognition?"

Black: "Rise to a point of personal privilege; my name was used in debate. Now we can be here all day and blame each other. The fact is the Minority Party does not run the Calendar, nor do we run the business of this House. And I can assure you if we did, we wouldn't be having to add 40 Amendments to a Bill. If you all can't run the House, let us up there and we'll run it. That's a ridiculous statement. I'm sick and tired of this."

Speaker Steczo: "Mr. Clerk, please take the record. On this question there are 106 voting 'yes', 1 voting 'no' and 8 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of State Operations - Third Reading appears Senate Bill 1730. Representative Churchill. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1730, a Bill for an Act that amends the Illinois Vehicle Code. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1730 is the use it and lose it Bill. This is a major legislative initiative of Secretary of State George Ryan. The Bill provides for administrative drivers license sanctions for drivers under the age of 21 years who have a blood alcohol content above zero, hence

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this Bill is often referred to as the Zero Tolerance Bill. The Bill allows a police officer to request a chemical test after a traffic stop and issuance of a uniform traffic ticket when the officer has probable cause to believe that the minor driver has consumed alcohol. Sanctions include a three month suspension for blowing a blood alcohol content over .00; six month suspension for refusal or failure to complete a requested BAC test; one year suspension for a second or subsequent offense after blowing more than .00; and a two year suspension for refusal or failure to complete a requested BAC test for a second or subsequent offense. The Bill further allows for the rescission of the suspension if the minor can prove that alcohol was consumed during a religious ceremony or was consumed as a prescribed medicine. Restricted driving permits may be issued subject to rules and contingent upon completion of a drug or alcohol awareness program. This Bill is the work product of a year long effort by Secretary of State George Ryan and many interest groups to fashion a Bill which would discourage the youth of Illinois from consuming any amount of alcohol and driving. This is a Bill which is tough, but it is also a Bill which is fair. It hits young people right where it will get their maximum attention, right in the driver's license. The message is clear. Use it and lose it. You should not drink and if you do drink, you certainly should not drive. Driving is a privilege, not a right, and if you are to keep this privilege, then you must exercise it responsibly. Alcohol free driving is a good habit to learn early. Secretary Ryan believes that this concept will work. Over the past several years, 16 states and Washington D.C. have passed Bills reducing the blood alcohol contents standard to .02 or less for minors.

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Studies have shown that states with lower BAC levels for minors have experienced a 34% decrease in night time fatal crashes involving minors. In Maryland alone, there was a 50% decline in crash involved underage drinking drivers. This Bill will save lives. And that is why Senate Bill 1730 enjoys such wide support. In total, 75 groups have registered in support of this Bill. They include: Mothers Against Drunk Driving; Students Against Drunk Driving; Alliance Against Intoxicated Motorists; Governor Jim Edgar; Cook County State's Attorney Jack O'Malley; IATA; DASA; IDOT; the Illinois Sheriff's Association; the Illinois State Police; and the Illinois Parent Teachers Association. This is a good Bill and it deserves your support."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1730. On that, is there any discussion? There being none, the question is, 'Shall Senate Bill 1730 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? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. To explain my vote, I want to make it perfectly clear that this is the initiative of Secretary of State George Ryan and not Pat Quinn."

Speaker Steczo: "Have all voted who wish? Representative Levin. One minute to explain your vote."

Levin: "In response to the last speaker, I would point out that this Bill had serious flaws when it came before the House Judiciary Committee and that through the hard work of both sides of the aisle, Representative Homer, Representative Sheehy and Pat Quinn were able to come up with a bipartisan measure, and I commend everybody for their involvement in this legislation. It is indeed at this point something

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everybody can take credit for."

Speaker Steczko: "Representative McPike."

McPike: "Thank you, Mr. Speaker. I'm voting for all those 20 year old kids that want to have a piece of rum cake at grandma's house on Christmas."

Speaker Steczko: "Have all voted who wish? Mr. Clerk, please take the record. On this question there are 99 voting 'yes', 8 voting 'no', 6 voting 'present'. Senate Bill 1730, having received the required Constitutional Majority, is hereby declared passed. Back on the Order of State and Local Government - Third Reading appears Senate Bill 1620, Representative Mautino. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1620, a Bill for an Act that amends the Liquor Control Act of 1934. Third Reading of this Senate Bill."

Speaker Steczko: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1620 has two provisions: The first provision was brought forward by the Liquor Control Commission, and this states that a non-for-profit organization can purchase up to \$500 worth of alcohol from a retailer. And the reason this is necessary is the Liquor Control Commission wanted this set into law so they wouldn't have to go into your Elk's Club picnic or Jaycees Beer Garden and cite them for these charitable organizations for a very small amount purchased through a retail outlet. The second portion is the Beer Distributors' Bill, and that says that basically they will...they will make their best efforts to service all customers. And this is a protection that's currently set in place under the franchise agreement, and it is a preemptive move by the distributors at this point. We

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don't have a problem existing in the State of Illinois, but in California there's a problem of high spotting, which many of you also may think of in terms of cherry picking where the small account doesn't get serviced. I don't know of any...any opposition. I believe that we've worked with everyone who had concerns on the Bills. Be happy to answer any questions, and I ask for your 'aye' vote."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1620. On that, is there any discussion? The Chair recognizes Representative Hartke."

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

Speaker Steczo: "He indicates he will."

Hartke: "And answer some questions for legislative intent?"

Speaker Steczo: "He indicates he will."

Hartke: "Representative, with references to the section dealing with servicing a retail license, does this provision apply to all alcoholic liquor?"

Mautino: "This is designed only to affect beer."

Hartke: "And does not apply to spirits or wine?"

Mautino: "No, this does not apply to spirits or wine."

Hartke: "Why does this section apply only to beer?"

Mautino: "This has been brought forward by the Beer Distributor. There were some objections, and this is a Bill which you had handled last year, in this point. There were some objections by the spirit industries and we were brought forward to affect only beer."

Hartke: "Are these types of provisions found in other states?"

Mautino: "Yes, there are other states that have these types of provisions, and additionally, distributors also have this in their service agreement."

Hartke: "Okay, you're saying that North Carolina and Oklahoma, to

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be specific, are states that have recently adopted similar provisions?"

Mautino: "Yes, Sir."

Hartke: "Okay, thank you very much, Representative."

Speaker Steczko: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I simply rise to support the legislation. The reason the wine and spirit distributors are not in this Bill is that they feel very strongly that their territories are much too large, much, much larger than a beer distributor's territory to be able to live with the restrictions imposed herein. The Illinois Retail Merchants Association withdrew their opposition of this Bill as the speaker has indicated. He's worked very, very hard for those of you that have a number of small towns in your district, as I do, this is fair and equitable legislation, and I stand in total and complete support of the Gentleman's Bill."

Speaker Steczko: "Representative Cowlshaw."

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

Speaker Steczko: "He indicates that he will."

Cowlshaw: "Representative Mautino, earlier in this Spring Session, there was a legislative proposal that I know was very strongly opposed by the Associated Beer Distributors of Illinois. I want to know whether any of that material to which they objected so strongly is contained in Senate Bill 1620?"

Speaker Steczko: "Representative Mautino."

Mautino: "There is...there is a controversial issue and none of that language is present in this Bill. As I said in committee on it, this would have only two provisions: One for the Liquor Control Commission and the other would be

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just a servicing language for small accounts. Nothing controversial."

Cowlshaw: "So, Representative Mautino, you are assuring this chamber that the contents of this Bill are not opposed by the Beer Distributors in our state?"

Mautino: "The language in this Bill was...is directly from the Beer Distributors. This is their language."

Cowlshaw: "So, they are in favor of it?"

Mautino: "They are in favor of it."

Cowlshaw: "That's all I needed to know, and I thank you very much."

Speaker Steczko: "Representative Kubik."

Kubik: "Would the Gentleman yield?"

Speaker Steczko: "He indicates he will."

Kubik: "Representative, there was a Committee Amendment that was offered in the Executive Committee that failed, and as I recall, that was a...a rather...that was supported by the Beer Distributors, opposed by the Retail Merchants and others. Has that language been adopted in subsequent Amendments?"

Mautino: "Yes, the changes... What you're referring to is Amendment 1, which was defeated. There were three changes made in that language. The first was to remove the three-tier system, any indication of three-tier system. The second was to take out any references to the Beer Industry Fair Dealing Act, and the third was to remove a purchase requirement section. These were brought forward by the Beer Distributors, but by removing those, we also removed the opposition to the Bill and still accomplished most of what we wanted to do with the Amendment."

Kubik: "What...and that was contained in which Amendment? Amendment #...that was contained in Floor Amendment #5?"

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Mautino: "Yes."

Kubik: "And what was the position of the...the Retail Merchants on Amendment #5?"

Mautino: "They were not opposed."

Kubik: "They were not opposed, and they are not opposed to this Bill?"

Mautino: "No, they are not opposed to the Bill."

Kubik: "Okay, so they're neutral. Okay, thank you."

Speaker Steczko: "Is there any further discussion? There being none, the question is, 'Shall Senate Bill 1620 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? Representative Homer wishes to be voted as 'aye'. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 112 voting 'yes', none voting 'no', 2 voting 'present'. Senate Bill 1620, having received the required Constitutional Majority, is hereby declared passed. On the Order of Environment and Natural Resources - Third Reading appears Senate Bill 1721, Representative Persico. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1721, a Bill for an Act in relation to environmental protection. Third Reading of this Senate Bill."

Speaker Steczko: "Representative Persico."

Persico: "Thank you, Mr. Speaker. Senate Bill 1721 contains several environmental initiatives including the following: (1) It addresses the recent southern district court decision that parts of the Illinois siting process for landfills and other waste disposal facilities are unconstitutional. This is done by eliminating the distinction between regional pollution control facilities

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and pollution control facilities that are found through the statutes. The Illinois Environmental Protection Agency feels that they're...by removing this distinction this will correct the constitutionality issue while still keeping the current siting process in tact. Second, beginning July 1, it prohibits waste tire material from being mixed with municipal waste and prohibits landfills from accepting any waste tire materials, that they either shred or chop the whole tires and get Illinois EPA approval. The third part is an administration Bill dealing with the boiler and pressure vessel safety inspections in nuclear facilities by not exempting them from the State Boiler and Pressure Vessel Act. Another Amendment authorizes the Department of Conservation to establish Adopt a Park Program similar to the current Adopt a Highway Program. It also requires the Illinois Environmental Protection Agency to implement a program in which the IEPA collects and disposes of hazardous waste from school districts. Another part of the Bill deals with implementing quantity-based garbage fees. These fees must be implemented at the earliest possible convenience unless the fee posed a hardship on the waste collection system or the residents. This deals with municipalities of more than 5,000 and counties with a population of more than 100,000. Number seven is Representative Currie's Bill, which requires IDOT and the Department of Energy and Natural Resources to undertake a minimum of two field demonstration projects, one of which must be in Chicago using rubber modified asphalt. And I ask for its adoption."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1721. On that, is there any discussion? The Chair recognizes Representative Novak."

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

Speaker Steczko: "He indicates he will."

Novak: "Representative Persico, for my edification and I think for this Body's edification, could you explain the...the part where the exemption for Cook County, unincorporated Cook County, siting procedure? Is that still in the Bill?"

Persico: "Yes, it is, Representative. That was Amendment #12, I believe, which..."

Novak: "Okay."

Persico: "...put it back to its current law."

Novak: "Okay. And also on the, I believe, I was the original Sponsor of House Bill 4147 on the waste tire situation. Is that still in the Bill?"

Persico: "That is correct."

Novak: "Okay. Thank you, Representative Persico. Ladies and Gentlemen, to the Bill. I simply rise in support of this legislation. A lot of it deals with agency requests and other requests from various business interests. And I simply ask my colleagues to support this Bill."

Speaker Steczko: "Representative Wennlund."

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

Speaker Steczko: "He indicates he will."

Wennlund: "The part of this Bill that...that purports to exempt certain pollution control facilities from the 172 siting procedures and hearings and notice, can you tell us what...what that is and under what circumstances a pollution control facility would be exempt from the 172 siting procedure?"

Persico: "The legislation that exempts the following facilities from local siting approval is this: Facilities that dispose of waste on site; facilities that which state is performing the removal or remedial action; abandoned

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quarries used for the disposal of road construction debris; landscape composting operations; regional facilities as defined by the Central Midwest Low Level Radioactive Waste Compact; facilities or portions thereof which coal combustion waste are stored or disposed of; facilities or portions thereof used for collecting, storing or processing waste tires; facilities or portions used for the treatment of petroleum contaminated material by land applications; and facilities where used oil is stored or collected prior to shipment to a recycling or energy recovering facilities."

Wennlund: "So, is it safe to say that in reality this Bill tightens the exemptions that currently exist under law?"

Persico: "It makes no changes in current law. What it does not exempt are these following facilities. And where the constitutional question came about was landfills that accept only waste from their local units of government, incinerators that accept only waste from their local units of government, and waste transfer stations that accept only waste from their local units of government."

Wennlund: "Well, let's take a composting site, for instance. Composting before someone can put in a composting site, they don't have to go through the 172 siting procedures?"

Persico: "They were exempt before and they still are."

Wennlund: "Then why do we need this portion of the Bill, I guess is the answer?"

Persico: "This portion of the Bill deals with the constitutional question that was done by a southern district court that...and, as I mentioned, it now exempts or does not exempt the following facilities which deal with local units of government accepting waste, landfills that accept only waste from local units of government and incinerators doing

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the same thing."

Wennlund: "So, a local unit of government could zone a site for either landscape waste, a compost site, or even a dump, a garbage dump within its own locality to which it only sends garbage to without having hearings or going through the 172 siting process?"

Persico: "That was true until the court ruling. That ruled that unconstitutional."

Wennlund: "And so what change..."

Persico: "This clarifies...this tightens it. It makes the...it deals with the court ruling, the constitutional question of the court ruling."

Wennlund: "How does the Illinois Environmental Council feel about this?"

Persico: "About what?"

Wennlund: "About the whole Bill in this particular proceeding."

Persico: "I think that the Environmental Council is probably in favor of certain aspects of this Bill, and may be opposed to certain other aspects of this Bill."

Wennlund: "Okay, can you tell us what aspects they might be opposed to?"

Persico: "Just one minute, Representative."

Wennlund: "Okay."

Persico: "Would you like what they oppose or what they favor first?"

Wennlund: "What they oppose."

Persico: "They oppose the...the Amendment that was adopted that prohibits waste tire material from being mixed with municipal waste. What this Amendment put in the Bill was that you can put waste...waste tire material if you shred or chop it and use this material for alternative daily cover, if it's approved by the Illinois Environmental

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Protection Agency."

Wennlund: "Anything else they oppose?"

Persico: "I believe that that's all that they would be not in favor of. I think there is many...there are many aspects of this Bill which they will be in complete favor of. For example, the adopt a Park Program, the different parts dealing with the administration Acts, the Boiler and Pressure Vessel Safety Act, the removal of...disposal of hazardous waste from school districts, the volume-based quantity garbage fees, and so on. So I think overall the Environmental Protection Agency is probably more in favor of this Bill than not."

