

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

146th Legislative Day

June 14, 1994

Speaker McPike: "Patty Skinner is on the floor. She has pictures of Sam with her if anyone would like to see a picture of Sam. Yes. You have enough to pass out honey? Do you have enough to pass out to everyone? Okay. The House will come to order. The House will come to order. The Chaplain for today is Reverend Joseph Bennett, of the Church of God, in Lincoln, Illinois. Reverend Bennett is the guest of Representative Olson. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Bennett: "Let us pray. Father God in heaven, we come before You and we acknowledge You this day as creator and sovereign potentate. And Father, I ask that God that You touch this place that Your peace would rest upon it. Father, I pray that You would give them direction that each mind God would be touched sovereignly by Your spirit. Father, we realize this day that we are servants to the people, and I pray that God, You would give us Your wisdom, Your knowledge, Your direction and everything that needs to be done. We thank You, Father God, that Your eyes are upon us, that You've given us life, and that You've given us freedom, and Father, we want to thank You for the greatest gift of all, even that which is Your son, Jesus Christ. We pray that Father, You would be acknowledged in everything that we do and that You would receive glory and honor and praise. And in the name that is above all names, Jesus Christ we ask it. Amen."

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

Hughes - 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."

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

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representatives McAuliffe and Zickus are excused today."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Speaker. Let the record show that Representative Calvin Giles, Representative Jerry Hawkins and Representative Ben Martinez are all excused today."

Speaker McPike: "Clerk, take the record. One hundred and twelve Members answering the roll call, a quorum is present. Committee Report."

Clerk Rossi: "The Committee on Rules has met, and pursuant to Rule 14(a)5 and 14(a)6 recommends consideration and the following Bills be placed on the Order of Second Reading. Senate Bill 1381, also recommends the following Bills be placed on the Order of Concurrence, House Bills 44, 61, 99, 298, 460, 504, 537, 742, 902, 1293, 1332, 1352, 1391, 1569, 1786, 1809, 2028, 2108, 2221, 2234, 2330, 2349, 2423, 2424, 2638, 2642, 2645, 2794, 2799, 2809, 3094, 3192, 3197, 3244, 3322, 3328, 3457, 3485, 3518, 3587, 3611, 3779, 3975 and 3997. Signed Frank Giglio, Chairman." _

Speaker McPike: "Supplemental Calendar announcement."

Clerk Rossi: "Supplemental Calendar #1 is being distributed."

Speaker McPike: "It's the Chair's intent to go to State Operations, Third Reading, Senate Bills and then to State and Local Government Third Reading, Senate Bills and then to Supplemental Calendar #1 for House Bills on Concurrence. We plan to be here until approximately seven o'clock tonight. But if we get everything done today and tomorrow, we probably will not have to be here Thursday. All right, State Operations, Third Reading. Senate Bill 1311, Mr. Kotlarz. Out of the record. Fourteen forty seven, Mr.

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Kotlarz. Fourteen forty seven. Mr. Granberg, 1455. Mr. Clerk, read the Bill."

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

Speaker McPike: "Take the Bill out of the record. Senate Bill 1672, Representative Monroe Flinn. Mr. Flinn. Monroe. Representative Flinn. Read the Bill, Mr. Clerk."

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

Speaker McPike: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House. House Bill...Senate Bill 1690...72 deals with the pay back plan of the East St. Louis Financial Authority, is put in the Bill, to pay back from East St. Louis to the State of Illinois for a \$3.79 million, plus a few dollars, loan that was made some six years ago by the Legislature. There was no arrangements to pay back the money made at that time, so this Bill does that. It also provides that the Financial Authority would withhold some of the pay back money in order to start the restructuring of their long term debt. And, besides that, there is one Amendment on here which deals with the...deals with them providing no liability for colleges...getting property prior to the...for any property prior to the time the county took over. This was the Amendment that we discussed quite lengthy the other day and I would ask for the adoption of the Bill, and I don't know of any opposition."

Speaker McPike: "The question is, 'Shall this Bill Pass?' All in favor vote 'aye'; opposed vote 'no'. Have all voted? Have

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all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 103 'ayes', 1 'no'. Senate Bill 1672, having received the Constitutional Majority, is hereby declared passed. State and Local Government, Third Reading. Representative Raschke-Lind."

Raschke-Lind: "On the last Bill, I would like to vote 'yes' on that."

Speaker McPike: "All right, let the record reflect that the Lady wished to vote 'yes' on the previous Bill. Senate Bill 1149, Representative Curran. Mr. Curran. Read the Bill Mr. Clerk."

Clerk Rossi: "Senate Bill 1149..."

Speaker McPike: "Yes, Representative Lindner intended to vote 'yes' on the previous Bill and the record will so reflect. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1149, a Bill for an Act amending the Illinois Pension Code and State Mandates Act. This Bill is on Consideration Postponed."

Speaker McPike: "Mr. Curran."

Curran: "Mr. Speaker, I think we should take it out of the record."

Speaker McPike: "All right. Representative Kubik, 1182. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1182, a Bill for an Act relating to the provision of financial services on state owned property. Third Reading of this Senate Bill."

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1182 has adopted to it, a couple of Amendments, and the Amendments have to do with Representative Kaszak's Bill which deal with deposit of

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state moneys. The underlying Bill and perhaps I would have Representative Kaszak explain the Amendments, but the underlying Bill is a Bill that would allow the State Treasurer to contract or to put out for bid, financial services or cash services at...in state office buildings. That's the underlying Bill. Representative Kaszak has added two Amendments which I think she would be better off explaining than I would, and I would be happy to respond to any questions on the underlying Bill."

Speaker McPike: "Mr. Dart, for reason do you rise?"

Dart: "Thank you, Mr. Speaker. I would ask if the Sponsor would...move this back to second to remove...table Amendments 1 and 2 from the Bill?"

Speaker McPike: "Representative Kaszak."

Kaszak: "Three becomes the Bill. Representative, three becomes the Bill."

Speaker McPike: "Representative Kaszak, did you want to make a point on this? Ms. Kaszak? Mr. Kubik, could we take this Bill out of the record and get right back to it? Mr. Dart, would you go discuss this with Mr. Kubik? Thank you. We'll get right back to that Bill. Senate Bill 1232, Mr. Homer. Mr. Homer here? Twelve ninety nine, Mr. Homer? Representative Johnson, I understand you have agreed to take your Bill out of the record according to the notes I have. Representative Prussing, 1384. Ms. Prussing. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1384..."

Speaker McPike: "Out of the record. Mr. Black, 1693. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1693, a Bill for an Act in relation to a memorial for Korean War Veterans. Third Reading of this Senate Bill."

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Speaker McPike: "Mr. Black."

Black: "Yes, thank you very much, Mr. Speaker. This Bill as amended creates three income tax checkoffs. Amendment #2 amends the Illinois Income Tax Act to create a checkoff for the Illinois Korean War Memorial Fund to help construct the Illinois Korean War Memorial. Also creates a checkoff to allow contributions to be made to the Heart Disease Treatment and Prevention Fund. Amendment #3 was sponsored by Representative Novak and it creates a income tax checkoff to allow contributions to the Hemophilia Treatment Fund. That's all the Bill does. I would recommend an 'aye' vote."

Speaker McPike: "The question is, 'Shall this Bill...Representative Dart."

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

Speaker McPike: "Yes he will."

Dart: "Amendment 1, 2 and 3 are on the Bill, correct?"

Black: "Amendment #2..."

Speaker McPike: "Mr. Clerk..."

Dart: "Amendment #1 was..."

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

Clerk Rossi: "Committee Amendment #1 and Floor Amendments 2 and 3."

Dart: "I believe if I'm not mistaken, Amendment 2 and 3 became the Bill."

Black: "That's correct..."

Dart: "So Committee Amendment #1..."

Black: "Committee Amendment #1 made it a shell Bill and Floor Amendment 2 and 3 become the Bill."

Dart: "I would ask you if you'd be interested in moving this back to second so we could take Amendment #1 off?"

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Black: "Committee Amendment #1? I'm not sure it's necessary."

Dart: "I don't care either."

Black: "If you want to, that's fine with me. Now that you mention it, if we send over a Committee Amendment that is later stripped by a Floor Amendment, that may confuse the Senate, so we might want to do that, so if the Speaker is willing, we will take it back."

Speaker McPike: "Mr. Black, it would appear to the Chair that this is not necessary. The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 112 'ayes', and no 'nays', Senate Bill 1693, having received the Constitutional Majority, is hereby declared passed. Are we prepared to go back to Mr. Kubik's Bill? Mr. Dart, are we prepared to go back to Mr. Kubik's Bill? Yes, Mr. Kubik the Bill is...Mr. Kubik's Bill is 1182. Mr. Clerk, this Bill has been read a third time previously. Mr. Kubik on the Bill."

Kubik: "Thank you, Mr. Speaker. I would ask leave of the Body to return this to Second Reading."

Speaker McPike: "I don't think it's necessary, Mr. Kubik."

Kubik: "Okay...I..."

Speaker McPike: "We don't think it's necessary. That was the same thing that Mr. Black just got into."

Kubik: "Okay."

Speaker McPike: "It's really not necessary."

Kubik: "Okay, all right then, I will proceed with the explanation of the Bill. What we will...the Bill as I indicated, will give the treasurer the authority to provide for banking services in state buildings or on state property. In addition to that, it would provide for competitive

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procedures to select those financial institutions. Representative Kaszak has an Amendment to the Bill which would amend the Deposit of State Moneys Act and would authorize the treasurer with the approval of the Governor to lend any securities acquired under the Act in accordance with federal financial institution examination counsel guidelines if the securities are collateralized at a level sufficient to assure the safety of the securities. I would be happy to respond to any questions on the underlying Bill and would appreciate your support."

Speaker McPike: "Appears like no one is in opposition. Representative Kaszak."

Kaszak: "Mr. Speaker, I just wanted to speak in favor of this Bill. This Bill contains an Amendment that was support...Representative received bipartisan support in our House Committee on Elections in State Government. Essentially it expands the ability of the state treasurer with the approval of the Governor to engage in securities lending which is a procedure that is in many governmental entities avail themselves of. We believe that this will result in an additional half million dollars in revenue to the state, so I'd urge your support."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 104 'ayes', no 'nays', Senate Bill 1182...Mr. Pugh votes 'aye'...Mr. Dunn...Mr. Flinn votes 'aye', Mr. Olson votes 'aye', Mr. Mautino votes 'aye'. On this Motion, there are 109 'ayes', no 'nays', Senate Bill 1182, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1694, Representative Tom Johnson. Mr. Clerk, read the Bill."

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Clerk Rossi: "Senate Bill 1694, a Bill for an Act relating to criminal law. Third Reading of this Senate Bill."

Speaker McPike: "Representative Johnson."

Johnson, Tom: "Yes, Mr. Speaker, Ladies and Members of the House. This Bill basically does three things. One is, is that it changes the word from violation to conviction as it relates to stalking, making it a Class III and Class IV felony. This is to clear up an understanding within the courts as to what constitutes a violation as far as stalking and the penalties. The second issue, it adds aggravated kidnapping to the list of offenses which qualifies people for the habitual criminal statute. And thirdly, adds use immunity language to the statute, the use immunity section is language that was suggested by Cook County States Attorney's office and by Representative Tom Homer, and I believe that this is all agreed on. Would ask for your consent on this."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there is 106 'ayes', and no 'nays'. Senate Bill 1692, having received the Constitutional Majority, is hereby declared passed. Representative Lindner intended to vote 'aye' on Senate Bill 1694, and the record will so reflect. Senate Bill 1698, Representative Cross. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1698, a Bill for an Act in relation to firearms, firearm ammunition and dangerous weapons. Third Reading of this Senate Bill."

Speaker McPike: "Representative Cross."

Cross: "Thank you, Mr. Speaker. This Bill amends the Firearm

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Owners Identification Act to increase the penalties for certain violations of that Act. Additionally it creates three categories of weapon offenses relating to armed violence. It increases the penalty when you commit armed violence with any of those categories of weapons. I think there are a couple of Amendments on this Bill as well."

Speaker McPike: "Any discussion? Representative Wennlund."

Wennlund: "Will the Sponsor yield, please?"

Speaker McPike: "Yes he will."

Wennlund: "You want to tell us what Amendments are on this Bill?"

Speaker McPike: "A couple of them, he said."

Cross: "I think there are a couple Representative..."

Wennlund: "Well, that tells me a lot."

Cross: "What?"

Wennlund: "Can you do a little bit better than a couple of Amendments?"

Cross: "Well, you want to know..."

Wennlund: "...want to hide something or are you embarrassed..."

Cross: "Well, the first one...the one Amendment provides for three riverboat licenses in Kendall County, and I'm not sure what the other one is Representative. No, the Safe Neighborhood Amendment is one of them and the police in every port is the other one."

Wennlund: "One more time."

Cross: "Safe neighborhood Bill that was originally was a safe neighborhood Bill sponsored by the City of Chicago. This other one is the Speaker's Bill for police."

Wennlund: "The \$200 million super police force?"

Cross: "I think that's the number?"

Wennlund: "And three riverboat licenses for Kendall county?"

Cross: "I was just..."

Wennlund: "All right, we'll take that into consideration."

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Cross: "Kidding."

Speaker McPike: "That was a joke, Mr. Wennlund. The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Mr. Ackerman to explain his vote. Never mind. Turn off your light, Mr. Ackerman. Have all voted? Have all voted who wish? The Clerk, will take the record. On this Motion, there is 109 'ayes' and no 'nays', Senate Bill 1698, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1705, Representative Parke. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1705, a Bill for an Act in relation to criminal law and corrections. Third Reading of this Senate Bill."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1705 adds armed violence and gang activity to the list of aggravated factors to be considered and sentencing a convicted individual to the death penalty. Also included is the Safe Neighborhoods Law and also included is the Police Protection Enhancement Distributive Fund that Speaker Madigan has applied to numerous Bills. I would ask that the General Assembly vote favorably on Senate Bill 1705 and I stand ready to answer any questions."

Speaker McPike: "And on the 'do pass' Motion, Representative Dart."

Dart: "Thank you, Mr. Speaker. Can I ask the Clerk what Amendments are on this Bill?"

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

Clerk Rossi: "Floor Amendments 2, 4 and 6."

Speaker McPike: "Mr. Dart, 2, 4 and 6."