Wennlund: "Well, I was referring to the Illinois Environmental Council."

Persico: "That's what I meant. Sorry, Representative."

Wennlund: "Okay. Thank you very much."

Speaker Steczo: "Further discussion? Representative Balanoff."

Balanoff: "This is...this is a good example of what's wrong with the process. This Bill, House (sic - Senate) Bill 1721, has many things that are very good and many things that are very bad. Things like taking the public out of certain siting situations. Things like allowing once again to put tires into landfills and into...incinerators, which is little more than a giveaway to Browning Ferris. There are so many Amendments on this Bill. It's like somebody was talking on the other side of the aisle just a little while ago they were talking about the problems of loading up Bills. Well, this is absolutely one of those situations. The Illinois Environmental Council, for all that are interested, suggests on this Bill a 'present' vote because it is...because the underlying Bill, which corrects the Tensey decision is very important, but there are a number

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of bad things in the Bill. And really, we can send it back and kind of figure it out later."

Speaker Steczo: "Any further discussion? Representative Skinner."

Skinner: "Would the Gentleman yield?"

Speaker Steczo: "He indicates he will."

Skinner: "On the part of the Bill that talks about volume-based garbage collection, are there loopholes in all of the mandates?"

Persico: "Would you repeat the question, please?"

Skinner: "Are there loopholes in all the mandates? It sounded like a very soft mandate to me."

Persico: "I believe that it is a very soft mandate because it only requires that these fees be implemented if it does not pose a hardship on the waste collection system of those municipalities."

Skinner: "Thank you."

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

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill has some provisions that I would really like to support, but the most troubling one that puts it in a position that I cannot relate to the exemption on the Senate Bill 172 hearings. I've been through that hearing process twice, and it's one that establishes a record that can be used in court. Zoning is not enough. There needs to be the criteria that's established in Senate Bill 172 (sic - 1721) establish for the record...I guess the 'present' vote would work because there are several provisions in this Bill that I would really like to support. But with that...with that Amendment on here, I really cannot."

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Speaker Steczo: "Representative Balthis."

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

Speaker Steczo: "He indicates he will."

Balthis: "Representative Persico, is there anything in this Bill that has to do with the Pollution Control Board adopting compost rules?"

Persico: "No, there is not."

Balthis: "Thank you."

Speaker Steczo: "Representative Kotlarz."

Kotlarz: "I've had a chance to follow the discussion, and in committee we analyzed this Bill at length. I think if you look at the Bill in totality, it is a good Bill, and I think it deserves our support."

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

Persico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe that this Bill is very important in the process of moving it along. I know there are certain aspects of this Bill that some Representatives may question, even though they would like to vote for certain other aspects of this Bill. For that reason, I don't believe a 'present' vote is going...you know, is going to help you. We need to get this Bill over to the Senate, get it back over there, have a Conference Committee down the road and address some of the concerns that you may have. As far as Representative Moore's concern, that Amendment that she was talking about simply puts it back to its current language, current statute, and I have done nothing else but do that. And I urge your support of Senate Bill 1721."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1721. The question is, 'Shall this Bill pass?'

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All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Representative Hughes, one minute to explain your vote."

Hughes: "Thank you, Mr. Speaker. I am going to vote 'yes' for this Bill. There are a lot of provisions in it, and we need to get it over, but I fail to see what business it is of the state to tell municipalities how they're going to price their garbage collection, and I hope that gets addressed in Conference Committee. Thank you."

Speaker Steczko: "Representative Tom Johnson."

Johnson, Tom: "Yes, to explain my vote. The biggest problem with this Bill is, of course, the...what is said to take law back to its current state in terms of Senate Bill 172 siting requirements, as it relates to Cook County. I would suggest to any of you Legislators that represent municipalities or areas just outside of Cook County that you can be assured that any future landfills for Cook County will be right on the border of the county which you represent. This is aimed directly at the City of Bartlett currently, and I'll tell you what, it will be aimed at every other municipality and every other edge of Cook County that lies in unincorporated Cook County because, they are the only ones that are exempt from siting requirements under 172..."

Speaker Steczko: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 20...I'm sorry, 82 voting 'yes', 5 voting 'no', 28 voting 'present'. Senate Bill 1721, having received the required Constitutional Majority, is hereby declared passed. On the Order of State Operations - Third Reading appears Senate Bill 357, Representative Santiago. Mr. Clerk, please read the Bill."

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Clerk McLennand: "Senate Bill 357, a Bill for an Act that amends the Illinois Municipal Code. Third Reading of this Bill."

Speaker Steczko: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. This is the TIF Correction Bill, which has a couple Amendments which were agreed by, I believe, both sides of the aisle. I move to adopt."

Speaker Steczko: "Gentleman moves for the passage of Senate Bill 357. And on that, is there any discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Would the Chair ask the Parliamentarian, this Bill has an immediate effective date, does it require 71 votes?"

Speaker Steczko: "We will check, Representative Black. Mr. Black, while we are researching that, Representative Hartke has a question."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. This piece of legislation is one that the current speaker has been working on for many months to clarify and so forth and codify many of the TIF district programs in the State of Illinois. I think there were about three or four, and I think this is the fifth Amendment that replaced everything else that puts it all together to make this TIF legislation workable for all the municipalities in the State of Illinois. I sincerely hope that each and every one of you that have a TIF or that have a problem with a TIF to look at this legislation and support it. Your municipalities and your mayors and your city councils would appreciate your support on this legislation. I think it does have an immediate effective date, and I think that that should not be a barrier to its passage."

Speaker Steczko: "Representative Dart."

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Dart: "Thank you, Mr. Speaker. I would request that the Sponsor, if he would, take the Bill back to Second Reading so we can table Amendment #1."

Speaker Steczo: "Representative Santiago moves that Senate Bill 357 be placed on the Order of Second Reading for the purposes of tabling an Amendment. Is there any objection? There being no objection, leave is granted. The Bill is now on the Order of Second Reading. Representative Dart now moves that Amendment #1 be tabled. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it, Amendment #1 is tabled. Mr. Clerk, any further Amendments or Motions?"

Clerk Rossi: "No further Amendments or Motions."

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

Clerk Rossi: "Senate Bill 357, a Bill for an Act amending the Illinois Municipal Code. Third Reading of this Senate Bill."

Speaker Steczo: "Is there any further discussion? Mr. Black, the Chair would rule on your question that the question requires 60 votes for passage. There being no further discussion, 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 114 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 357, having...357, having received the required Constitutional Majority, is hereby declared passed. On the Order of State Operations - Third Reading appears Senate Bill 1311, Representative Kotlarz. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1311, a Bill for an Act concerning the

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dissemination of credit information. Third Reading of this Senate Bill."

Speaker Steczo: "The Gentleman wishes to have Senate Bill 1311 taken out of the record. On State Operations - Third Reading appears Senate Bill 1318. Representative Kotlarz. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1318, a Bill for an Act amending the Home Equity Assurance Act. Third Reading of this Senate Bill."

Speaker Steczo: "Representative Kotlarz."

Kotlarz: "Mr. Speaker, Members of the House. This is a very slight, technical Amendment to include a few new precincts in the home equity area on the northwest side of Chicago. Also it has a couple of Amendments for Representative Kubik and myself to remove blighted properties at a quicker pace in Chicago and elsewhere. I ask for an affirmative vote."

Speaker Steczo: "The Gentleman moves for the passage of Senate Bill 1318. On that, is there any discussion? The Chair recognizes Representative Black."

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

Speaker Steczo: "Indicates he will."

Black: "Representative, was an Amendment added to this to lower the threshold from 50,000 people to 25,000? Yea, it was...I think it was Floor Amendment #2. Perhaps if we can just make sure that's on the Bill."

Speaker Steczo: "Mr. Clerk, what Amendments have been adopted to this Bill?"

Kotlarz: "I think Representative Kubik can answer that question."

Speaker Steczo: "Representative Kubik."

Kubik: "Well, I don't want to preempt the Clerk, but we adopted Floor Amendment #2 yesterday, I believe...which would

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reduce the threshold from 50 to 25."

Speaker Steczko: "Okay, Mr. Black, does that answer your question?"

Black: "...One more question of the Sponsor, if I could, Mr. Speaker."

Speaker Steczko: "Please."

Black: "There isn't anything in the underlying Bill that deals with bonding or a bonding requirement for credit bureaus. That isn't in this Bill? It's in another Bill?"

Kotlarz: "That was 1311, Representative."

Black: "Okay, all right, thank you very much."

Speaker Steczko: "Is there any further discussion? There being no further discussion, 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? Representative Hughes, one minute to explain your vote. Oh, the Lady does not wish to speak. 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'. Representative Tenhouse wishes to be recorded as 'aye'. Representative Lawyer wishes to be recorded as 'aye'. Any further changes? Representative Pugh wishes to be recorded as 'aye'. Any further? On this question there are 114 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1318, having received the required Constitutional Majority, is hereby declared passed. On the Order of State Operations - Third Reading appears Senate Bill 1326, Representative Granberg. Mr. Granberg. Out of the record. Senate Bill 1336, Representative Currie. Out of the record. Senate Bill 1357, Representative Dart. Mr. Clerk, please read the Bill."

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Clerk Rossi: "Senate Bill 1357, a Bill for an Act concerning children. Third Reading of this Senate Bill."

Speaker Steczko: "The Chair recognizes Representative Dart."

Dart: "Thank you, Mr. Speaker. Senate Bill 1357 represents a collective effort on numerous people's parts to put forward, in this Session, a limited number of changes in the Juvenile Code, dealing with the Department of Children and Family Services, in other areas, their modest proposals that we believe will make a positive step forward. They contain provisions of numerous Bills of other Representatives that have been either passed out of this House and have been bottled up in the Senate or have actually passed the House and are preceding (sic - proceeding) along in the Senate. But we agreed to put this together as a collective effort on both sides of the aisle. I have worked with Representative Biggert, Senator Hawkinson on this effort as long as...as well as the Governor's Office, and as I mentioned before, it contains numerous provisions dealing with child death review teams being instituted throughout the state, ensuring that the welfare services are offered to children in this state are, in fact, available and their quality services and multidisciplinary team to put together a protocol for endangerment risk assessment, a committee to develop a plan to prevent...to look at child abuse, and also provisions dealing with the central registry as far as unfounded reports, making sure that they are kept on record, and there's provisions also dealing with the fact pleading in this matter. And I would welcome any questions on this, but I move for the passage of this Bill."

Speaker Steczko: "The Gentleman has moved for the passage of Senate Bill 1357. On that, is there any discussion? The

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Chair recognizes Representative Wennlund."

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

Speaker Steczko: "He will."

Wennlund: "Representative Dart, was Floor Amendment #9 adopted to this Act?"

Dart: "No, the only Amendment on this is the Committee Amendment #1, which went on in committee, and #7."

Wennlund: "And #7..."

Dart: "Eight and 9 we did not go back to; they were filed after the Bill was moved to Third."

Wennlund: "Okay, and what is Floor Amendment #7 do?"

Dart: "Amendment #7 was the result of a meeting with the Governor's Office and the different Representatives of the different Leaders to attempt to work out a way of ensuring that we can exchange documents and information back and forth, mainly criminal records of individuals who are involved in the child welfare system. It was targeted in a great deal of ways toward the Joseph Wallace case to ensure that the different parties were able to obtain information on an individual who was accused of child abuse. It deals pretty much just with leads, so it deals primarily just with criminal information on individuals."

Wennlund: "And is the Department of Children and Family Services in favor of this Amendment?"

Dart: "They helped write it."

Wennlund: "I'm sorry."

Dart: "They helped write it."

Wennlund: "They helped write it. Okay. And so the only Amendment is Amendment #7..."

Dart: "One and seven, the 1 went on in committee."

Wennlund: "And what was #1?"

Dart: "Amendment 1 was pretty much what I just described, which

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was the guts of the Bill. It was a vehicle that came over. Senator Hawkinson and I and Representative Biggert had talked about this in length and it was a vehicle that we sent over to use for this purpose, and Amendment #1 was the guts of the Bill."

Wennlund: "Amendment #1 deleted everything from the original Bill?"

Dart: "There was nothing in the original Bill."

Wennlund: "I'm sorry."

Dart: "It deleted it, yes, but there was nothing in the original Bill anyways."

Wennlund: "Okay, thank you very much."

Speaker Steczo: "Representative Balthis."

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

Speaker Steczo: "Please proceed."

Balthis: "Representative Dart, I have a letter from the Citizens Committee on the Juvenile Court outlining what they understand this Bill to be. Is is your understanding that it is exactly or primarily what they outlined. They're in support of the Bill, by the way."

Dart: "They're in support of it. I really do not know of any real opposition to this, because of...It has been a collective effort on numerous people's parts."

Balthis: "Okay, thank you."

Speaker Steczo: "Representative Salvi."

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

Speaker Steczo: "He indicates that he will."

Salvi: "Representative, is this the healthy families initiative?"

Dart: "Well, it is not exactly an initiative at all. It calls for a committee to be convened to study whether or not we can get a program like this up and running in this state. It is calling together a committee to study it. It's not

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actually putting into effect an actual healthy family program, something that I am very much in favor of, that I would love to see happen, but this only calls for a committee which would study the feasibility and the ability of us to do that."

Salvi: "So, it doesn't actually set up a statewide home visitation program. Is that right?"

Dart: "No, this is really...all it does is set up a steering committee, which is supposed to...to look into developing a program that would be modeled in some respects after a Hawaii program. But that has gotten to be a catch all term, because really what we are going after here is trying to get to the problem before it starts, and so it may look a lot like a Hawaii program, if we were to do it. It may look a lot like it, it may not, because it is going to have to change because ours is a much more urban state than Hawaii is."

Salvi: "Okay, so this Bill does not set up a program like Hawaii's program. It simply creates a committee to examine whether or not that would be a good idea for Illinois."

Dart: "Yes, it is a steering committee to develop a plan that would implement something that would work on preventing child abuse before it would occur."

Salvi: "Okay, but the purpose of this Bill, and this is my last question. The purpose of this Bill, though, is to create a committee whose goal it is to make home visitation, to create a program of home visitation here in Illinois to teach parenting to those who are identified as potential problem parents. Is that fair?"

Dart: "Well, I mean actually we sort of do that now, right now. I mean we have family first and other programs like that, or home builders, which actually will set up parenting

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classes and alike for people who have been identified as parents who don't know how to take of their kids, and we do not want to yank the kid out of the home, we...and put him in a foster home. So we do that now. This, as I say when I talk about a healthy start program, it really is a myriad of things which deals with all sorts of different... There's all sorts of different components to it that could talk about that, but as I said we do that already now. But it really does, the thrust of it is to try to examine the individual making...target people who we believe will be...eventually coming into the system and try to get to it before they abuse and neglect the kid."