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Dart: "Can I ask the Sponsor to explain Amendment #6?"

Speaker McPike: "Mr. Parke."

Parke: "Thank you. Amendment #6 says that it removes the state police from the collar county and puts them back in Chicago. I thought that Amendment 6 was something that was agreed to by Representative Granberg."

Dart: "But my understanding is that was something that was going to be tabled and was off the Bill."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. If Amendment #6 is on the Bill, there must be an error in the Clerk's office because I'm certain if 6 is on this Bill, 5 should also be on the Bill, because that would make 6 an even better Amendment."

Speaker McPike: "Mr. Black, what was the question?"

Black: "The Clerk indicated Floor Amendment #6 had been adopted. That takes the state police out of the suburban counties and I was positive that if that had been amended...or if that had been adopted I thought #5 taking them out of Chicago was also adopted. Six must be a mistake."

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

Granberg: "Thank you, Mr. Speaker. When we debated this two weeks ago, we made the Motion to table for both of those Amendments. There was one Motion to table and the Amendments were combined and apparently that was not reflected by the Clerk, but there was one Motion made to table both Amendments."

Speaker McPike: "Mr. Parke."

Parke: "Thank you. That's what I was referring to as the agreement. The agreement with both Amendments were to be tabled and I would so ask the Chair to rule or ask Representative Granberg to table."

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Speaker McPike: "Yeah, if that's not correct we're going to take this back to Second Reading. Let's check the record. All right, Representative Parke, would you like to bring this back to Second Reading? It appears like...it appears like..."

Parke: "I would ask the Chair to so rule to take it back to Second Reading."

Speaker McPike: "It appears like the Clerk's records do not reflect the memory of the Members of this Body."

Parke: "Well, I would like to thank Representative Dart for inquiring on that because it was our understanding that it had been done...moved...so take action."

Speaker McPike: "Would you like...the Gentleman...does the Gentleman have leave to return the Bill to Second Reading? Leave is granted, and I believe it was Mr. Black's Motion to table both Amendments and the Motion now will be to table Amendment #6. All those in favor or the Gentleman's Motion to table Amendment #6, say 'aye'; opposed, 'no'. The 'ayes' have it, the Amendment is tabled. Further Motions?"

Clerk Rossi: "No further Motions."

Speaker McPike: "Further Amendments? Further Amendments?"

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

Speaker McPike: "Representative Ostenburg. The Gentleman withdraws the Amendment. Further Amendments? He said he did."

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

Speaker McPike: "Withdraws, withdraws, withdraws the Amendment. Further Amendments?"

Clerk Rossi: "No further Amendments."

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Speaker McPike: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1705, a Bill for an Act in relation to criminal law and corrections. Third Reading of this Senate Bill."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker. It is the same as I mentioned 3 or 4 minutes ago and I would ask the Body to vote 'yes' on this good idea."

Speaker McPike: "Representative Dart."

Dart: "Thank you, Mr. Speaker. Just one question. Representative, what the Bill originally did was expand those offenses where the death penalty would be eligible, is that it?"

Parke: "Thank you, Mr. Speaker. Representative Dart, yes, it is to add armed violence and gang activities to the list of aggravated factors to be considered and sentencing a convicted individual to the death penalty and that's what I have in the original Bill. And that is correct."

Speaker McPike: "Mr. Dart, does that answer your question? Mr. Black. The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 99 'ayes' and 3 'noes', and Senate Bill 1705, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1706, Mr. Hoffman. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1706, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker McPike: "Representative Hoffman."

Hoffman: "Mr. Speaker, I ask permission to move this back to second for purposes of an Amendment."

Speaker McPike: "Does the Gentleman have leave? There are no

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objections, leave is granted. The Bill is on Second Reading. Mr. Clerk, any Amendments?"

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

Speaker McPike: "Ms. Kaszak."

Kaszak: "Thank you, Mr. Speaker. This Amendment incorporates the provisions that existed in another Bill and this Amendment allows...is basically agreed to by everyone that I have found. It is supported by the Governor's Office, it's supported by the Illinois Manufacturer's Association, the Medical Society, the Illinois State Bar Association, Illinois Chamber of Commerce. There's two things that it does; one is it requires that state agencies issue a regulatory agenda twice a year so that people can anticipate regulations before they come up. The other thing is that it eliminates the requirement that before a person can comment on purposed regulations that they must within 14 days of the issuance of the reg...of the purposed regulations that they must, issue...or they must request permission to comment. And the only other clarif....other clean up matter in this Bill is, it deals with the situation on a Bill that was passed last year dealing with the Amendment to the Illinois Civil Practice Act which req...provides for notice to an individual whose assets are being discovered through the process of a citation to discover assets. There was certain problems that Cook County had with the personal service that was required in the drafting, and so what we have done is, we have changed that law to allow for service by mail to be satisfactory. I believe there is no objection to this Bill as best I can tell. Thank you."

Speaker McPike: "Representative Brady. No discussion. The

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

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

Speaker McPike: "Mr. Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #6 would increase the Board of Directors by one member and one nonmember and I would be happy to answer any questions. Actually right now, it would increase by one insurance member and one public member who is also an insurance producer. Anyone has any questions, would be happy to answer them."

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

Clerk Rossi: "No further Amendments."

Speaker McPike: "Third Reading. We'll take the Bill out of the record momentarily. Representative Cross, 1707. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1707, a Bill for an Act amending the Criminal Code in 1961. Third Reading of this Senate Bill."

Speaker McPike: "Representative Cross."

Cross: "Thank you, Mr. Speaker. Could the Clerk tell us what Amendments are out here? Please."

Speaker McPike: "He could."

Cross: "Thank you."

Clerk Rossi: "Floor Amendments 2, 4 and 8 have been adopted to the Bill."

Speaker McPike: "Mr. Cross."

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Cross: "Thank you. This Bill amends the Criminal Code by increasing the penalty for illegal possession of a firearm in certain situations. Also increases giving or selling a firearm to a person under 18 years of age who does not have a F.O.I.D. Card. Got of Committee 9 to 0 to 3 and got out of the Senate 53 to nothing. If there are any questions, I'll be glad to answer them."

Speaker McPike: "Mr Wennlund."

Wennlund: "Thank you, will the Sponsor yield?"

Speaker McPike: "Yes."

Wennlund: "You want to tell everybody what Amendments are on this Bill and what's contained in them?"

Cross: "Yes, Representative. The Safe Neighborhood Amendment, the Police Amendment...an Amendment sponsored by Representative Lindner that requires a court appearance prior to setting bail for commission of an offense against a household member while released on bail for a similar offense. There are three Amendments."

Wennlund: "And under what circumstances does it make it illegal for the possession of a firearm? Kind of glossed over that a little bit."

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

Wennlund: "I said you kind of glossed over in what...under what circumstances it would be illegal to possess a firearm?"

Cross: "Well, the increases would be when an offense is committed on a school ground, public park or courthouse and the penalty for the offense would be increased to a Class III."

Wennlund: "Where is that language? Is that in the original Bill?"

Cross: "It is in the original Bill and Representative, if you'll look at page 5 in the original Bill, Section 1.5, then there's some...the additional penalties are also on page 4

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under the Unlawful Use Section."

Wennlund: "Would you repeat that please?"

Cross: "Under...on page 4, Section B, under...which is all under the Unlawful Use of Weapons Section of the Bill, or part of that is the language for the increased penalty, then also on page 5 is the Section that refers to the schools, the parks and the courthouse."

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

Speaker McPike: "The question is, 'Shall this Bill pass?' All 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 are 101 'ayes' and no 'nays'. Senate Bill 1707, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1708, Mr. Black. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1708, a Bill for an Act to create the Illinois Conservation Foundation. Third Reading of this Senate Bill."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Have any Floor Amendments been adopted to the Bill?"

Speaker McPike: "Mr. Clerk, any Amendments on this?"

Clerk Rossi: "No Amendments have been adopted to the Bill."

Black: "Thank you very much. Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 1708 is in the form that it came to the House. It passed out of House Committee unanimously and is on short debate, passed the Senate unanimously. All this Bill does is authorize the Department of Conservation to create an Illinois Conservation Foundation as a not-for-profit corporation. It shall rely on private money, it will receive no state

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funding, it will be subject to audit by the Auditor General and this Foundation does not, I repeat, that's been a problem, it does not have the power of eminent domain. All it will do is hopefully serve as conduit for private donations. It worked very well in California with millions of dollars being donated. I'd ask your favorable consideration of Senate Bill 1708."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 107 'ayes' and no 'nays'. Senate Bill 1708, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1722, Mr. Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1722, a Bill for an Act amending Intergovernmental Drug Laws Enforcement Act. Third Reading of this Senate Bill."

Speaker McPike: "Representative Saviano. Mr. Saviano. If you'd turn on your light, the electrician can find you."

Saviano: "All right."

Speaker McPike: "All right."

Saviano: "Thank you, Mr. Speaker. This Bill would expand the authority of our MEG Units to deal with gang related offenses and gun related offenses in suburban Cook County and in our collar counties. Currently MEG is limited to drug offenses and obviously we have been in situations where gangs have infiltrated our suburbs and got into the drug business. This will give them expanded authority. I ask for approval on this Bill."

Speaker McPike: "The question is, 'Shall Senate Bill 22 (sic-1722) pass?' On that, Mr. Wennlund."

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Wennlund: "Thank you, can the...thank you, Mr. Speaker. Can the Clerk tell us what Amendments are on this Bill?"

Speaker McPike: "Mr. Clerk."

Wennlund: "Since Mr. Saviano isn't going to tell us, maybe the Clerk can tell us."

Clerk Rossi: "Floor Amendment #2."

Wennlund: "Floor Amendment #2?"

Speaker McPike: "Yes."

Wennlund: "That's the only Amendment adopted?"

Speaker McPike: "Yes."

Wennlund: "Thank you very much."

Speaker McPike: "The question is, 'Shall this Bill pass?' All 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 is 109 'ayes' and no 'nays'. Senate Bill 1722, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1728, Mr. Granberg. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1728, a Bill for an Act in relation to public employee pensions. Third Reading of this Senate Bill."

Speaker McPike: "Mr. Granberg. Out of the record. Senate Bill 1766, Mr. Black. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1766, a Bill for an Act amending the Public Community College Act. Third Reading of this Senate Bill."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1766 comes before us every year. It is the Community College Rate Bill on the...it establishes the basis by which their courses will be reimbursed by the state. There are two Amendments on the

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Bill. One Amendment deals with the community college in East St. Louis, allowing them to put the question of sales tax financing on a referendum, that's Amendment #2, sponsored by Wyvetter Younge. Amendment #3 was sponsored by Representative Hawkins, and it allows a university to incorporate as I recall in case of inventions or ideas promulgated by their faculty. Both Amendments went out on a Roll Call Vote. There was some controversy, that's all the Bill does and ask your favorable consideration of Senate Bill 1766."

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 are 96 'ayes', 13 'noes', Senate Bill 1766, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1803, Representative Churchill. Mr. Clerk, read the Bill. Representative Novak."

Novak: "Mr. Speaker, on the previous Bill, I inadvertently didn't hit my switch. I meant to vote 'aye', please. Let the record reflect that."

Speaker McPike: "The record will so reflect."

Clerk Rossi: "Senate Bill 1803, a Bill for an Act concerning extension removal of repealers. Third Reading of this Senate Bill."

Speaker McPike: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill delays or removes the various repealers throughout the laws, such as the interagency authority on residential facilities for children. That portion of the statutes that provides for the sharing of tax receipts between counties and home rule municipalities. The

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Corporations Division, Expedited Service Division and the Illinois Corporations Act and basically these are things that would sunset otherwise except for this Act, so, I would move for the approval of the Bill."

Speaker McPike: "The question is, 'Shall this Bill pass?' And on that, Mr. Granberg."

Granberg: "Thank you, would the Gentleman yield?"

Speaker McPike: "Yes, he will."

Granberg: "Representative Churchill, have all the vacancies been filled now according to the Auditor General's report? The Governor's Office was behind in appointing members to these boards."

Churchill: "I don't know."

Granberg: "That was helpful, thank you."

Churchill: "Truthful."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? The Clerk, will take the record. On this Motion, there is 108 'ayes' and no 'nays'. Senate Bill 1803, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1832, Mr. Black. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1832, a Bill for an Act to amend the Lieutenant Governor's Office of the Voluntary Action Act. Third Reading of this Bill."

Speaker McPike: "Representative Black."

Black: "Thank you very much. With the leave of the Body, I'd like to take this Bill back to Second Reading for an Amendment from Representative Stroger."

Speaker McPike: "Any objections? Leave is granted, the Bill is on Second Reading. Mr. Clerk, any Amendments?"

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

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Stroger."

Speaker McPike: "Representative Stroger."

Stroger: "Floor Amendment #7 is just some clean up language suggested by LRB, and I ask for its adoption."

Speaker McPike: "The question is, 'Shall Amendment #7 be adopted?' All in favor say 'aye'; opposed, 'no', the 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Black, you'll have to take this out of the record for a minute and we'll try to get back to it as soon as we can. Yes. We'll get back to that Bill. Mr. Homer has arrived. Mr. Homer, you have two Bills on this order. Would you like to call them? Senate Bill 1232, Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1232, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Third Reading of this Senate Bill."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. This Bill has several Amendments that have either been added in committee or after fairly lengthy discussion on the floor. The underlying Bill has to do with the issue of releasing inmates...or inmates who are released on bail who commit forcible felonies requiring them to...if that occurs, to serve out their full original sentence and the second conviction would run consecutive to the first. There were other Amendments added having to do with immunity. There was one Amendment that was fairly lengthy discussed having to do with conscientious objectors serving as deputy sheriffs and I would be happy to answer any questions on any of the Amendments, but the Bills have thoroughly been discussed and I would urge support for the

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Bill."

Speaker McPike: "Any discussion? The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Just a minute. All right, continue voting. Mr. Stephens, I didn't see your light, so proceed."

Stephens: "Thank you, Mr. Speaker. I just wanted to let the Members know that this did have the conscientious objectors language in it, much of this Bill is good, but I still feel very strongly about that issue and wish that we could take this whole Bill back and renegotiate it and get that portion out, therefore, I vote 'no'."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion, there are 102 'ayes' and 2 'noes'. Senate Bill 1232, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1299, Mr. Homer. Mr Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1299, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Senate Bill."

Speaker McPike: "Mr. Homer."