Salvi: "Okay, thank you, Representative. To the Bill. I am standing in opposition to this Bill. It's going to pass. It passed through the Senate, but this is a principled stand that I am taking. I think that the stated goal of this Bill is not quite as healthy as the name of the Bill would indicate. The program is voluntary, and I think the goals of the Sponsors of the Bill, their goals are good. But I am afraid this is a foot in the door toward a Parents as Teachers Program which we debated here on the floor and ultimately defeated. It was in the form of Senate Bill 159 last year. The program is voluntary. But even though this may make it more appealing to many of us, isn't it true that those then who are potentially problem parents, they are not the ones likely to sign up for this program. According to 1993 preliminary findings of the Illinois House of Representatives subcommittee on Health and Child Welfare, 70 to 80% of DCF parents are believed to be abuse...to abuse alcohol and drugs. The wrong people are being addressed by this Bill, but these people are unlikely to sign up. My basic point about this Bill is that its

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stated purpose is to create a program similar to the program in other states. These programs have become expensive. Many of these programs have started out to be voluntary, but they ultimately end up being very intrusive. And I am afraid that this is the first step toward a very dangerous idea, and so I stand in opposition to Senate Bill 1579. Thank you."

Speaker Steczko: "Representative Biggert."

Biggert: "Thank you, Mr. Speaker. I rise in support of this Bill, and this has been a culmination not only of the Family Justice Task Force, but of many of the things that were involved in the subcommittee of the Judiciary Committee on Child Welfare and Endangerment. Specifically to address the issue that Representative Salvi is speaking about, I think that this is another issue that came up dramatically in our subcommittee of the Judiciary and was something that was talked about as a possible solution. And I think we have to realize that we need to address the child abuse issue and this is one way to..."

Speaker Steczko: "Representative Biggert, I am sorry, please continue."

Biggert: "This is one way to address that issue and it is the start, and I don't think that is opening any doors and a report will be made to the General Assembly in...January 1st of 1995. So I think that we have got to find solutions to this problem and this Bill is one way to start."

Speaker Steczko: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. I...I certainly respect Representative Salvi's view, but I think that we have to understand this Bill. It contains, my understanding, it contains five provisions that everybody who works within the child welfare system in

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Illinois is in agreement with. One of the provisions which is particularly important to me is setting up infant death review teams here in Illinois. Thirty-eight states, thirty-eight states have infant death review teams. We are one of the only states or the largest state in the nation that doesn't have one. This establishes it, a bipartisan commission recommended it, and I think it's time for its adoption. The program of which raises the concern to some is a voluntary program, and it is modeled...it is indeed modeled after the Hawaii program. I think that that is something that needs to be done for children in this state. The time for prevention is now. The time for caring about children is now. And I ask for an 'aye' vote."

Speaker Steczo: "Representative Skinner."

Skinner: "I think I heard a rather amazing statement at the beginning of the explanation of this Bill, which has nothing to do, I don't believe, with the healthy families aspect, and that was that this Bill was intended to make sure that non-indicated DCFS sexual and physical abusing reports would be kept for a long period of time. I wonder if the Sponsor could tell me what period of time that is and what the rationale is?"

Speaker Steczo: "Representative Dart."

Dart: "Sure, this was one of the, as Representative Biggert mentioned, one of the main problems that we encountered when we went around the state was the fact that case workers and police officers are often telling us that some of the people that were...they were coming in contact with who were raping children were people who had actually been in the system before. And unfortunately the way the system was set up, unfounded reports weren't kept. So this deals only with priority one unfounded cases, so we are talking

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about the most serious cases of abuse. We're not talking about someone who got their hand slapped or someone who was spanked to hard. We are talking about the kids who have been raped, tortured and mutilated, things like that. Those type of reports, if later unfounded for whatever the reason may be, they're going to be kept in the central registry so that they can later be accessed, if necessary, to determine whether or not... Is this just the unluckiest kid in the world? My God, he keeps... The parents keep bringing him into the hospital with a broken arm..."

Skinner: "Well, how long will the records be... How long will the records be kept?"

Dart: "Well, they are kept in the central registry forever, until...unless there is a court order, otherwise it would be completely forgotten."

Skinner: "Well, I would just add, I want to put a couple parenthesis around this statement. When we debated my little Amendment on teachers who were found to be indicated of sex abusers, those records aren't kept forever. They're not even revealed. And here you are taking unindicated reports and as far as we know, they are going to be around forever. That strikes to me to be a real dichotomy that this House is about to make, because obviously the majority of the House is going to vote for this, so we're going to keep people on the DCFS records who have not been found to have done anything. I mean not even with a credible evidence, let alone beyond a shadow of a doubt. And I am amazed that the criminal defense lawyers on this House Floor aren't leaping to their feet to talk about lack of due process. Of course, it would be a lot different if you were a teacher. I would like to point out that this Amendment did not go through the right committee. The

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right committee would have been the Health... whatever we call the Public Health Care and Whining Committee. It did not go there. This is an end run around the process. I think there is a problem that the State of Illinois' General Assembly has to address. I do not think it is a problem that we ought to hand a basically carte blanche over to the social work community, which I am not certain that a majority of us would stand up and say has done a stellar job in the last 20 years. I would be perfectly willing to say...to serve on a Joint Committee with the House and the Senate to investigate these problems. But what this...what this Bill does is starts out with a forgone conclusion, that the Hawaii plan will be recommended. It seems to me that if we're going to have an intrusive program that will virtual...that will put social pressure on every parent in the state to get involved with a state inspector, or I guess I should say mentor, to teach them how to be a parent, when that state person may or may not have ever been a parent, or may or may not have ever tended to kids, even babysat for kids. We don't have... There are no indications of what type of people are going to be involved here, and then it's going to be a voluntary program. We're not going to include the people that are most likely to abuse their kids. Those are the drug abusers and the alcohol abusers of our community. They're just going to be left out. We're going to wait till we get a phone call to the DCFS Hotline, I guess. This is a program which a special interest group with hired lobbyists have decided that they are going to try to get us to push through this General Assembly. Now if you are willing to be a hand puppet of this special interest group, as most of the Democrats are hand puppets of the Speaker, then I guess we

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could vote for it, but I am not going to."

Speaker Steczo: "Representative Cross."

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

Speaker Steczo: "Yes, he will."

Cross: "Representative, the...if I am not mistaken in reading this, through the Amendments in this Bill, the bulk of what you have presented in this...in the language is a result of the task force that went around the state all last summer."

Dart: "Exactly, most of these...virtually everything in here was exactly what had seen...saw and heard throughout the state and a lot of it is responses to it that was initiated by different Representatives."

Cross: "And I was part of that task force. That is why I recall talking about most all of this. The Healthy Mom's initiative, now there is not a specific program in here, because your committee to examine is my understanding."

Dart: "Yes, it is...Healthy Families is the name that people have been giving it. It is a committee convened to attempt to put together a plan."

Cross: "And from what I remember hearing this summer, the Hawaii plan that we're talking about was designed...had more emphasis on prevention of abuse. Is that your goal here?"

Dart: "Yes, all the studies that have come back from there have shown it's a 99% success rate. Where the people are brought into the system later do not abuse their children, which is probably what we should be doing around here, is attempting to work at programs like that. And it also shows us the preventative stuff. For every dollar we spend, we save \$10 as opposed to doing what we normally do now, which is we wait until a little boy is hung, or we wait until some other tragedy occurs before we do anything."

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Cross: "And if I am not mistaken the experts in the field of child welfare throughout the state all last summer were supportive of a more preventive and pro-active approach. Is that correct?"

Dart: "Yea. Virtually everybody we talked to from one end of the state to the other said the same thing, that if we don't start getting involved with the preventative stuff, the explosion we're seeing in child welfare right now is only going to be the tip of the iceberg. It's going to get much, much worse."

Cross: "All right, with respect to Amendment 7, if I am not mistaken we spent...we heard from law enforcement people all over the state this summer that when they are examining cases, they don't know the history of suspected abusers. Is that correct?"

Dart: "Exactly, and it was something that they all had a unified voice in saying that it was a major problem, and it was something you and I both were able to appreciate. It would be almost as if you were getting a criminal brought into you for whether you're going to charge them as a state's attorney or not, and you had no idea if this individual had a background. If this individual just got out of the joint for child molestation, and he was doing it again, you wouldn't know any of that stuff. So these people all felt like they were operating in the dark."

Cross: "There is nothing in this Bill that would prohibit a court from expunging a record if someone wanted to pursue that. Is that correct?"

Dart: "No, no, we...those provisions, we didn't touch any of those. We dealt with just the ability to access through the leads unit, that type of stuff."

Cross: "My understanding is the Department of Children and Family

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Services is in complete and full support of this Bill. Is that your understanding?"

Dart: "I know as hard as that is for people to believe, they actually are supporting something that has my name attached to it."

Cross: "Thank you, Representative."

Speaker Steczo: "Representative Black."

Black: "Thank you very much, Mr. Speaker. In all due respect to those who may want to comment on this Bill, the hour grows late. I would like to move the previous question."

Speaker Steczo: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor, will signify by saying 'aye'; those opposed by saying, 'no'. The 'ayes' have it and the main question is put. Representative Dart, to close."

Dart: "Thank you, Mr. Speaker. There's been a lot of discussion on this Bill. There's been a lot of people who really missed the boat as far as what we are attempting to do here. As I mentioned this was a modest series of proposals and the Healthy Families area has gotten most of the attention. That is just one aspect that is merely setting up a committee. And the thing that I find the hardest to understand about that is we have a system where everybody in this chamber realizes the system is broken, horribly broken. It doesn't work. We have little children, stockpiling them now, just like we do in our prisons. They are piling up. We have no foster homes for them, and we're coming up with a program that actually might keep some of the kids out of the system. Seems to me that's probably the most responsible thing we can do here. Not only is it the most responsible, it is the only thing we can do. The people that complain otherwise that we're intruding in

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families, that is crazy. That is absolutely crazy. We're doing that now through different programs we have. And what is the alternative to not doing that? The alternative is, we drag kids out of houses on...in this case, minor situations of neglect. We don't have any place to do...to put these kids. The people who have been complaining about that initiative are people who are putting their heads in the sand. It is really very irresponsible. This is the only thing, the only measure we have out there right now, which is doing something pro-active that we might actually be able to do something to cut back on the number of kids we're bringing into the system. And as I say, it is the height of responsibility to vote for this, and I urge your support."

Speaker Steczko: "The Gentleman has moved for the passage of Senate Bill 1357. 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. The Chair recognizes Representative Biggins. One minute to explain your vote."

Biggins: "Thank you, Mr. Speaker. I want to explain my strong 'no' vote on this Bill. This Bill is another attempt of government to get into the families of the people in this state. There is no figures yet available on what cost it will be. Just think of this, parents are going to volunteer to have people come into their homes and ask them if they are abusing their children. Well, of course, they are going to have a high success ratio. It is a voluntary program and only those that are not abusing their children are going to let the government in. What kind of rights are there for any of the parents involved? What is child abuse? Is spanking a child, child abuse? Is scolding a

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child emotional child abuse? All these questions are unanswered. What kind of home visitors? Who are going to be the home visitors? Social workers, nurse practitioners, volunteers; we don't know. This Bill is being pushed by therapeutic elites who don't believe that parents are doing a good job in the first place. And they really don't want the parents to do a good job, because that would mean that government wouldn't be there to help them. I urge everybody to vote 'no'."

Speaker Steczo: "Representative Moffitt, one minute to explain your vote."

Moffitt: "Thank you, Mr. Speaker. Just based on the debate and my understanding of the Sponsor's legislative intent, although I do have some concerns, I think that still to be able to do something about the problem that exists in Illinois, my understanding is your legislative intent is that it be voluntary and based on that, I'll support it."

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

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. For purposes of clarification, I would like to point out that the Healthy Family America's Plan is a health based plan. It begins in the hospital at the time that the mother gives birth. If there is an identification of a potential problem and the mother is willing, then there is assistance that is offered. It's not intervention; it is not instructional, but it's assistance in terms of various health related aspects. In this connection it becomes a preventative program. It prevents the opportunity for child abuse occurring down the road, because this kind of activity is beginning at the initial stages. In addition to that, as time progresses, it

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coordinates with other areas where there's a desperate need in our state for interaction among departments that provide services. There is an individual who lives in my area, who participated in the establishment of the Hawaii program. She personally has testified to the effectiveness of it in her conversations with me. I am very impressed with that program and I urge an 'aye'..."

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

Lindner: "Thank you, Mr. Chairman. There is already a voluntary outreach program that is working in Springfield, Illinois, and it is very successful because it is helping parents know that they are the most important teachers of their children, also connecting them with other community services and meeting with them on grounds where they feel most comfortable, which is in their home. Anyone who feels that families are the most important teachers of their children should back this legislation. And just realizing that there are some parents who need help in developing those skills to teach their children. And I would highly support this legislation because of that."

Speaker Steczo: "Representative Hawkins, one minute to explain your vote."

Hawkins: "This is probably the most important piece of legislation for children that we will be considering this year. I don't know of any other piece of legislation that will do more for the long term benefit of children, than this legislation. We can't afford to wait till they are 12, 14, 16 years old to start trying to help them, we've got to start when they are born. Thank you."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. Representative

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this question there are 76 voting 'yes', 32 voting 'no', 7 voting 'present' and this Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of State Operations - Third Reading appears Senate Bill 1427, Representative Hannig. Mr. Clerk, please read the Bill."

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

Speaker Steczo: "The Chair recognizes Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. As many of you recall, we had a big flood along the Mississippi and Illinois Rivers last year and caused some problems with a number of the levies that tried to protect those farmland; and consequently, we are now faced with the problem of trying to rebuild those levies. What this Bill simply does though is provides and clarifies that someone who wishes to run for the drainage district commissioner position would file his petition with the county clerk of the biggest county. That's a change from the existing law where you would file at the drainage district's office, which sometimes is not known to people from the outlying areas, and this would clarify it, make it easier to find, and there's no opposition to this Bill, and I'd be happy to answer any questions and ask for your 'yes' vote."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1427. On that, is there any discussion? The Chair recognizes Representative Hughes."

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

Speaker Steczo: "He indicates that he will."

Hughes: "Representative Hannig, were you approached by anybody about placing an Amendment on your Bill in committee?"

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about placing an Amendment on your Bill in committee?"

Hannig: "Representative, there was an Amendment offered in committee and it failed."

Hughes: "Do you know why it failed?"

Hannig: "I guess the simple reason is it didn't get enough votes."

Hughes: "To the Bill. There were three Bills that were presented to this committee. There were Amendments that were presented to the committee that were noncontroversial, germane Amendments. They failed to pass out of committee at a time when many of us on both sides of the aisle were trying to get House Bills on to the very scarce Senate Bills available. The underlying Bill here is not a problem and is a good Bill and one that deserves support, but once again it's really too bad that some of the other concerns of other Representatives weren't able to be addressed in the process that we had take place here."

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

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong support of this particular Bill, and I guess one of the things I want to explain a little bit about it is, it's an outgrowth of a problem of the Sny Levy Drainage District, which the 110,000 acre...levies and drainage district on the western side of Illinois, covers part of Representative Ryder's district and comes very close...some of Representative Hannig's old district. I just want to say that it's... it doesn't seem like much of an issue, but it is very important for them because it would resolve a question that they've had some serious problems with this last year in relation to drainage commissioners. I would certainly encourage the Members of

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would thank Representative Hannig for carrying it."

Speaker Steczko: "Representative Noland."