Homer: "Thank you, Mr. Speaker. This Bill...the underlying Bill would allow for trouble damages to be collected against someone who breaks into a coin operated machine or possess tools capable of doing that with the intent to break in. There was the police Amendment that was added by Representative Dart that is on the Bill and I would urge support for the Bill."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, would the Sponsor yield? Can you tell us what Amendments are on this Bill, Representative Homer?"

Speaker McPike: "Wennlund, did you ask a question, I'm sorry?"

Wennlund: "Yes, I asked the Sponsor what Amendments were on this

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Bill?"

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

Clerk McLennand: "On this Bill, Committee Amendment #1 was adopted and Floor Amendments #7 and 9."

Wennlund: "Seven and nine?"

Speaker McPike: "Yes."

Wennlund: "And could the Sponsor tell us what those Amendments do?"

Speaker McPike: "Mr. Homer."

Homer: "I believe that Floor Amendment #7, I know the two Amendments, I'm not sure of the order. All right, Amendment #7 is a combination of the Safe Neighborhoods Bill that passed out of here previously and also Speaker Madigan's proposed Police Amendment are both included in #7. Number nine is an Amendment that was agreed upon in committee that added the words 'actual damages'. I think you had asked about that Amendment when we were on Second Reading that trouble damages...three times the actual damages on the damage to a coin operated machine. Those are the two Amendments."

Wennlund: "Thank you very much."

Speaker McPike: "The question is, 'Shall this Bill pass?' All 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 is 106 'ayes' and no 'nays'. Senate Bill 1299, having received the Constitutional Majority, is hereby declared passed. All right, Representative Curran, did you wish to call your Bill at this time? You took it out of the record a minute ago. Yes. All right, Senate Bill 1149 has been...is on Postponed Consideration, its been read a third time

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previously. Representative Curran. It's up to you, you can take it out of the record if you wish."

Curran: "Yes, I'd like to take it out of the record again."

Speaker McPike: "All right, take it out of the record. Representative Prussing, 1384. Do you wish this Bill called Ms. Prussing? Ms. Prussing. Do you wish this Bill called? Thirteen eighty four. Do you wish this Bill called today? All right. Supplemental Calendar #1. On the Order of Concurrence appears House Bill 44, Mr. Wennlund. Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. I move to concur in Senate Amendments #1 and 4 and what they do is; Senate Amendment #1 adds language identical to House Bill 369...39 which was a Department of Energy and Natural Resource Administration Bill. It extends the energy conservation project requiring energy costs savings from 7 to 10 years; and Senate Amendment #2...4, I sorry, Senate Amendment #4 amends the Local Government Energy Conservation Act and the Public Community College Act to provide the guaranteed energy savings contracts to provide for payment up to ten years, the final date of installation and I move that the House concur in both those Senate Amendments."

Speaker McPike: "On the Motion to concur, Representative Granberg."

Granberg: "Will the Gentlemen yield?"

Speaker McPike: "Yes."

Granberg: "Representative Wennlund, Senate Amendments 1 and 4, do they not become the Bill, they took the House language out of the legislation?"

Wennlund: "Senate Amendments 1 and 2 become the Bill, that's correct."

Granberg: "One and four?"

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Wennlund: "I'm sorry, 1 and 4."

Granberg: "One and 4. Representative, there was not any opposition to this as far as when we knew last week, there is no opposition to this language now, is that right?"

Wennlund: "To my knowledge, there is no opposition."

Granberg: "All right, thank you."

Speaker McPike: "Representative Persico."

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

Speaker McPike: "Yes, he will."

Persico: "Representative, according to my analysis, is Senate Amendment #2...is it Senate Amendment #2 or 4 that your concurring with?"

Wennlund: "Four."

Persico: "Number four, and both of these Amendments become...or Senate Amendment #1 becomes the Bill, so the volume based stuff is out of the Bill."

Wennlund: "The volume base is gone. It was out on another Bill that...another Senate Bill that I believe you put it on last week."

Persico: "Thank you very much."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendments #1 and 4 to House Bill 44?' All those in favor, this is final action. All those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? The Clerk, will take the record. On this Motion, there is 108 'ayes'...107 'ayes', and no 'nays'. Representative Laurino, 'aye'. On this Motion, there is 108 'ayes' and no 'nays'. The House does concur in Senate Amendments #1 and 4 to House Bill 44, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 61, Representative Steczo. Steczo. If you turn on your light, the electrician can find you a little easier."

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Steczo: "Thank you, Mr. Speaker. I would move that the House nonconcur with Senate Amendment #1 to House Bill 61. It's the intention to take this Bill to Conference Committee and clean up a couple technical problems that have arisen, so Mr. Speaker, I move to nonconcur."

Speaker McPike: "The Gentleman moves to nonconcur in Senate Amendment #1, all in favor of the Motion say 'aye'; opposed, 'no'. The 'ayes' have it and the House nonconcur in Senate Amendment #1 to House Bill 61. House Bill 99, Mr. Lang. Out of the record. House Bill 298, Mr. Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendments #1 and 2 to House Bill 298 are as follows; the first part is, Senate Amendment #1 stays the implementation of the Radioactive Waste Compact Enforcement Act until 120 days after Congress has given its consent to the Amendments of the Central Midwest Radioactive Waste Compact Act. In addition, it creates the Radioactive Waste Tracking and Permitting Act of 1994, which authorizes the department to track and regulate the storage, treatment, and disposal of low-level radioactive waste in Illinois. Finally, the Amendment repeals the enforcement Sections of the Radioactive Waste Tracking and Permitting Act, 120 days after Congress has given its consent to the Amendments of the Central Midwest Radioactive Waste Compact, or December 31, 1995, whichever comes first. This reflects an agreement between the Department of Nuclear Safety, Commonwealth Edison and Illinois Power. Amendment #2 amends the Boiler and Pressure Vessels Safety Act to clarify that boilers and pressure vessels under federal regulations that are located in nuclear facilities are not exempt from the Act. This is supported by the State Fire Marshall. Provides for the Department of Nuclear Safety

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with the statutory authority to receive \$350,000 in federal moneys under the Federal Facilities Compliance Act of 1992. It also creates the Federal Facilities Compliance Fund for the receipt of federal moneys. This is supported by the Illinois Environmental Protection Agency. Finally, it makes the Department of Nuclear Safety's collection procedures for the filing fees accessed after the inspection of a radiation installation uniform in order to address an audit finding contained in IDNS's last audit. This Bill, that was pulled out of Rules in the Senate, passed the Senate by 58 to nothing. I know of no opposition, and I ask for the concurrence in these Amendments."

Speaker McPike: "Mr. Ryder, on the concurrence."

Ryder: "Thank you, Mr. Speaker. I compliment the Sponsor for accommodating the concerns of the Department of Nuclear Safety and for accommodating some concerns on the compact. I stand in support of the Bill as amended."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, will the Sponsor yield?"

Speaker McPike: "Yes."

Wennlund: "Does Senate Amendment #1 become the Bill when the underlying House Bill plus its Amendments are gone?"

Ryder: "Senate Amendments #1 and 2 become the Bill."

Wennlund: "Thank you very much."

Speaker McPike: "Representative Persico."

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

Speaker McPike: "Yes."