Noland: "Thank you, Mr. Speaker. I rise in total support of this Bill. Representative Tenhouse worked very hard on this issue. He's worked diligently in his district and I think everybody should vote 'aye'."

Speaker Steczko: "Is there any further 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 115 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1427, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1447, Representative Kotlarz. Kotlarz. Out of the record. Senate Bill 1448, Representative Homer. Mr. Clerk, please read the Bill. Mr. Homer. For what purpose does Representative Hanrahan seek recognition?"

Hanrahan: "Mr. Speaker, I'd just like to correct the record on Senate Bill 1357. My vote should have been a 'yes' as opposed to a 'no'."

Speaker Steczko: "Mr. Hanrahan, the transcript will so reflect. Mr. Homer, on Senate Bill 1448. Please read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1448, a Bill for an Act concerning the practice of dentistry by limited liability companies. Third Reading of this Senate Bill."

Speaker Steczko: "The Chair recognizes Representative Homer."

Homer: "Thank you. This is a Bill that was brought to me by the Dental Society. All that it does is extend the concept that we passed last year to grant limited liability

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that we passed last year to grant limited liability authority for partnerships that happen to consist of dentists. We did this last year for CPA's and for some other professional groups. It essentially allows them to have the dual advantage of being a partnership for tax purposes and yet having the limited liability status that corporations have. I know of no opposition. I think the Bill came out of committee with a unanimous vote, and I would urge support for the Bill."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1448. Is there any discussion? The Bill's on Short Debate. Does anybody rise in opposition? Mr. Brady, do you rise in opposition? There being no opposition, it's...The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; all those opposed by voting 'no'. The voting is open. Mr. Phelps, one minute to explain your vote."

Phelps: "Thank you, Mr. Speaker. I'm just glad to see that we're endorsing this full fledged for Representative Homer and his new son, Samuel Thomas, that joins us on the floor. Samuel Thomas Homer."

Speaker Steczo: "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 113 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1448, having received the required Constitutional Majority, is hereby declared...Mr. Brady wishes to be recorded as 'aye'. There are 115 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 1448, having received the required Constitutional Majority, is hereby declared passed. On the Order of State Operations - Third Reading appears Senate Bill 1455. Representative Granberg. Out of the record.

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read the Bill."

Clerk McLennand: "Senate Bill 1672, a Bill for an Act that amends the Illinois Municipal Code. Third Reading of this Senate Bill."

Speaker Steczko: "The Chair recognizes Representative Flinn."

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

Speaker Steczko: "The Gentleman asks leave to return Senate Bill 1672 back to the Order of Second Reading for the purpose of an Amendment. Is there any objection? There being no objection, leave is granted. Representative Flinn. Mr. Clerk, any Amendments or Motions?"

Clerk McLennand: "No Motions. Floor Amendment #1, offered by Representative Flinn."

Speaker Steczko: "The Chair recognizes Representative Flinn on Amendment #1."

Flinn: "Thank you, Mr. Speaker. What this Amendment does very simply is it absolves the county of any liability while they possess property during the tax sale process. I know of no opposition of the Amendment, and I would move for the adoption of the Amendment."

Speaker Steczko: "The Gentleman has moved for the adoption of Amendment #1. On that, is there any discussion? The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. Inquiry of the Chair. Has Floor Amendment #1 been printed and distributed?"

Speaker Steczko: "Mr. Clerk?"

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

Speaker Steczko: "Yes, Mr. Black, it has."

Black: "All right, so I don't have a copy. Will the Gentleman yield?"

Speaker Steczko: "He indicates he will."

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Speaker Steczo: "He indicates he will."

Black: "Representative, this only affects the East St. Louis Financial Advisory Authority. Is that correct?"

Flinn: "That's what the Bill affects, but the Amendment is something different."

Black: "The Amendment deals with the county?"

Flinn: "Yes."

Black: "But, the county in which East St. Louis is located?"

Flinn: "Yes."

Black: "Did this Amendment... Was this Amendment introduced on its own at one time?"

Flinn: "Yes, it was a part of... This was a part of House Bill 3335. In fact, it's the last paragraph of 3335."

Black: "3335..."

Flinn: "Yes, that's..."

Black: "And can you tell me why that House Bill never got out of Rules Committee?"

Flinn: "I have no idea. I guess they thought I was Republican."

Black: "Well, one of the most honest answers I've heard this Session. Must of obviously made a mistake. I... The only concern that I have, and as I said I don't have a copy of Floor Amendment #1, it appears that that was a House Bill that was not let out of Rules Committee, perhaps if someone has a copy they can be more enlightening than I can, but I think it is something that people need to be aware of."

Flinn: "Well, I can answer that part of the question."

Black: "Okay."

Flinn: "The Trial Lawyers had a problem with the front part of the Bill, so we dropped the first two pages, and we only put in the Amendment in the last two pages, and the Trial Lawyers have no objection to that."

Black: "Well, I finally got a copy. It appears that this

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Amendment would be applicable to all counties that acquire...that would acquire...that acquire title to tax delinquent properties. Is that correct?"

Flinn: "Yes."

Black: "So, it could even affect...even affect my county, right?"

Flinn: "It'll affect any county that has the problem that we have in St. Clair County, but I don't think very many counties have the problem."

Black: "Are we exempting county officers from something?"

Flinn: "No. We're exempting the county itself from the liability of a pre-existing condition that existed on the property in case there's reason for suing somebody. The county's exempted because it goes back either to the original owner or the new owner."

Black: "You mean if the county sold a tax delinquent property, the purchaser of said property later discovers that there is a serious environmental hazard, like an underground storage tank on the property, this means that that purchaser at the tax sale cannot go back on the county and get his or her money back?"

Flinn: "No, that doesn't mean that at all. What it means is simply while the county owns the property, they are not liable to be sued for those purposes. They own the property... If you understand property that's not sold in a tax sale, County of St. Clair and some of the other counties, yours may be one of them, I'm not sure, take possession of the property, take it back for taxes and give a clear title to people in an open sale, meeting sale."

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

Speaker Steczo: "Representative Brady."

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

Speaker Steczo: "He indicates he will."

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Brady: "Representative, is there a particular example that you are trying to correct here?"

Flinn: "I can't hear the question."

Brady: "Is there a particular situation which you are trying to deal with here? Can you give us an example of..."

Flinn: "Yes. It's a problem that... There are a lot of property being taken over in St. Clair County, and in order to get it back on the tax rolls, they take it over and get a clear title to the property and sell it to the highest bidder in order to get it back on the tax roll. While the county is the owner of the property, they are now liable for pre-existing conditions. All we're trying to do is eliminate that."

Brady: "So, what you're talking about is property that for some reason escheats to the county?"

Flinn: "The county takes over..."

Brady: "Ownerless property... This is ownerless property that has escheated to the county..."

Flinn: "Yes."

Brady: "The county then sells the property at public auction as is. And this allows you to sell it as is without any contingent liability from previous ownership?"

Flinn: "Well, if there was any problem with the property while the county owns it, the county is not likely to be sued because we're trying to change the law to do that."

Brady: "So, let's say the county holds title for a period of six months, and someone is seriously injured on that property. Is the county still going to be liable?"

Flinn: "No."

Brady: "Pardon?"

Flinn: "No."

Brady: "So, who would the injured party, and let's say that

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there's negligence of some sort, who would the injured party be able to hold accountable?"

Flinn: "The only way the county would be liable if this Amendment passes is very simply if something occurred while the county owned it to make it a hazardous condition. If it was a pre-existing condition, you would go back to the original owners."

Brady: "So, if the original owner owned the property and a situation existed, the title or the property escheats to the county. It is ownerless for whatever reason, and someone is harmed or injured on the property because of a condition previous to the county's ownership, the individual's only recourse who is injured would be to go to the previous owner."

Flinn: "As far as I'm concerned, that's what would happen because that would be the responsible person for causing the existing condition."

Brady: "What if the county was aware of the negligence and allowed it...or the situation allowed it to continue?"

Flinn: "Well, that's what we're trying to exempt the county from doing, cause they simply are trying to be the transfer agent from one property owner to another, and during the time they actually own the property, we're exempting them."

Brady: "And this would apply to all counties?"

Flinn: "All counties."

Brady: "Thank you. Mr. Speaker, I ask for a Roll Call Vote on this Amendment. Mr. Speaker. Mr. Speaker, I'm joined by five of my colleagues and I request a roll call on this Amendment."

Speaker Steczo: "That's fine, Mr. Brady."

Brady: "Thank you."

Speaker Steczo: "Representative Younge."

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Younge: "Would the Sponsor yield?"

Speaker Steczo: "He indicates he will."

Younge: "Is the East St. Louis Financial Authority getting property from the county...St. Clair County or what is the relationship between the Financial Authority and this Amendment having to do with wiping out the liability of the county during the time it owns property?"

Flinn: "Well, the problem is very simply, as you know, there's an awful lot of property being taken over by the county because nobody wants to buy it for the taxes. And then we try to get it back on the property rolls by selling it at the auction to the highest bidder of the property regardless of the amount of taxes it sold on the property. And during the time that the county owns it, we're trying to exempt the county from owing...from being sued for any pre-existing conditions. That's the end of it; there's no more to it."

Speaker Steczo: "Representative Younge, continue. Are you through?"

Younge: "Yes, I just wanted to re-ask the question. Is there any activity in the East St. Louis Financial Authority of assuming, buying or getting property from the county from delinquent taxes? That was the..."

Flinn: "No."

Speaker Steczo: "Representative Wennlund."

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

Speaker Steczo: "Indicates he will."

Wennlund: "Do the Illinois Bankers Association, do they have a position on this and how will it affect the banks?"

Flinn: "I can't hear you."

Wennlund: "How will this Bill and this Amendment... How will this Amendment affect the Illinois Bankers?"

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Flinn: "I don't know that it has any effect on them."

Wennlund: "I'm sorry."

Flinn: "I don't know that it has any effect on them. All it does, it affects the county's liability during the short period of time that they're the owner of the property. That's all it has any effect on; doesn't have any effect on anybody else's liability, one way or the other."

Wennlund: "Well, this applies to all 102 counties in Illinois. Isn't that correct?"

Flinn: "I assume it does because it wasn't intended to exempt anybody."

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

Flinn: "I said, yes."

Wennlund: "Is there any known opposition to any of the provisions of this Amendment?"

Flinn: "I don't know of anybody opposes..."

Wennlund: "...To the original Bill."

Flinn: "I'm...I have not received any objections whatsoever. The Trial Lawyers opposed the original Bill and we changed the Amendment to make it acceptable to the Trial Lawyers and they were the only ones that opposed it to start with. I know of no opposition."

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

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

Flinn: "I just ask for a favorable vote, that's all."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #1. 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, take the record. On this question there are 102 voting 'yes', 9 voting 'no', 3

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voting 'present'. The Amendment is adopted. Any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczko: "Third Reading. On the Order of State Operations - Third Reading appears Senate Bill 1724. I did move it to Third Reading. Senate Bill 1724, Mr. Novak. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1724, a Bill for an Act relating to environmental protection. Third Reading of this Senate Bill."

Speaker Steczko: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1724 has about twelve Amendments on it. Before we get to the Amendments, for everyone's information, I would just like to discuss briefly the underlying text of the original Bill. It deals with internal, environmental audits that are conducted on a voluntary basis by industry in the State of Illinois. There were some changes made that were agreed to as far as filing deadlines, confidentiality of information that was derived from voluntary environmental audits conducted by Illinois business and extension of time periods for petitions to the Pollution Control Board. All of the negotiation that took place involved not only the committee but the EPA, the Pollution Control Board, Chemical Industries Council and the Illinois Fertilizer and Chemical Association. According to our analysis, the underlying text of the Bill does not have any opposition; it's agreed to. As we get to the Amendments, Amendment #1 contains a number of provisions in former House Bills that were adopted in committee. Let me just take a brief moment to outline those. Amendment #1 that was adopted in Energy and

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Environment Committee contains the following: House Bill 2535, sponsored by Representative Dave Phelps, dealing with clean alternative fuels; House Bill 2787, sponsored by myself, dealing...deals with the delay, the temporary delay of composting regulations that are due to be adopted on December 1st of 1994 to December 1st of 1997; next, House Bill 2830, sponsored by Representative Bugielski, penalties for violation of the Environmental Protection Act dealing with the illegal dumping of construction debris in residential areas and...and the judge's authority to provide to make the violators perform community service; House Bill 3126, sponsored by Representative David Leitch and myself, is an initiative of the Illinois Realtors Association, dealing with private sewage disposal and land density requirements, also with...related to the Department of Public Health's rule-making authority concerning that subject matter; as I continue, House Bill 3128, sponsored by Representative David Phelps, dealing with energy conservation programs; House Bill 3140, sponsored by Representative Novak, buy recycled challenge programs, an initiative of the Citizens Assembly; House Bill 3247, sponsored by Representative Gary Hannig. It deals with a recommendation from the Illinois Auditor General. This is an agreed legislation. House Bill 3688, sponsored by myself, allows industrial hygienists to conduct environmental audits. That is the text of House...of Amendment #1 that was adopted in committee. Floor Amendments that were adopted: Amendment #2 contains language from House Bill 3258, sponsored by Representative Michael Curran. It's a change at the request of the Illinois Attorney General to change the word 'just...to 'justifiable' from 'unjustifiable'. It was a typographical

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error and that has to be changed as far as allowing the Attorney General to enforce the provisions of the law. House Amendment #3, sponsored by myself, deals with the clean air permit...Clean Air Act Permit Program, dealing with new source of air emissions and existing source of air emissions. This was an agreed Amendment that was adopted. Further Amendments: House Amendment #4, sponsored by myself, deals with environmental audit privilege information. Again, environmental audit information, this was negotiated with the...all the interested parties and approved by the Environmental Protection Agency. House Amendment #5, offered by Representative Persico, contains language from House Bill 3644, which was Representative Bill Black's Bill, dealing with the junk cars. That was approved by...on both sides of the aisle. House Amendment #6, offered by Representative Persico, requires the Department of Energy and Natural Resources and the State Board of Education to participate in establishing a statewide school recycling program. I think I've heard of that one before, Vince. House Bill...House Amendment #7, offered by Representative Dave McAfee, is...deals with an initiative of the Departments of Mines and Minerals. It is an administration initiative. This language was taken from House Bill 2685. House Amendment #8, offered by myself, is also taken from language from House Bill 3540, which was Representative Art Tenhouse's Bill, making changes in the Illinois Oil and Gas Act to increase efficiency and effectiveness of the operation as carried out under the Act. This is an agency initiative. House Bill (sic - Amendment) #9 was withdrawn. House Amendment #10 was offered by myself and Representative Persico. It deals with energy conservation programs and public buildings. It

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extends the period of the contracts for those energy conservation programs from seven to ten years. House Amendment #11 was offered by myself and Representative Persico and it deals with, again, internal audits, environmental audits, confidentiality, third party liability. And finally, House Amendment #12 is offered by myself and Representative Bugielski, again, this is a clean-up language that was approved with the Illinois Manufacturer's Association and the City of Chicago to relegate the liability, or excuse me, not the liability, but to relegate the definition, to narrow the definition to just to construction debris that is illegally dumped in residential areas. So those are the Amendments I've described, plus the underlying text of the Bill. Be more than happy to answer any questions."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1724. On that, is there any discussion? The Chair recognizes Representative Granberg."