Persico: "Representative, if we fail to concur on Senate Amendment #1, will this leave us no way to tract radioactive waste in Illinois?"

Novak: "Yes, Representative Persico, you're correct. Its

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imminent that we pass this Amendment, get it to the Governor's desk for his signature. Due to the fact that the state of South Carolina's Legislature failed recently to extend its rules and regulations for accepting out of state nuclear...low-level nuclear waste, that means not only do we have to tract where this stuff is being located, we also have to come up with a solution on where some of these individual places that generate low-level nuclear waste have to be stored properly and safely, so it's very important that we pass this legislation."

Persico: "Well, thank you Representative. I stand in support of Senate Amendments #1 and 2."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 298?' All in favor vote 'aye'; opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there is 106 'ayes' and no 'nays'. The House does concur in Senate Amendments #1 and 2 to House Bill 298, and this Bill having received the Constitutional Majority, is hereby declared passed. We're going to shut down the system for one minute to try and fix the board to my right. House Bill 460, on concurrence, Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think this is a very simple Amendment. I would encourage everyone to support the concurrence on Senate Amendment #1. The farm vehicles have been left out of the original Bill and this reinstitutes and gives them the same privileges as other short trucks."

Speaker McPike: "Any discussion? The question is, 'Shall the House concur in Senate Amendment #1?' Mr. Wennlund."

Wennlund: "Will the Sponsor yield?"

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Speaker McPike: "Yes."

Wennlund: "I'm sorry, over the noise in the House, a lot of Members did not hear what Senate #1 was and did it become the Bill?"

Speaker McPike: "Mr. Wennlund, I sorry, Mr. Woolard."

Woolard: "Yes, very definitely it does."

Wennlund: "If..if...Senate Amendment #1 becomes the Bill?"

Woolard: "Yes."

Wennlund: "And what does it do?"

Woolard: "It...actually it just redrafted the language that we sent to the Senate and incorporates that language that allows the farm vehicles to be included as an exclusion."

Wennlund: "Okay, thank you very much."

Speaker McPike: "Representative Stephens. The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 460?' All in favor vote 'aye'; opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there is 82 'ayes'...83 'ayes', 19 'noes'. And the House does concur in Senate Amendment #1 to House Bill 460, and this Bill having received the Constitutional Majority...Representative Ostenburg, votes 'no'. On this Motion, there are 83 'ayes' and 20 'noes', and the House concurs in Senate Amendment #1 to House Bill 460, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 504, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I would move to concur in Senate Amendments #1 and 2 to House Bill 504. House Bill 504 originally was an Open Meetings Act dealing with teacher certification. Senate Amendment #1 put in language dealing with the oversight...financial oversight panel

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which was a Bill coming out of the House Committee, 2753 in fact, setting up a plan for an oversight panel only in the case where a school district had reached the end of its limits as far as being on the financial watch list, filing a financial plan, then not following that plan. This sets up the procedure for the state board to come in and set up the financial oversight panel. Senate Amendment #2 actually deleted the language dealing with the original Bill which was a Certification Open Meetings Act portions of that Bill, and I don't disagree with that since that portion is on another Bill and I would move to concur in those two Senate Amendments."

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

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

Speaker McPike: "Yes, he will."

Black: "Representative, Senate Amendment #2, makes the hearing or the meeting of the State Certification Board in which a suspension or revocation of a...of a certificate is being discussed, makes it an open meeting, is that the way I understand it?"

Brunsvold: "Well, right now it's an open meeting. We're trying in the original Bill...we were trying to close up the...the section where they actually make the debate amongst the certification board as to whether they were to remove the license for the teacher. That was just very personal and it was felt by the state board and by the teachers unions that was like a jury and they should be behind closed doors when they make that decision then come out and announce their decision."

Black: "All right, Senate Amendment #2 deleted your underlying Bill, is that right?"

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Brunsvold: "Right, that's in another Bill, so, I'm not so worried about that."

Black: "So, we're going to accomplish the underlying provisions of your Bill into simply somewhere else now, correct?"

Brunsvold: "Yes, that's in 13...1332."

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

Speaker McPike: "Further discussion? There being none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 504?' All in favor vote 'aye'; opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 108 'ayes' and no 'nays', and the House does concur in Senate Amendments #1 and 2 to House Bill 504, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 537, Mr. Phelan. Mr. Phelan. Mr. Phelan, here? House Bill 742, Representative John Dunn. Is Mr. Dunn back there? The Chair cannot see his seat. Mr. Dunn? Yes. Representative Dunn, turn him on please."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that we nonconcur in Senate Amendments to House Bill 742."

Speaker McPike: "Nonconcur?"

Dunn: "That's correct."

Speaker McPike: "The Gentleman moves to nonconcur in Senate Amendments #1 and 2 to House Bill 742. All in favor of the Gentleman's Motion, say 'aye'; opposed, 'no', the 'ayes' have it, and the House nonconcur in Senate Amendments 1 and 2 to House Bill 742. House Bill 902, Representative Sheehy. Out of the record. House Bill 1293, Representative Woolard."

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

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House. This is just clean up language. The Amendment was necessary to correct some wrong drafting that was done. I think it's agreed by everyone, as social worker initiative, and I would encourage everyone to support us in the Amendment."

Speaker McPike: "Any discussion? On the Gentleman's Motion, any discussion? There being none, the question is, who wants...Representative Stephens."

Stephens: "I'm sorry, several Members on our side of the aisle didn't hear the explanation."

Speaker McPike: "Mr. Woolard."

Woolard: "Representative..."

Speaker McPike: "They could not hear. They could not hear your explanation of Senate Amendment #1."

Woolard: "This is strictly clean up language that was necessary in the clinical social workers Bill. I think that everyone is in total agreement, all the parties involved have signed off on this."

Stephens: "Thank you."

Speaker McPike: "Representative Skinner."

Skinner: "Would the Gentleman yield to a question?"

Speaker McPike: "Yes he will."

Skinner: "Our analysis indicates that clinical social workers are going to have to hold a valid license unless they obtain their position through promotion. Could a secretary be promoted to a social worker?"

Woolard: "Positively not. They have to have the necessary training and education."

Skinner: "Well, who could be promoted to this position that this exception might be aimed at?"

Woolard: "Only after they've acquired the necessary education and experience."

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Skinner: "But who is it that we're looking at? What job classification?"

Woolard: "These are social workers who are involved in various capacities that have not obtained the title."

Skinner: "I'm sorry, that did not obtain what?"

Woolard: "That have not obtained the title."

Skinner: "The title. Thank you."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1293?' All those in favor vote 'aye'; opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lindner, please. Have all voted who wish? The Clerk, will take the record. On this Motion, there is 107 'ayes' and no 'nays'. House Bill 1293 having received...on this Motion there is 107 'ayes' and no 'nays', and the House does concur in Senate Amendment #1 to House Bill 1293, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1332, Representative Currie. Ms. Currie. The Lady is here. Ms. Currie, you're on...on a Concurrence Motion."

Currie: "Thank you, Speaker, Members of the House. I move that the House do concur in the Senate Amendment to House Bill 1332. This is the revision of the Open Meetings Act which passed this chamber more than a year ago. The Senate gave due and full consideration to our measure and offered some changes that were acceptable to local units of government that had substantial concerns with some portions of the Bill that we initially proposed. The Bill continues to offer a clear statement of the point of the Open Meetings Act. Some items were taken out for example, we provided civil penalties for violations. That language is gone, but

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the underlying effort is still intact and that effort was to clean up the Act, make sure that exemptions that are available apply uniformly to, not just single units of government, but to all that would meet that same kind of requirements. I would be happy to answer your questions and I'd appreciate your support for the Concurrence Motion."

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

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

Speaker McPike: "Yes."

Biggert: "Representative Currie. This has been agreed to not only by the Press Association but the Illinois Municipal League?"

Currie: "Yes."

Biggert: "And the Clerk's Association?"

Currie: "The which?"

Biggert: "And the Clerk's Association?"

Currie: "Yes."

Biggert: "Is there any opposition to its remaining?"

Currie: "Not to my knowledge."

Biggert: "Okay. One of the provisions provides that the clerks are publicized to keep a summary of discussions on all matters proposed?"

Currie: "Yes."

Biggert: "And prior to that it was a general description?"

Currie: "Right."

Biggert: "And there doesn't seem to be any opposition to that?"

Currie: "Not that I have heard."

Biggert: "Is there anything in there where if a body goes into Executive Session, that they have to keep a tape of that? That's no longer in there is it?"

Currie: "No. That was actually I believe in a separate Bill."

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Biggert: "All right, thank you."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes, she will."

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

Currie: "That's right."

Black: "We are extending the posting of an agenda. Did that use to be...that use to be 24 hours before the meeting and we're now requiring 48 hours, correct?"

Currie: "Which part of the Bill are you in, Representative?"

Black: "About public bodies posting an agenda for each regular meeting."

Currie: "Wait, I'm looking for the actual language, can you..."

Black: "I don't even have a copy of the Senate Amendment, I'm sorry. Wait a minute...staff does."

Currie: "Yes, okay I've got it. Yes."

Black: "So that is a change. Instead of 24 hours notice, it must now be 48 hours notice?"

Currie: "Right and in..."

Black: "All right..."

Currie: "In fact the...and the agenda notice is different from what we currently have, so there should be a 48 hour posting and there ought to be an agenda posted."

Black: "All right, does this...would this 48 hour notice apply to Rules Committee Meetings of the General Assembly?"

Currie: "No, Sir."

Black: "Oh. Wonder why not? Well, fine..."

Currie: "Well, as you notice, there are notice provisions in our rules that do apply to meetings of the Rules Committee..."

Black: "Yes, I use to know those rules."

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Currie: "And nothing in this Bill...nothing in this Bill will change those requirements."

Black: "Yes, well I use to know the rules, but we've changed them so many times this year, I can't keep up with them anymore, so I thought I could give 48 hours notice, but, I guess not."

Currie: "In fact, most of our committees have a six and a half day notice requirement."

Black: "Well, yeah, but it's the Rules Committee that I'm worried about, that's where I get the rule changes all the time. They seem to happen so quickly. Maybe things just go more quickly as I get older. Well, thank you very much, Representative."

Speaker McPike: "Representative Skinner."

Skinner: "Would you characterize how much weaker this Bill is than the Bill that you sponsored on the same subject matter?"

Currie: "Did...are you asking if I noticed that the Senate substantially weakened the Bill we sent them?"

Skinner: "I'm sure you noticed it."

Currie: "Yes Representative, I did notice."

Skinner: "What part that the Senate took out do you think is most important to have in in the future years?"

Currie: "Representative, let's work on that together and then perhaps we can draft a Bill to offer in the next Session of the General Assembly."

Skinner: "Well, I would like to point out the part that I think that ought to be in there that isn't in there, and that's a tape recording of the meetings. It seems to me there ought to be some way, someone, even if it's the state's attorney of an opposite party, to figure out what had actually been discussed today in a secret meeting. I know my local park

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district bought a \$10,000 boat in a secret meeting, which I consider to be a gross violation of the Open Meetings Act. And when I pointed it out to them, after the meeting was over, I said, 'Would you like to go back and do it right?' And they said, 'No'."

Speaker McPike: "Representative Moseley."

Moseley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Body. I rise in total support of this legislation. Admittedly, we've had to make some compromises, but this Open Meetings Act legislation actually began four years ago, with a task force that was set up with the Attorney General's Office in which we had cooperation by the Illinois Municipal League, the news broadcasters, the newspapers. Several of the school groups, schools boards, several associations worked in clarifying this language because frequently, there are violations of the Open Meetings Act occurring simply because people couldn't understand the statute. We had the statute several years ago, we have changed it many times, and as often done in Springfield, it's been done in a patchwork manner. This legislation that you have before you at least clarifies many of the areas of concern and the areas of confusion that we had in the past. So, I hope that you take that into consideration when you make your vote. It would be great to have the tape recordings in it as we had originally, but I feel that there is so much good in this Bill, that we have to proceed with it as it currently stands, and I ask for your...your favorable consideration too. Thank you."

Speaker McPike: "Representative Moffitt."

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

Speaker McPike: "Yes."

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Moffitt: "Representative, just...I'm certainly in agreement with the main intent of this legislation. Could you clarify for me, are there provisions yet for an emergency where a city council would have to call a emergency meeting of the council in response to a natural disaster or something like that. Are those provisions still there?"

Currie: "Yeah, I cannot point specifically to that language, but the agenda requirement, the 48 hour notice, that provision applies to regularly scheduled meetings of the local entity, so there's nothing in this Bill that would take away the opportunity to hold an emergency session."

Moffitt: "So it would be your intent that the city council or whatever body we're talking about, in an emergency situation, could still convene on a short notice?"

Currie: "Yes."

Moffitt: "Okay, thank you very much."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1332?' All in favor vote 'aye'; opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there is 109 'ayes' and no 'nays'. The House does concur in Senate Amendment #1 to House Bill 1332, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1352, Mr. Leitch."

Leitch: "Thank you, Mr. Speaker. House Bill 1352 is coming over from the Senate with two Amendments; one of which the first one is requested by the Illinois Commerce Commission and addresses a problem in Senator Karpel and Representative Tom Johnson's district. It amends the Public Utilities Act to provide for appointment of a receiver for a small public utility or telephone company with less than 7500 customers

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in the event that that becomes necessary and establishes a procedure for acquiring a small public utility or telephone company with 7500 or less customers in the event there is a problem as defined in this Amendment. The second Amendment increases the cap on the sale of energy utility property without ICC approval to 300,000 up from 100,000 for utilities with gross revenues over 500...50 million I should say, and it also raises the cap on energy utility property rentals, leases, and easements without ICC approval to 30,000 from 10,000 for utilities of gross revenues over 50 million. That's the request of Illinois Power. This measure passed the Senate unanimously and I would move concurrence in Senate Bills (sic-Amendments) 1 and 2."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you, would the Gentleman yield?"

Speaker McPike: "Yes, he will."

Granberg: "Representative, is this identical to the Amendments we put on the Senate Bill last week that that Senator Karpel was a Sponsor of?"

Leitch: "Yes. I think so."

Granberg: "So there is no difference? The first one was the initiative of the Commerce Commission. Then with the troubled utility, and the second was done on the acquisition of real property, but there is no difference, is that correct to the best of your knowledge? They're identical?"

Leitch: "Not to the best of my knowledge."

Granberg: "Thank you."