Granberg: "Thank you. Will the Gentleman yield?"

Speaker Steczo: "He indicates he will."

Granberg: "Representative Novak, on page 40 of Amendment #1, in the Section dealing with compost quality standards, it strikes, 'The Pollution Control Board shall issue rules' and your Amendment strikes, '1994' and inserts, '1997'. Then on line 24...lines 24 and 25, it says, 'Procedures and standards adopted under this Section shall not take effect until December 1, 1997.' It is your... Is it your intent that if the Pollution Control Board could adopt reasonable standards in 1995 or 1996, could those regulations go...those rules and regulations go into effect prior to 1997?"

Novak: "Yes, Representative Granberg, that is correct. That is

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my intention. The original intention is to...allow us for a little bit more time for the various parties, a little bit more time to adopt reasonable rules and regulations dealing with composting operations. The Pollution Control Board and the Environmental Protection Agency has agreed to this time delay. Now however, that doesn't mean that six months from now or a year from now, these reasonable rules and regulations could be put together well before the 1997 deadline. So, the answer to your question is, yes."

Granberg: "They could go into effect prior to December 1, 1997, if that was indeed the case."

Novak: "Correct."

Granberg: "Thank you."

Speaker Steczko: "Representative Wennlund."

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

Speaker Steczko: "He indicates he will."

Wennlund: "Representative Novak, can you tell us why there's a necessity for the Pollution Control Board to extend for three years its obligation to develop rules for composting sites?"

Novak: "Representative Wennlund, composting in Illinois is a fledgling industry. There are not a lot of individuals that are involved in this business. It is a new science because a few years ago when we banned landscape waste, when Governor Thompson signed that Bill and it went into effect in July 1st of 1990, which is only four years ago, some of your larger waste hauling companies operated, started operating compost facilities next to their landfills, which was fine. But there are other businesses and individuals around the state that have separate composting facilities, and composting may sound very simple

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on its face, but it is a technical type of an operation. You have to have different types of machinery, soil types have to be tested, you have...it has to be spread out certain ways, because over the past couple of years, we have had complaints about certain types of composting facilities giving off bad odors around certain residential areas."

Wennlund: "I understand that..."

Novak: "Okay. And a few years ago...and a few years ago, we put some setback regulations concerning composting operations as far as how far they could be away from residential areas or from commercial areas, for that matter. So we did that and then we passed a Bill a few years ago to require that the EPA and the Pollution Control Board put these rules and regulations together. The reason why we want the extension, whether it's three years or two years or what, we want to allow this committee to continue to sit down and adopt reasonable rules and regulations. We don't want to drive these people out of business. A composting facility is a lot different than a landfill, and adopting regulations that landfills have to use and making them comply to a composting facility certainly is not fair. One of the reasons why we want this extension is to have more time to adopt reasonable rules and regulations. And as I indicated in debate with Representative Granberg, should these regulations be adopted prior to the December, 1997 extension, our intent is to adopt them as soon as possible."

Wennlund: "All right, to the Bill. As many of you are aware, composting is an extremely controversial subject matter, and if any of you have any compost sites in your district, they have been nothing but a headache. The...I cannot for

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the life of me see why the Pollution Control Board can't put together a reasonable set of rules and regulations by which composting can be done. It's really not that complicated if it's done right. The truth of the matter is that by allowing this extension, then those in the business of composting buy three more years before they have to adhere to the rules and regulations that will ultimately be adopted. That... This Amendment and this provision comes into the Bill, not by virtue of a request from the Pollution Control Board, or a request by the EPA, but a request from composters. That's where it's coming from. This request is coming from the composters, and if you end up with a compost site in your district, with a lot of complaints from a lot of residents, and you vote to extend the date, what you're saying is is that we're going to let these composting site operations go on with business as usual, causing the usual odor and stink and stench problems. That's what you're doing if you're going to approve this. This Amendment comes from those in the business of composting and it's to their best interest that these rules and regulations not be adopted for another three years, so they can get on with business just...business as usual in causing problems. You ought to be really aware of what this provision is."

Speaker Steczo: "Representative Balthis."

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

Speaker Steczo: "He indicates he will."

Balthis: "Representative, this extension for the Pollution Control Board, the extension for the Pollution Control Board, that study has been going on...or promulgation for those rules has been going on for almost two years now."

Novak: "The committee started last August and they've been

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working on adopting rules and regs. and discussing concepts for the last four months."

Balthis: "Representative, I'm a Member of that committee. It's been going on for well over a year. Okay. Well, this, this... "

Novak: "According to Mr. Cross and the Pollution Control Board, it first convened in August."

Balthis: "Well, it's been going on for well over a year because I'm a Member of the committee. Okay. So all I'm saying to you is it's been going on for that period of time. We're talking about another three years. They closed down a site in my district, because the people were violating what rules we have now. This is a ridiculous Amendment in this Bill. There's already a set of rules out there. This does not need to be extended. If it extended a year, it would be a long time. You say it can be put in place at any time. This legislation says, 'Shall not take effect'. This legislation is going to prohibit this from going into effect until December of 1997, three years from now, three and a half years from now. This legislation should not be in here. This is saying to everybody that has a compost facility in their district that you don't...we don't worry about you. We had people in our district that were sick, and they're still sick in my district, that could not live next to a compost facility. This should not be adopted and anybody that votes for this and has a compost facility in their district is going to hear from a lot of constituents. I urge a 'no' vote."

Speaker Steczo: "Representative Skinner."

Skinner: "The Sponsor said something in his explanation of the original Bill, which peaked my interest, and I wondered if he would answer a question about it?"

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Speaker Steczo: "I'm sorry, Mr. Skinner."

Skinner: "I would like to ask a question about the rules in the Public Health Department that this Bill is going to squash or quash."

Speaker Steczo: "Proceed."

Skinner: "What is the subject matter of the Public Health Department rule, something about septic tanks?"

Novak: "Representative Skinner, the Illinois Association of Realtors was notified by a group of real estate people in Peoria, I believe or in Representative Leitch's district, about pending rules and regulations that the Department of Public Health was going to promulgate through JCAR about density requirements and septic tank requirements on subdivisions, on new home construction."

Skinner: "Like the distance between the well and the septic?"

Novak: "Right, right, correct..."

Skinner: "This was going to be done without any input from the General Assembly whatsoever."

Novak: "The purpose of the Bill is to provide an opportunity for real estate business interests to have a voice in the promulgation of those rules. That's all it says."

Skinner: "Well, I think that is at least the best part of this Bill. My county has more..."

Novak: "That's a compliment."

Skinner: "My county has more unincorporated, or at least it did, I guess it was a 1970 census, more people living in the unincorporated area, higher percentage than in any other county in the state. There are all sorts of subdivisions with small lots, lots of them on lakes, that this effort by the Department of Public Health is just going to turn, you know, a \$50,000 lot into maybe a \$500 lot. I think it is one of the stupider things I've ever seen the Department of

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Public Health do, and let me tell you, there's a whole line of things that they've done that have been stupid."

Speaker Steczo: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker. I would like to point out that the...this Bill is a very important Bill, especially to those of you who live in downstate. It was motivated by some rules that were promulgated by the Department of Public Health for what we have determined to be no public health reason, no environmental reason, no reason other than someone in the Department of Public Health cooked them up. They would have a very dramatic impact on development in the downstate areas, and in fact, throughout the state. This is a very high priority piece of legislation from the realtors, from the home builders, from the septic tank people. It would, as the previous speaker described, dramatically increase the cost of lots because of arbitrary increases in the size...in the sewage site fields. It would take many residential lots, I know, in the Peoria area and proposed subdivisions. In one case, take it from ten lots down to about four lots that would be permitted for no reason. And this Bill has two very important features. One is that when the Department has rules that are proposing to do with land density, that that cannot be done by rule, that that does, Representative Skinner, have to come before the General Assembly. And secondly, that it'd have to come after consultation with members in the industry, people in the business, people who are affected, that it not just become out of the air, nuking these industries. Our Public Health Department and other Public Health Departments strongly oppose these rules, and said so publicly and went throughout downstate to oppose these rules. This is a means of preventing these kind of future

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rule-making, legislating by rules as opposed to legislating where it belongs in the General Assembly. I would also like to point out for those of you who live in the collar counties and the more urban areas that this does nothing to change your situations, which is to say that your counties are free to impose any increase in land density and so forth, that your county board feels is appropriate for your county. But it does not mandate; this Bill prevents mandating those unreasonable and high standards to every other county in the state. It's a very important Bill. There are people all over the state who are very upset about these proposed rules, and I would urge you very much to vote in favor of this Bill. If there's a problem with another part of the Bill, then let's fix it in a Conference Committee with the Senate. But this is a very, very important Bill, and I would strongly urge its passage."

Speaker Steczko: "Representative Persico."

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

Speaker Steczko: "He indicates he will."

Persico: "Representative, first of all, a point of clarification.

Amendments 2, 3, 4, 5, those were Committee Amendments, not Floor Amendments, right?"

Novak: "You're right."

Persico: "And they passed out of the committee unanimously?"

Novak: "Correct. Correct."

Persico: "Okay."

Novak: "Yes, that was my mistake. They were adopted in committee."

Persico: "Secondly, Amendment #12 just gives the option to a judge to give community service only for this part of the Environmental Protection Act if you are accused of fly dumping? That's the only part."

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Novak: "Correct. Correct. Construction debris only."

Persico: "Construction debris only."

Novak: "Yes."

Persico: "Thank you."

Novak: "And that's defined in the statute."

Persico: "Okay. Thirdly, in regards to the moratorium on the rules, are they...these are...this is a necessary Amendment to postpone till 1997 because the Environmental Council of Business realized that these rules will not be...we can't get to these rules by December 1, 1994. Is that correct?"

Novak: "Well, those...as the current law stands now, the EPA has to draft and approve rules by the end of this year. However, the extension simply says that the Pollution Control Board shall not adopt the rules for enforcement until December 1st of 1997. But as I indicated, again to reiterate, should these rules be agreed to prior to December, 1997, we'll certainly push forward with that."

Persico: "And so you're willing to consider this language in a Conference Report if we need to?"

Novak: "Certainly, I see no problem with that."

Persico: "Okay, thank you. To the Bill, I stand in support of this Bill. It is a very important piece of legislation. First of all, it deals with environmental audits that EPA and the business community agrees to. It has some administration language on there that Mines and Minerals need and also the moratorium language. If there is some disagreement on that, will be taken care of in a Conference Committee Report, and I strongly urge both sides of the aisle to support this important piece of legislation."

Speaker Steczo: "Representative Santiago."

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

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Speaker Steczko: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The main question is put. The Chair recognizes Representative Novak to close."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I indicated when I explained the number of Amendments and the context of those Amendments in this Bill, just like any other Bill that has a myriad of Amendments. Some may be controversial, some may not be. It all depends in the eye of the beholder, I guess. But there are Republican Amendments on this Bill; there are Democratic Amendments on this Bill. There are important issues to other Legislators around the State of Illinois. And again, if this gets put into a Conference Committee Report, we'll certainly try to iron out some of the concerns that have been raised on the floor today. I simply ask my colleagues to join with me in adopting Senate Bill 1724. Thank you."

Speaker Steczko: "Representative Novak has moved for the passage of Senate Bill 1724. 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. Representative McAuliffe wishes to be recorded as 'aye'. Any others? On this question there are 100 voting 'yes', 1 voting 'no', 13 voting 'present'. Senate Bill 1724, having received the required Constitutional Majority, is hereby declared passed. On the Order of State and Local Government - Third Reading appears Senate Bill 1691, Representative Novak. Mr. Novak. Mr. Clerk, please read

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the Bill."

Clerk Rossi: "Senate Bill 1691, a Bill for an Act in relation to tax credits and exemptions. Third Reading of this Senate Bill."

Speaker Steczko: "Representative Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1691 is a very important measure that the Illinois business community needs to continue. What the underlying Bill essentially does, it extends the research and development tax credit that is about to sunset at the end of this year. It extends it, for I believe, for two more years. Studies done by the Department of Revenue indicate that this research and development tax credit that is utilized by Illinois businesses creates a real and tangible beneficial effect. It creates jobs. And this is born out by studies and analyses done by the Department of Revenue. The Department of Revenue is certainly behind this legislation as well as the entire Illinois business community. It's a very important piece of legislation to keep...to let us...to allow us to continue the research and development tax credit. Also on the Bill, there are some provisions dealing with some clean-up language for the airline fuel industry because of some of the differences in the language, number of years ago, dealing with whether plane...when planes take off and they go overseas, about tax credits or tax exemptions that are given by foreign countries on intercontinental flights in relation to flights that are in truck, continental within the borders of the United States. And this was also agreed to by all the parties. So be more than happy to entertain any questions. This Bill should have passed the House, now goes back to the Senate for concurrence and then to the

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Governor's desk."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1691. On that, is there any discussion? There being none, the question is, 'Shall Senate Bill 1691 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all vote 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 1691, having received the required Constitutional Majority, is hereby declared passed. On the Order of Education - Second Reading appears Senate Bill 1144. Representative Phelps. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1144, the Bill's been read a second time previously. Amendments 1 and 2 were adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Skinner."

Speaker Steczo: "The Chair recognizes Representative Skinner on Amendment #3. Representative McPike. Never mind. Representative Skinner, on Amendment #3. Mr. Skinner."

Skinner: "Mr. Speaker, we already have a vote on this Amendment, so I would ask leave to withdraw it."

Speaker Steczo: "The Gentleman withdraws Amendment #3. Mr. Clerk, any further Amendments?"

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

Speaker Steczo: "Representative Cowlshaw, Amendment #4."

Cowlshaw: "Thank you very much, Mr. Speaker. Could you please ask the Clerk to inform me as to whether Amendment #2 to this Bill was adopted? There was a Committee Amendment #2. Was that adopted in committee?"

Clerk Rossi: "Amendment #2 was adopted in committee."

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Cowlishaw: "Very good, thank you very much. In that event, we do need Amendment #4."

Speaker Steczo: "Proceed."

Cowlishaw: "Amendment #4 removes the provisions that were contained in Committee Amendment #2, and the reason that it does that is because the parties that had a disagreement over those provisions have now reached an agreement. That agreement will be coming over to us as part of one of the Senate Bills, one of the House Bills that is now in the Senate. Consequently, we no longer need those provisions from Amendment #2 and all Amendment #4 does is remove them."

Speaker Steczo: "The Lady has moved for the adoption of Amendment #4. On that, is there any discussion? There being none, all those in favor of the adoption of the Amendment 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: "Floor Amendment #5, offered by Representative Cowlishaw."

Speaker Steczo: "Representative Cowlishaw, on Amendment #5."

Cowlishaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #5 is the Amendment that proposes to abolish the Chicago Board of Education and the Chicago School District and create in its place a total of nine brand new, independent school districts, each with an elected seven member school board, which is the model for effective school districts that has worked very well throughout the rest of the state and which would give us the opportunity to finally have school districts for those children who live in Chicago that were of manageable size. A school district with more than

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400,000 students is simply beyond the point where anyone can, to coin a phrase, 'Put one's arms around it'. A school district with perhaps around 40,000 students is much, certainly, much more manageable and hopefully the quality of education would improve in Chicago, simply because of these structural changes and because of the increase in accountability that would be provided by having elected school board members, rather than the current system, which simply provides that the board of education members are appointed by the Mayor of Chicago. Mr. Speaker, I would submit to you that this is one of the few rational suggestions that has been made around here in the last ten years that has any real promise of improving schooling for the children of Chicago. I would ask for a Roll Call Vote on this Amendment, and I am confident, Sir, if you will look around carefully, that I have a total of 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, I believe I've met the requirement, Sir. I would ask, 'May I have a Roll Call Vote on this Amendment?'."

Speaker Steczo: "Representative Cowlshaw, yes. There were enough Members having answered the...answered the...your request. You will get a Roll Call Vote on this Amendment."

Cowlshaw: "Thank you very much. I would be glad to answer any questions. I move for the adoption of Amendment #5 to Senate Bill 1144."

Speaker Steczo: "The Lady has moved for the adoption of Amendment #5. On that, is there any discussion? The Chair recognizes Representative Phelps."

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

Speaker Steczo: "She indicates she will."

Phelps: "Representative Cowlshaw, hi!"

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Cowlshaw: "Hi!"

Phelps: "Is this the Amendment that we voted down before in this great, august Body?"

Cowlshaw: "Oh yes, it only failed by two votes. I have high hopes."

Phelps: "That's a good song."

Cowlshaw: "Well, anything that only failed by two votes, you know a lot of people change their minds about things from one day to the other."

Phelps: "Yea, sometimes they change their mind and it can go the other way, like 25 votes..."

Cowlshaw: "Well, that's possible, too, of course, Representative. We've all seen it happen both ways."

Phelps: "Do you feel that if you're successful in breaking up this into nine districts that what could possibly be the cost of that many elections holding in nine different districts as opposed to what it is now?"

Cowlshaw: "I'm sorry. I could not hear your question."

Phelps: "Do you think it would be more expensive to address the elections of nine districts as opposed to how it's handled now? If you're successful in creating nine districts is what you're trying to do, right? Nine elected districts, that means that many elections..."

Cowlshaw: "Yes, school board members are elected in elections that have to be held anyway, so there are not additional elections that have to be held."

Phelps: "I thought they were appointed now."

Cowlshaw: "Yes..."

Phelps: "And so you're wanted..."

Cowlshaw: "But if they were elected, they would be elected on a ballot during which there are other positions that have to be elected. We do not have separate elections in this

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state just for school board members. At least we don't in all those parts of Illinois where I have ever known any school board members!"

Phelps: "But you haven't calculated what it would cost to create and implement the nine elected districts that you're proposing?"

Cowlshaw: "Well, Representative, I think that probably there would be some transitional costs, and I am certainly willing to acknowledge that. However, it is my view, and I think probably the view of most people who have looked at the subject of the size of the school districts in terms of enrollment, that once this new structure was put into place, that we would be able to get a much better quality of schooling for Chicago's children at a considerable cost savings. That, in fact, we would get more and pay less."

Phelps: "Thank you, Representative. Mr. Speaker, to the Amendment. I have the greatest respect to the Sponsor and what her intent of what she is trying to do, but I believe this would make the intent of this whole Bill not one that we would want clearly done. So I oppose the Amendment and I ask my colleagues to join me in defeating this Amendment one more time."

Speaker Steczo: "Thank you, Representative Phelps. Representative Cowlshaw and Members of the House, the Chair's been informed that there are 19 Amendments filed to this Bill. What the Chair would like to do is open the roll call and have people explain their votes. There is a number of people seeking recognition. Would that be okay, Representative Cowlshaw, with you?"

Cowlshaw: "Mr. Speaker, I think that makes eminently good sense, and I am glad you suggested it, of course, but I do want a Roll Call Vote."

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Speaker Steczo: "You'll get your roll call... Would you care to close?"

Cowlishaw: "Thank you very much."

Speaker Steczo: "The Lady moves for the adoption of Amendment #5. All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. The Chair recognizes Representative Weaver, one minute to explain your vote."

Weaver: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, put very simply, a 'no' vote on this Amendment is a vote for business as usual with the Chicago school system: continued waste, continued bureaucracy and no change from the way it's been to make the worst school district in the country. A 'yes' vote is a step in the right direction to try and give the school system back to the people to allow them to run their own school system in a much more efficient and effective manner. A 'yes' vote is absolutely the only vote on this Bill."

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

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment for one simple reason. This does nothing but increase bureaucracy in the State of Illinois. I can't understand how the other side of the aisle could propose, first of all that we create a suburban school superintendent of school position that we eliminated. Now that we take one school district and divide it into nine. All we're doing by both of those measures is expanding useless bureaucracy, taking taxpayers' dollars and spreading them out so thin that you're going to have nine totally ineffective school districts in the Chicago area. Plus the disparity that's

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going to occur among students and the opportunity for students, depending upon where they live in the city, is going to be extremely dramatic and it's going to exasperate a problem that already exists. This is not a good measure. It does not improve educational quality. It only deteriorates the situation that everybody acknowledges is already in trouble. This makes it worse. I urge a 'no' vote."

Speaker Steczko: "Representative Schoenberg, one minute to explain your vote."

Schoenberg: "I haven't cast my vote yet. It's going to depend on what the Sponsor, if she, if the Sponsor could direct her attention to me for one second. You could nod your head yes or no. Representative Cowlshaw, could you please tell me if the Chicago School Finance Authority, which is charged with the oversight and accountability of how the Chicago public schools are run, if they have a formal position on this."

Speaker Steczko: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. I do not know whether the School Finance Authority has taken any position on this specific proposal. I believe they may have taken a position on a similar proposal earlier, but on this particular one, in all honesty I have to tell you I don't know if they've taken any position at all. And by the way, Mr. Speaker, if this fails to get the requisite number of votes to be adopted, I would ask for a verification of the negative vote. Thank you."

Schoenberg: "Mr. Speaker, I would like to continue explaining my vote. It seems to me incongruous that if the Chicago School Finance Authority hasn't weighed in on such an important issue, and they're the agency responsible for the

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oversight and the fiscal management of the Chicago public schools, I would seem to think that if they thought this was important we certainly would have heard from them. You know, we've heard a lot of bluster from the other side in terms of how you stand for business as usual, and how nothing but party hacks fill the school board. Well, I think that that's a rather offensive statement to make. You have a number of dedicated lay people who are absolutely divorced from politics who make recommendations to the Mayor's Office, and sometimes the Mayor rejects those things. As a matter of fact, I believe currently one of the vice-presidents of the school board has been...has not had their renomination approved by the screening committee. So this would seem to be...last week's meatloaf, and I would urge everyone to vote in opposition to this."

Speaker Steczko: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am appalled that anybody can defend the Chicago school system as currently as operating. From today's Chicago Sun Times I'm holding up a headline in which the Mayor of the city is asking that they dump principals. The reason he wants to dump principals is because according to data from the 1991 graduating class, the dropout rates average 51.3%, and they list all the high schools and the huge dropout rates. You can't defend a system that does that. It's also a system that according to the Sun Times is using the 1991 figures, because those are the last ones that are available. This is 1994, all that they have is 1991 dropout rates. Why? Cause they don't get any better than this; they get worse than this. This is the worst, one of the worse school systems in our state. We have to

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change, maybe not the principals 'als' as the Mayor requests, but the principles that end in 'les', the ones that get us in this mess in the first place, and I support the Amendment."

Speaker Steczo: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. As a Chicagoan, I always welcome efforts to help us out with our problems in educating our young. The Sponsor of this Amendment did help us out when we did bottoms up grass-roots reform for the Chicago Board of Education some years ago. The development of local school councils as a way to help improve the governance of the schools is starting to show good results. There is no evidence, not one shred, not one iota that adding to the school bureaucracy, as this Amendment would, would help educate our young one width better than we educate them today. We've done the structural reform. Let's move onto educational reform. Let's put our resources in the classrooms where the children need teaching assistants, where they need reading help, where they need early childhood. It is not one more governance change that adds to the cost and makes the job of the teacher more difficult that we're looking for, what we're looking for is help with curriculum, help with the education..."

Speaker Steczo: "Representative Davis."

Davis: "Thank you, Mr. Speaker. I rise once again in opposition to this Amendment. I fail to see how creating seven new districts and having to pay the salaries of seven new superintendents with all of their staff will decrease the cost of education in the City of Chicago. I'm really concerned with the paternalistic attitude that those from certain areas in this state seem to have for our school

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system. The Legislators in this Body in 1988 passed a School Reform Bill. That School Reform Bill was suppose to eliminate or alleviate a number of the problems that we see that they still...some of them still do occur. However, the proposal to add bureaucracy by adding new superintendents, by adding new district staff, I fail to see how that would improve education or decrease..."

Speaker Steczo: "Please bring your remarks to a close, Representative."

Davis: "I would just urge 'no' votes to this, again, attack on self-determination and our ability to improve our system."

Speaker Steczo: "Representative Daniels."

Daniels: "Well, now we've heard it all. The last two speakers tell you they want to protect the system of education that's suppose to be so great that they have to turn down every year, time and time again, asking us to bail them out in a system that isn't working. You talk about increasing bureaucracy by this, baloney. You do the exact reverse. You get rid of Pershing Road. You get rid of those people that aren't doing their job, that aren't educating the kids of Chicago and you replace them with an elected school board that works in this state. And I want to tell you something, this is an Amendment that works. This is one that we ought to pass. And it's time to stand up for the kids of Chicago. Turn your back on the bureaucrats. Get rid of them. Help the kids of Chicago and pass this Amendment."

Speaker Steczo: "Representative Erwin."

Erwin: "Thank you, Mr. Speaker. I appreciate the sincere concern from the other side of the aisle about the quality of the Chicago public schools. I am not voting against this Bill, you might notice, because I happen to represent some of the

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finest public schools in the City of Chicago and I am proud to. However, I want you to know that I think that this notion that the organization of the Chicago School Board is the answer, as Representative Currie said, it's really what goes on in the classroom between teachers and kids that we ought to be concerned about. But I want to leave the door open for future organizational reforms, so I'm concerned about this because of the property tax issue. You may end up with apparteid, very wealthy, very poor and that's not right, but let's continue with reform at the local level."

Speaker Steczko: "Representative Persico."

Persico: "Thank you, Mr. Speaker. I stand in strong support of this Amendment. For the life of me, I cannot understand why anybody would vote against this Amendment. It's a positive step in the right direction. I think if you look back to last fall and the frustration and comments that I heard from both sides of the aisle of why are we here, trying to bail out a system that doesn't want to reform itself. How many of our own school districts have found themselves in financial difficulty? Did we come down here and ask the State of Illinois to bail us out? No. Only the City of Chicago, and yet they still resist any type of reform. I urge a strong 'yes' vote on this Amendment."

Speaker Steczko: "Representative Biggert."

Biggert: "Thank you, Mr. Speaker. To me, public education is the responsibility of the state. And that means that what happens in Chicago is our responsibility for all the Legislators throughout the state, and I really take offense that this is not an issue that concerns us. What happens in Chicago is very important to all of us. I think that we need to find a new method to provide quality education to our children, and this is one way to do it. I stand in

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strong support of this Amendment."

Speaker Steczo: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It's just incredible that the...I hear these voices on the other side of the aisle being concerned about bureaucracy and paternalism. I mean, really! I mean where have you been for the last 50 years? The greatest build up of bureaucracy in our history has been supported by your party. I mean...there was a time when we were busting the big, you know, trustbusters, where they were breaking down these big monopolistic groups in the private sector. And boy, do we need it in Chicago. I certainly would give the people a chance to do their own thing and get rid of that crowd down on Pershing Road. I recommend an 'aye' vote."

Speaker Steczo: "Representative Skinner."

Skinner: "We want voters to elect school boards in Chicago. It works pretty well elsewhere in the state. Try it, you might like it. You certainly couldn't do worse than the dropout rate that are listed in the Chicago Sun Times today on page 5. Simpson School, 93% dropout; Industrial Skills, 90.5%; Tessler, 87.1%; Cregier, 80.4% dropouts; Crane, 77% dropouts; Phillips, 76.7; DeSoto, 73.5%; Kelly, 73.3%; Farragut, 73.1% dropouts; Marshall, 71.7; Orr, 70.6%; Clementee, 67.8% dropouts; Austin, 67.8%; Tilden, 67.6; Mannerey...Manley, 67; Well, 65.6..."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 53 voting 'yes', 59 voting 'no'. Representative Cowlshaw has requested a verification. Mr. Clerk, please..."

Cowlshaw: "Thank you, Mr. Speaker. Could you begin by taking a roll to see who it is who has not voted at all, please?"

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Speaker Steczko: "We're going to take a Poll of those who have not voted. Mr. Clerk, proceed in doing that."

Clerk Rossi: "There are no Members not voting."

Speaker Steczko: "Please poll the negatives."

Clerk Rossi: "Poll of those voting in the negative. Representatives Balanoff. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Dart. Davis. Deering. DeJaegher. Dunn. Edley. Flinn. Flowers. Frias. Giglio. Giles. Giolitto. Granberg. Hannig. Hartke. Hawkins. Hicks. Hoffman. Homer. Lou Jones. Shirley Jones. Kotlarz. Lang. Laurino. Levin. Lopez. Martinez. Mautino. McAfee. McGuire. McPike. Moseley. Harold Murphy. Novak. Phelan. Phelps. Prussing. Pugh. Raschke-Lind. Ronen. Saltsman. Santiago. Schakowsky. Schoenberg. Sheehy. Steczko. Stroger. Turner. Woolard. Younge. And Mr. Speaker."

Speaker Steczko: "Representative Cowlshaw, any questions of the negative?"

Cowlshaw: "Yes, Mr. Speaker, and thank you very much for your courtesy."

Speaker Steczko: "You're welcome. Please proceed."

Cowlshaw: "Representative Flinn?"

Speaker Steczko: "Representative Flinn? Representative Flinn. Is the Gentleman in the chamber? Mr. Clerk, please remove him from the roll call. Further questions?"

Cowlshaw: "Representative Giglio?"

Speaker Steczko: "Representative Giglio? Representative Giglio. Is the Gentleman in the chamber? Please remove him from the roll call. Further questions?"

Cowlshaw: "Representative Harold Murphy?"

Speaker Steczko: "Representative Harold Murphy? Is the Gentleman in the chamber? Mr. Clerk, please remove him from the roll

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call. Representative Cowlshaw, further questions?"

Cowlshaw: "Representative Shirley Jones?"

Speaker Steczo: "Representative Shirley Jones? Is the Lady in the chamber? Mr. Clerk, please remove her from the roll call. Representative Cowlshaw, further questions? Representative Schoenberg asks leave to be verified?"

Cowlshaw: "Who?"

Speaker Steczo: "Representative Schoenberg, right here."

Cowlshaw: "Gladly. Gladly. Have a nice trip home. Drive...drive, you know, a reasonable rate of speed and all. Bye."

Speaker Steczo: "Representative Schoenberg is verified. Representative Levin, are you seeking the same..."

Cowlshaw: "Representative Stroger? Oh, pardon me."

Speaker Steczo: "Representative Levin is also asking leave to be verified?"

Cowlshaw: "Who?"

Speaker Steczo: "Representative Levin. Mr. Levin."

Cowlshaw: "Okay, just a minute."

Speaker Steczo: "So we have verified Schoenberg and Levin...are verified."

Cowlshaw: "Schoenberg and Levin and who else?"

Speaker Steczo: "Schoenberg and Levin have been verified. You have given them leave to be verified."

Cowlshaw: "Where is Representative Levin? Oh, all right. All right. Very good."

Speaker Steczo: "And you asked about Representative Stroger. He's in the back by Representative Turner's chair."

Cowlshaw: "In the back, oh yes, there he is, all right."

Speaker Steczo: "Any further questions?"

Cowlshaw: "Yes, Representative Hicks?"

Speaker Steczo: "Representative Hicks? Representative Hicks? Is

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the Gentleman in the chamber? Please remove him from the roll call. Representative Cowlshaw, any further questions?"

Cowlshaw: "Yes, Representative DeJaegher?"

Speaker Steczo: "Representative DeJaegher? Mr. DeJaegher. Is the Gentleman in the chamber? Mr. Clerk, please remove him from the roll call."

Cowlshaw: "Representative Laurino?"

Speaker Steczo: "Representative Laurino? Mr. Laurino. Is the Gentleman in the chamber? Please remove him from the roll call. Further questions?"

Cowlshaw: "Representative Kotlarz?"

Speaker Steczo: "Representative Kotlarz? Representative Kotlarz. Is the Gentleman in the chamber? Please remove him. Further questions?"

Cowlshaw: "Mr. Speaker, I...May I ask something?"

Speaker Steczo: "Sure."

Cowlshaw: "Did I verify Representative Capparelli? Did he..."

Speaker Steczo: "I believe not."

Cowlshaw: "I don't recall."

Speaker Steczo: "I believe not."

Cowlshaw: "I don't believe so. Representative Capparelli?"

Speaker Steczo: "Representative Capparelli? Mr. Capparelli. Is the Gentleman in the chamber? Mr. Clerk, remove him from the roll call."

Cowlshaw: "Representative Lou Jones?"

Speaker Steczo: "Representative Lou Jones? Representative Lou Jones. Is the Lady in the chamber? Please remove her. Further questions?"

Cowlshaw: "Is that taken...okay. Representative Rotello?"

Speaker Steczo: "Representative Rotello, who is voting 'yes', is in his seat."

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Cowlishaw: "Oh, well, good for him. I've always known he had a lot of good sense. Representative Santiago."

Speaker Steczo: "Representative Santiago? He's in the back of the chamber."

Cowlishaw: "Oh, all right. He's back, he's over on the Republican side. Isn't that nice. Representative Phelan?"

Speaker Steczo: "Representative Phelan? Representative Phelan. The Gentleman in the chamber? Mr. Clerk, please remove him. Further questions?"

Cowlishaw: "Did I...I don't know if I...Did I inquire about Shirley Jones?"

Speaker Steczo: "Yes, you did."

Cowlishaw: "And she's here?"

Speaker Steczo: "No, she was removed from the roll call."

Cowlishaw: "Oh, she's been removed, all right, and finally, Representative Saltsman?"

Speaker Steczo: "Representative Saltsman is in the chamber standing by his desk."

Cowlishaw: "Thank you, thank you very much. My goodness sakes, thank you very much, Mr. Speaker. That's..."

Speaker Steczo: "Have you completed your inquiry and your questioning?"

Cowlishaw: "I believe I have concluded, and I once again thank you for your courtesy."

Speaker Steczo: "Okay. Representative Phelps."

Phelps: "Thank you, Mr. Speaker. I'd like to request to verify the 'yes' votes, please."

Speaker Steczo: "The Gentleman requests a verification of those voting in the affirmative. Mr. Clerk, please read those that are voting in the affirmative."

Clerk Rossi: "Poll of those voting in the affirmative. Representative Ackerman. Balthis. Biggert. Biggins."

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Black. Brady. Churchill. Clayton. Cowlshaw. Cross.
Daniels. Deuchler. Virginia Frederick. Gash. Hanrahan.
Hassert. Hoeft. Hughes. Tim Johnson. Tom Johnson.
Krause. Kubik. Lawfer. Leitch. Lindner. McAuliffe.
Meyer. Moffitt. Andrea Moore. Mulligan. Maureen Murphy.
Noland. Olson. Pankau. Parke. Pedersen. Persico.
Roskam. Rotello. Rutherford. Ryder. Salvi. Saviano.
Skinner. Stephens. Tenhouse. von Bergen-Wessels. Walsh.
Weaver. Wennlund. Wirsing. Wojcik. And Zickus."

Speaker Steczko: "Representative Phelps, any questions of the Affirmative Roll Call?"

Phelps: "Thank you, Mr. Speaker. Representative Churchill?"

Speaker Steczko: "Representative Churchill? The Gentleman's in the main aisle. Further questions?"

Phelps: "Thank you. Representative Leitch?"

Speaker Steczko: "Representative Leitch...is in the back of the chamber."

Phelps: "Representative Tim Johnson?"

Speaker Steczko: "Representative Tim Johnson? Representative Tim Johnson. Is the Gentleman in the chamber? Please remove him. Further questions? Representative Pankau, for what purpose do you seek recognition? The Lady asks leave to be verified. Representative Pankau. She has leave. Mr. Biggins?"

Phelps: "Watch those video tapes going home."

Speaker Steczko: "Requests...Mr. Biggins requests leave to be verified. Mr. Walsh requests leave. Mr. Persico requests leave. Mr. Balthis requests leave."

Phelps: "Is this a caucus or...leaving or what?"

Speaker Steczko: "Balthis. Mr. Black, do you request leave, too?"

Phelps: "That's it."

Speaker Steczko: "Mr. Wennlund."

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Phelps: "Three, three is reasonable; it's kind of a religious number."

Speaker Steczo: "Okay, so...But Mr. Black, you've been verified. You've been verified, Mr. Black. Proceed. Proceed with your business. Mr. Phelps, any further questions? Proceed."

Phelps: "Representative Moffitt?"

Speaker Steczo: "Representative Moffitt is in his chair."

Phelps: "I'm sorry. How about Representative Tenhouse?"

Speaker Steczo: "Representative Tenhouse is on the side here."

Phelps: "Over in the aiming corner. Okay. Representative Wirsing?"

Speaker Steczo: "Representative Wirsing is standing by his chair."

Phelps: "Representative Ackerman?"

Speaker Steczo: "Representative Ackerman is in his chair."

Phelps: "Representative Persico?"

Speaker Steczo: "Representative Persico. Please restore Representative Giglio to the roll call. As, Representative Giglio, as a 'no'? Mr. Persico. Okay, he was verified. That is correct. He was verified."

Phelps: "Representative Wennlund?"

Speaker Steczo: "Representative Wennlund...I believe had leave as well. Yes, he did. Restore Mr. Johnson, Tim Johnson, to the roll call. Mr. Phelps, I'm sorry. Further questions?"

Phelps: "Representative Rotello?"

Speaker Steczo: "Representative Rotello? The Gentleman's in the front of the chamber. Further questions? Mr. Phelps, further questions? Mr. Blagojevich, for what purpose do you seek recognition?"

Blagojevich: "Speaker, I'd like to be recorded as a 'no' instead of a 'present'."

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Speaker Steczko: "Mr. Blagojevich changes his vote from 'present' to 'no'. Mr. Phelps, do you have further questions of the Affirmative Roll Call?"

Phelps: "Yes, I have, thank you very much."

Speaker Steczko: "Please proceed. Mr. Phelps."

Phelps: "I've concluded, thank you very much."

Speaker Steczko: "The Gentleman has concluded with his verification. Does anybody wish to change, let the Chair ask. Representative Erwin. Representative Erwin."

Erwin: "Speaker, on a point of personal privilege. I would like to introduce eighth grade class from the Lincoln School in Lincoln Park."

Speaker Steczko: "Representative Brunsvold, for what purpose...Representative Brunsvold, for what purpose do you seek recognition?"

Brunsvold: "Thank you, Mr. Speaker, just to, you know, we've argued back and forth here on the floor about whether we're going to do any good with this Amendment or not, but the real reality of this whole situation that Representative Cowlshaw is going to kill Senator Petka's Bill. That's the reality of the thing."

Speaker Steczko: "Representative Hartke, for what purpose do you seek recognition?"

Hartke: "Yea, how am I recorded as voting?"

Speaker Steczko: "The recording...You are recorded as voting 'no'."

Hartke: "Yea, I think I want to stay right there."

Speaker Steczko: "Representative Cowlshaw, for what purpose do you seek recognition?"

Cowlshaw: "Take the roll, please, Mr. Speaker."

Speaker Steczko: "The roll has been taken, Representative Cowlshaw. We are completing the verification process."

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The Chair will ask once...Representative Kaszak."

Kaszak: "Mr. Speaker, I've decided that I have concerns about how these would be set up because of ward organizations determining who would be selected on these school boards; therefore, please change me to 'no'."

Speaker Steczko: "The Lady changes from 'present' to 'no'. Are there any further changes? Mr. Rotello. The Gentleman changes from 'yes' to 'no'. Any further changes? On this question there are 52 voting 'yes', 52 voting 'no', 1 voting 'present'. The Amendment fails. Mr. Clerk, any further Amendments? Mr. Daniels."

Daniels: "I just want to make sure I understand that Mike Rotello is the one that defeated this Amendment to improve the Chicago schools. I guess that's right."

Speaker Steczko: "Mr. Clerk, any further Amendments?"

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

Speaker Steczko: "Representative Hoeft, on Amendment #6. Out of the record. Withdraw...The Gentleman withdraws Amendment #6. Mr. Clerk, anything further?"

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

Speaker Steczko: "The Chair recognizes Representative Phelps on Amendment #7."

Phelps: "Thank you, Mr. Speaker. Very quickly, this reinstates the original provision of the Bill that Senator Petka sent over to me and asked if I would pick up. It provides that public school teachers and administrators may not be prohibited from using, reading or displaying historically significant documents that include very...various documents such as the Mayflower, Compact and so forth. I think we've discussed it before, but it just reinstates this provision

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that was deleted in committee."

Speaker Steczko: "The Gentleman has moved for the adoption of Amendment #7. On that, is there any discussion? The chair recognizes Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I rise in opposition to the Amendment. In the first place, I believe it's redundant since I think it was already added to another Bill. Secondly, and more importantly, this Amendment seeks to solve a problem that does not exist. I know of no instance in the State of Illinois where any teacher was prevented from offering materials that were historically accurate and dealt with religion. Passing this Amendment raises the specter that any effort on the part of any teacher to abridge any material for purposes of making it more appealing and more available, more accessible to students of a particular age group, could fall apart if part of that abridgement dealt with some religious material. Secondly, it raises the possibility that by virtue of the use of the congressional record or other public documents, we could find we've opened the door wide to violating the traditional wall that separates the state from religion in our society. I value freedom of religion, but I also value the separation between the public sector and the private religious sector. I can think of no reason to adopt this language, unless the effort is an effort to violate precisely that wall, and I would urge your 'no' votes."

Speaker Steczko: "Representative Lang."

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

Speaker Steczko: "He indicates he will."

Lang: "Representative, is this the same Amendment that we had the other day that Representative Salvi put on a different

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Bill?"

Phelps: "Yes, it is."

Lang: "No differences at all?"

Phelps: "No differences that I know of, no."

Lang: "Thank you. To the Amendment, Mr. Speaker, Ladies and Gentlemen. Representative Currie is, of course, correct. I'll make the same comments I made at the time that we had the vote on Mr. Salvi's Amendment. And that is, firstly, that while we want children to learn about historical documents in school, there will be an effort by some to use those historical documents to indoctrinate children into ways of thinking into philosophies of the certain religious ideals. We should not allow that to happen. Many... If we pass this Amendment and it becomes law, many will read religious text into the congressional record only to find teachers in the State of Illinois reading those sections from the congressional record to students. That is not constitutionally permissible in my view. Further and perhaps more to the point, that the same problem with this Amendment that Mr. Salvi had with his Amendment. On page 2, lines 10 through 12, it says that these documents that are listed are not construed to be exclusive. That means the Amendment is vague; that means that the Amendment doesn't say what it wants to say; that means that any teacher or principal or administrator can interpret this language any way they wish; that means that anything could be read to kids in school by any teacher authorized by any administrator, authorized by any school board. This language is constitutionally vague. If this Amendment goes on the Bill, it will doom the Bill. This is not constitutional; it is a complete violation of the separation of church and state, which we have in this

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state, and which our founding fathers worked so hard to put into the Constitution of the United States. Do not pass this Amendment with this vague language on it. This is very poorly drafted, very inappropriate and should not become part of the law of the State of Illinois."

Speaker Steczo: "Representative Mulligan."

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

Speaker Steczo: "He indicates he will."

Mulligan: "Representative Phelps, would you tell me the genesis of this Amendment?"

Phelps: "The genesis of this Amendment, in my regard, was to...from a request from Senator Petka in which...have an agreement that there are textbooks in our schools that have been deliberately deleted references to any heritage reference to religious connotation in several textbooks, and I think we need to take a stand against it."

Mulligan: "Can you give me a specific instance in a school in Illinois where this has happened?"

Phelps: "A school in Illinois?"

Mulligan: "Yes, I would like to know a school in Illinois where this has happened."

Phelps: "No, I can't refer to a direct instance."

Mulligan: "So we're just passing this in anticipation that perhaps it may happen in a school in Illinois?"

Phelps: "That could be a good way to put it, yea."

Mulligan: "Wasn't this same Amendment passed earlier today on a Bill that Representative Cowlshaw had?"

Phelps: "No, not this Amendment. Representative Salvi passed one last week."

Mulligan: "That's what I mean. It's the exact same wording."

Phelps: "As far as I know, it is."

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Mulligan: "And it was already passed out on Third Reading from this Body."

Phelps: "Yes, I believe so."

Mulligan: "Earlier today."

Phelps: "No, not today."

Mulligan: "Where did the language from this Amendment originate? Isn't it from a Body outside or a group outside of the State of Illinois, that this Amendment has been taken from verbatim and passed around certain Members to pass?"

Phelps: "Not to my knowledge. I think we have a lot of legislation that may have originated from another state, and we borrow those ideas, and if you're saying that that's uncommon, I don't believe that's true."

Mulligan: "No, but I do think that this is...that you cannot specifically site any school in Illinois that has had this problem or where this Amendment, what group is sponsoring this Amendment across the country in order for us to pass this, and why it's being picked up here in Illinois if we don't have this problem currently?"

Phelps: "Well, there are a lot of...there's a lot of legislation that's proposed that is questionable if we have problems or not. But I believe that is yet to be determined, and hopefully this will have a safeguard against what possibly could happen, that has happened evidently in other states."

Mulligan: "Well, if we've already passed it once, as many Amendments in this Body have been placed on numerous times, I don't understand the issue of passing it again."

Speaker Steczo: "Representative Mulligan, have you completed your questions? Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I've tried most diligently to lose this headache and lower my blood pressure. I've counted

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backwards from 100 five times. Now Ladies and Gentlemen, this Amendment passed out of here in Bill form about four or five days ago, and it had 90 votes. I see no reason why we have to sit in here and bash our gums for another 30 minutes on something that's already got 90 votes. I move the previous question."

Speaker Steczo: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it, the main question is put. Representative Phelps, to close."

Phelps: "Thank you, Mr. Speaker, very briefly. I would just request my colleagues in respect of...The original Bill had this language in it. It was deleted by the Education Committee in order to...so I could accommodate them with other Amendments, but now I believe the original Bill should be reinstated, even though it's...an Amendment has been passed on another Bill and out of here. I appreciate your respect in letting me carry my own Bill and my own language, so thank you very much."

Speaker Steczo: "The question is, 'Shall this Amendment be adopted?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Mr. Pedersen, one minute to explain your vote. Representative Pedersen, one minute to explain your vote."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I don't know any place in the Constitution where it says anything about a wall of separation. All it says that there will not be a state religion. And, in fact, some of our early states, right after the Constitution was passed, did have official state religions. But not the Federal

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Government. And I just...when you consider what's going on in public schools today at these school clinics and passing out those little doodads that we all here about, and then which all the liberals and the politically correct think is fine, then we turn around and say you can't really mention God or anything like that. Mercy, mercy! What is the world coming to?"

Speaker Steczo: "Have all voted who wish? Mr. Clerk, please take the record. On this question there are 93 voting 'yes', 13 voting 'no', 4 voting 'present'. The Amendment's adopted. Mr. Phelps, for what purpose do you seek recognition?"

Phelps: "Mr. Speaker, due to the time and the length of the Amendments that's on this Bill, some of the discussion that needs to be cleared up, I would like to take this out of the record."

Speaker Steczo: "So the Gentleman wishes the Bill be taken from the record. It will remain on the Order of Second Reading. On the Order of State Operations - Third Reading, appears Senate Bill 1336, Representative Currie. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1336, a Bill for an Act amending the Property Tax Code. Third Reading of this Senate Bill."

Speaker Steczo: "The Chair recognizes Representative Currie on Senate Bill 1336."

Currie: "Thank you, Speaker and Members of the House. This is a measure that responds to an Illinois Supreme Court decision in respect to the standard of proof to overturn a decision by the Cook County Assessor and Cook County Board of Tax Appeals Board. In that opinion, the court said that the standard in statute constructive fraud should be interpreted to mean that the assessor had in some deliberate, almost criminal, fashion tried to do something

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wrong in respect to the assessment. That has not been the general understanding of the way that language had been interpreted and should be interpreted by the people of Cook County. The various people who are involved in property tax issues in the County of Cook, including the Bar Associations and others, have agreed on language that specifically and pointedly overturns that ruling by the Illinois Supreme Court. In effect, the effort of this Bill is to return to the status quo ante. There will be further efforts over the summer months, among all interested parties, to try to find a way to craft in language what we think that standard of proof to overturn one of those decisions should be in the County of Cook. I know of no opposition to this measure, and I'd appreciate your support for the Bill."

Speaker Steczko: "The Lady has moved for the passage of Senate Bill 1336. On that, the Chair recognizes Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, relative to this Bill, I wish to declare that I have a conflict of interest on this Bill, and therefore I shall vote 'present'."

Speaker Steczko: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would rise in support of this Bill. This is a Bill which has been worked on extensively; it's an effort put forth by the Illinois Taxpayers' Federation. I think it's a step in the right direction. It will allow for...It begins the process of changing, hopefully changing the standard by which property tax appeals are made. At the current time, it is almost impossible to appeal your property tax in court in Cook County. This will begin the road, I think, to changing that standard so that this is a taxpayer friendly Bill, and I would rise in strong support

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of Senate Bill 1336."

Speaker Steczo: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It is rare that we have historic legislation come before this Body, but this is a Bill that really fits into that category. People on both sides of the aisle have been seeking for the last 10, 15, 20 years to change the constructive fraud criteria with respect to taxpayers in Cook County. This is the first step in bringing that about. We have finally broken the dam. This provides an interim standard by overruling the 1989 Ford Motor Company case so that at least we can go back to what the previous standard was, which is, in effect, gross over-assessment. We will be holding hearings and trying to come back in the fall with consensus in terms of more permanent standards. This is an extremely important Bill, and I urge its passage."

Speaker Steczo: "Is there any further 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 108 voting 'yes', none voting 'no', 3 voting 'present'. Senate Bill 1336, having received the required Constitutional Majority, is hereby declared passed. Mr. Clerk, the Consent Calender. Please read the Bills on the Consent Calendar. We are not through yet. No. No. Mr. Clerk. Third Reading on the Consent Calendar Bills."

Clerk Rossi: "Consent Calendar - Third Reading. Senate Bill 1332, a Bill for an Act amending the Medical Practice Act of 1987 together with committee Amendment #1. Senate Bill

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1624, a Bill for an Act in relation to real estate transactions. Third Reading of these Senate Bills."

Speaker Steczo: "The question is, 'Shall these Bills 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 111 voting 'yes'... Mr. Schoenberg wishes to be recorded as 'aye'. Any further? There are 112 voting 'yes', 8 voting 'no'...I'm sorry, none voting 'no', none voting 'present' and these Bills, having received the required Constitutional Majority, are hereby declared passed. On page 55 of the Calendar...Mr. Brunsvold, for what purpose do you seek recognition?"

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd just like to remind you that today at five o'clock there's a retirement party for Bill Deutsch. Most of you know Bill. He served Petroleum Marketers for 28 years, and the retirement party is over at the Petroleum Marketers Building on Cook and would ask if anybody would like to stop over and wish Bill well in his retirement. Be glad to have you, thank you."

Speaker Steczo: "Representative Lang, for what purpose do you seek recognition?"

Lang: "Thank you, Mr. Speaker, for an announcement. I'd like to announce that the House Judiciary I Committee will be meeting at 10:00 a.m. Monday in Room 118 for what may be the final meeting on riverboat gambling. At that time...at that time, we will have citizens' comments about proposals that have been made for riverboats in various locations around the state, as well as further proposals from any communities that may not have been ready when we got to

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their section of the state. So I hope the press will report that this may be the last opportunity for communities around the state to make available to us publicly their plans on riverboat gambling."

Speaker Steczko: "On page 55 of the Calendar...Representative Daniels."

Daniels: "Well, I just wanted to follow up on what Representative Lang just said. On the Calendar is Senate Bill 1700 that deals with riverboat gambling ethics. It's been held and not called and we want to really pass ethics legislation. Now I understand it's on Second Reading on that Calendar. There's a number of Amendments that have been filed. Some of them for Chicago riverboats, so if he's really serious about it, why don't we go to that order of business so we could deal with ethics in riverboat gambling. He could call his Amendment on the Chicago boats. We could see whether or not it has any support here in the General Assembly; we could move on. So let's go forward with it, instead of wasting all this time on a bunch of hearings where they don't have any legislation, if they want to move forward."

Speaker Steczko: "On page 55 of the Calendar under the Order of Conference Committee Reports appears House Bill 1915. The Chair recognizes Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Pursuant to the appropriate Rules, I would ask the House to refuse the First Conference Committee Report and ask that a Second Conference Committee be appointed."

Speaker Steczko: "The Gentleman moves that the House does not adopt the First Conference Committee Report on House Bill 1915. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it, and the

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House does not adopt the First Conference Committee Report on House Bill 1915. Representative Biggins, for what purpose do you seek recognition?"

Biggins: "Thank you, Mr. Speaker. I was trying to get your attention prior to the former Representative speaking about river boat gambling. We know how important this will be tied into educational funding, and another important item involved in educational funding, of course, is attendance. School districts get money based on those in attendance, and during the debate on Floor Amendment #5 to Senate Bill 1144, I noticed that the drop-out rate on the Republican side of the aisle was 0%, but it seems that of the 11...there were 11 on the other side of the aisle that were not in attendance, which is 16.4% drop-out rate overall of their party, but an astonishing 81.8% of those who dropped out on that side of the aisle today were Chicago Legislators. So maybe that's why those drop-out rates were so high in those high schools, because it starts on that side of the aisle on the House of Representatives."

Speaker Steczo: "On the Order of State Government Operations...State Operations, rather, Third Reading appears Senate Bill 1336, Representative Granberg. (Senate Bill) 1326, Representative Granberg."

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

Speaker Steczo: "Clerk, please read the Bill. Please read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1326, a Bill for an Act amending the Public Utilities Act. 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 1326 is at the request of the Illinois

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Commerce Commission, introduced by Senator Karpziel and Senator Tom Johnson. These are the same provisions. It merely clarifies that the Commerce Commission may revoke certain certificates of public convenience, bolsters their authority to deal with...to enforce the Public Utilities Act and to seek appropriate action from the courts to correct situations in which small utility companies serving fewer than 10,000 customers are not operating properly. There were two Amendments adopted to this Bill yesterday, 111...911 legislation, Representative Brunsvold and an Amendment by Representative Jones, which were noncontroversial. I would be happy to answer any questions."

Speaker Steczo: "The Gentleman has moved for the passage of Senate Bill 1326. On that, is there any discussion? Representative Cowlshaw."

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

Speaker Steczo: "He indicates he will."

Cowlshaw: "Representative Granberg, could you please tell me whether there is anything anywhere in this legislation that applies to municipally owned public utilities?"

Granberg: "Not my...not to my understanding, Representative."

Cowlshaw: "Thank you very much. There is nothing...You can assure me, there is nothing in this Bill that has anything to do with municipally owned utilities?"

Granberg: "No, this was an attempt to deal with a problem that Senator Karpziel and Representative Johnson had with a publicly owned utility company. So therefore..."

Cowlshaw: "Thank you very much. Appreciate it."

Speaker Steczo: "Is there any further discussion? There being none, the question is, 'Shall Senate Bill 1326 pass?' All

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those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Mr. Lang, to explain your vote."

Lang: "Thank you, Mr. Speaker. I have a potential conflict of interest, which explains my 'present' vote. Thank you."

Speaker Steczko: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 102 voting 'yes', 10 voting 'no', 1 voting 'present'. Senate Bill 1326, having received the required Constitutional Majority, is hereby declared passed. On the Calendar on page 58 appears a Motion with relation to House Resolution 2831 by Representative Turner. Mr. Turner."

Turner: "Thank you, Mr. Speaker. Pursuant to House Rule 77(a), I move to discharge Committee on Health Care and Human Services from further consideration and advance to the Speaker's Table House Resolution 2831."

Speaker Steczko: "The Gentleman moves pursuant to Rule 77(a) to discharge the Committee on Health Care and Human Services from further consideration of House Resolution 2831 and advance to the Speaker's Table. On that, is there any discussion? Representative Black. Mr. Skinner, be patient. We will get to you. Mr. Black."

Black: "Thank you very much, Mr. Speaker. Is the Amendment been printed? I mean the Resolution, I'm sorry."

Speaker Steczko: "We are...Yes, it has, Mr. Black. It's been on all the desks."

Black: "Like what? A long time ago."

Speaker Steczko: "About a week ago. About a week ago."

Black: "All right. Is it your intention to move immediate consideration of this?"

Speaker Steczko: "Right now, the intent, Mr. Black, I believe for Mr. Turner is to get it discharged, then have it heard this

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afternoon. Correct?"

Black: "Well, we've...I think you've already taken a verbal roll on discharge, haven't you?"

Speaker Steczo: "I believe not, no."

Black: "All right, I simply stand to object to the discharge. There are some Members on my side of the aisle that would like to take this Resolution to task, and I believe they should be heard before we move on the Motion to Discharge."

Speaker Steczo: "Further discussion? Mr. Skinner."

Skinner: "I believe this is already on the House floor on Second Reading."

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

Skinner: "I believe this is...Well, I have Amendment 1, which has been printed and distributed to House Resolution 2831. That's what we're talking about. I certainly wouldn't have filed a Resolution if it hadn't made it to the House floor. What did we do when Representative Turner and I were talking about an Amendment when he got this on the the House floor and he decided to hold it on Second Reading."

Speaker Steczo: "Mr. ...Yourself and Mr. Turner were talking about the Amendment as he was discussing his Motion to Discharge previously. The Motion was then taken out of the record, and this is the first time we've been back to it since. Mr. Turner, for what purpose do you seek recognition?"

Turner: "Mr. Speaker, the only way we could talk about his Amendment is that he supports the discharge. And I assume that he supports the Discharge Motion to bring it to the floor for immediate consideration. But seeing that Representative Black says that he has not seen this Resolution, we shall try again. I think I gave Representative Skinner a copy of the Resolution. We'll

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send a copy over to Representative Black, and maybe we can proceed next week on this Resolution, and hopefully between now and then, everyone will have taken a look at this Resolution and will be prepared to discuss and vote on it at that time. If you will take the Bill out of the record."

Speaker Steczo: "The Gentleman wishes to have the Motion taken from the record. Mr. Black, are you seeking recognition? Mr. Clerk, Agreed Resolutions."

Clerk Rossi: "House Resolution 2928, offered by Representative McAfee; House Resolution 2929, offered by Representative Dart; House Resolution 2930, offered by Representative Rutherford; House Resolution 2931, offered by Representative Rotello; House Resolutions 2932 and 2933, offered by Representative Cowlshaw; House Resolution 2934, offered by Representative Parke; House Resolution 2936 and 2937, offered by Representative Giglio; House Resolution 2938, offered by Representative Weller; House Resolution 2941, offered by Representative Giolitto; House Resolution 2942 and 2943, offered by Representative Hawkins; House Resolution 2944, offered by Representative Moseley; House Resolution 2945, offered by Representative Martinez; House Joint Resolution 164, offered by Representative Hoeft; House Joint Resolution 165, offered by Representative Wojcik."

Speaker Steczo: "Representative Currie moves for the adoption of the Agreed Resolutions. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it; the Agreed Resolutions are adopted. Mr. Clerk, any Death Resolutions?"

Clerk Rossi: "House Resolution 2919, offered by Representative Tim Johnson; House Resolution 2920, offered by

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Representative Tim Johnson; House Resolution 2921, offered by Representative Tim Johnson; House Resolution 2922, offered by Representative Tim Johnson; House Resolution 2923, offered by Representative Tim Johnson; House Resolution 2924, offered by Representative Tim Johnson; House Resolution 2925, offered by Representative Tim Johnson; House Resolution 2926, offered by Representative Tim Johnson; and House Resolution 2927, offered by Representative Tim Johnson; House Resolution 2935, offered by Representative Edley; and House Resolution 2939, offered by Representative Granberg."

Speaker Steczko: "Representative Currie moves for the adoption of the Death Resolutions. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it, the Death Resolutions are adopted. Representative Granberg now moves that the House stand adjourned until Tuesday, June 14, at the hour of 12:00 noon. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it, and the House now stands adjourned...till June 14, Tuesday, at the hour of 12:00 noon."

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