Speaker McPike: "No further discussion, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 1352?' All in favor vote 'aye'; opposed vote 'no'."

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This is final action. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there is 110 'ayes' and no 'nays', and the House does concur in Senate Amendments #1 and 2 to House Bill 1352, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill, 1391, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1. This amends the Department of Public Health Act and requires the department concerning some federal funds to establish an Osteoporosis Prevention and Education Program. I'd be happy to answer an questions."

Speaker McPike: "Is there any discussion? The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1391?' All in favor vote 'aye'; opposed vote 'no'. This is final action. Have all voted who wish? The Clerk, will take the record. On this Motion, there is 108 'aye...109 'ayes' and no 'nays'. And the House does concur in Senate Amendment #1 to House Bill 1391, this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1569, Mr. Brady."

Brady: "Thank you, Mr. Speaker. I move that the House concur with Senate Bills (sic-Amendments) 1 and 2. Senate Bill (sic-Amendment) 1 is House Bill 2689 - Cross/Dart, and Amendment 2 is House Bill 3743 - Hannig/Demuzio."

Speaker McPike: "Mr. Brady, there's a request that you should explain these Amendments since this is final action."

Brady: "Senate Amendment #1 is...allows counties with population of 300 to 400,000 to regulate unincorporated areas of less than five acres. In Senate Amendment #2 allows...provides that a county board member may hold during his term, the office of alderman of a city or member of the board of

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trustees of a village or unincorporated town if the city village or unincorporated town has fewer than 1000 inhabitants and is located in a county having fewer than 50,000 inhabitants."

Speaker McPike: "Representative Granberg."

Granberg: "Would the Gentleman yield?"

Speaker McPike: "Yes."

Granberg: "Representative Brady, was the Farm Bureau opposed to this legislation when it was in the House?"

Brady: "Absolutely not."

Granberg: "Okay, I originally thought that they had some concerns about the zoning in agricultural areas, but that was not the case?"

Brady: "No, and Representative Cross may be able to answer that better, but this is their language, it is my understanding."

Granberg: "Well, that would be good if Representative Cross would take the time to be here and do the business for his people."

Brady: "I would agree."

Granberg: "Thank you, Representative."

Speaker McPike: "Representative Hughes."

Hughes: "Yes, thank you, Mr. Speaker. Regarding Senate Amendment #2, this is the Amendment which provides for individuals to serve simultaneously on county boards and village boards so for those of you that have problems with the precedence that's setting, I want to make you aware of it. Thank you."

Speaker McPike: "Representative Younger."

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

Speaker McPike: "Yes."

Younger: "Which specific counties are affected by Amendment #1 and

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what are these specific locations that are under five acres that are affected in reference to the unincorporated areas?"

Brady: "The answer to your first question is Kane, Kendall and Will. And your second question, I'm sorry I didn't hear it?"

Younge: "Well, that's a sufficient answer."

Brady: "Thank you."

Younge: "Yes, thank you."

Speaker McPike: "Representative Biggert."

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

Speaker McPike: "Yes, he will."

Biggert: "Thank you. Representative Brady, Senate Amendment #2 is the...identical to House Bill 3743?"

Brady: "Yes, it is."

Biggert: "All right, and that passed out of the House by what vote?"

Brady: "Seventy five to 35."

Biggert: "All right."

Brady: "It just missed the Senate deadlines."

Biggert: "Okay. So there's 35 of us then that had some concern over this Amendment?"

Brady: "I believe that's right."

Biggert: "Does this apply to...what counties?"

Brady: "It applies...my understanding is, it would apply to any incorporated...excuse me...when an incorporated town has fewer than a 1000 inhabitants and is located in a county having fewer than 50,000 inhabitants, I am not sure...Representative Hannig may have the answer to that."

Biggert: "All right."

Speaker McPike: "Further discussion? The question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill

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1569?' All in favor vote 'aye'; opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there is 105 'ayes', 6 'noes', and the House does concur in Senate Amendments 1 and 2 to House Bill 1569, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1786, Mr. Dart. Out of the record. House Bill 1809, Repres...Representative Giolitto, for what reason do you rise? Mrs. Giolitto, speak into your microphone."

Giolitto: "I intended to vote 'no' on that last Bill."

Speaker McPike: "All right, the record will so reflect that Representative Giolitto intended to vote 'no' on House Bill 1569. Seventeen eighty six is out of the record. House Bill 1809, Mr. Novak. Is Mr. Novak here? Novak. Mr. Novak. Senate Bill...House Bill 2028, Representative Hanrahan."

Hanrahan: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 which essentially becomes the Bill...does become the Bill. It amends the Comprehensive Health Insurance Plan Act, which is known as CHIPS. It authorizes the CHIP Board to enter into intergovernmental cooperation agreements with other agencies or entities of state government for the purpose of sharing the cost of providing health care services. These are for children who are both CHIP participants and eligible for financial assistance from the Division of Specialized Care. This is a Bill that was originally House Bill 3626, which passed out the Health Care and Human Services Committee unanimously. Representative Mautino has been helpful in bringing this legislation to bear. It's a good example of public/private partnership working and I move that this Bill be passed."

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Speaker McPike: "Representative Schoenberg"

Schoenberg: "Question to the Sponsor, will the Sponsor yield?"

Speaker McPike: "Yes, he will."

Schoenberg: "Representative Hanrahan, could you tell me how Senate Amendment #1 changes the Bill from how it was originally introduced by Representative Parcells when she was here?"

Hanrahan: "It is identical."

Schoenberg: "It's identical? And in the course of that, what's the position of the insurance industry in making this modification to the CHIP Program?"

Hanrahan: "To the best of knowledge, they're in support of it."

Schoenberg: "Okay, thank you very much."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker, will the Sponsor yield? Representative, I'm confused. You said Senate Amendment #1 becomes the Bill and now you said it didn't become the Bill. What's the right answer?"

Hanrahan: "It does become the Bill."

Black: "It does?"

Hanrahan: "Yes."

Black: "It does become the Bill? Does Senate Amendment #1 have anything to do with rabbits and putting some eye drops in rabbit eyes?"

Hanrahan: "No, Sir."

Black: "Are you sure?"

Hanrahan: "I'm positive."

Black: "I thought that's what the original House Bill was. Wasn't that Representative Parcell's bunny Bill?"

Hanrahan: "No, you're confusing it with another Parcell's Bill."

Black: "Oh, so this one is not requested by the Rabbit Association? This one is requested by the CHIP Board?"

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Hanrahan: "Correct, correct."

Black: "All right, is this your first Bill, Representative?"

Hanrahan: "Yes, Sir."

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

Black: "I don't...well, thank you very much."

Speaker McPike: "Mr. Hanrahan, you don't have to call him, Sir."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I don't why we persist around here of letting freshman Legislators carry very complicated Bills. As Representative Schoenberg pointed out, it may or may not be identical to a...to the Margaret Parcell's Bills on the Comprehensive Health Insurance Program. I haven't had a chance to read all the fine print, I'm still looking some rabbit eyes in here. We probably should have had another Sponsor on this Bill, but this may not be the time, Mr. Speaker, it may not be the time for this Bill to move."

Speaker McPike: "Mr. Hanrahan, do you want to take this out of the record? Get back to it some other week?"

Hanrahan: "No, the time to act is now."

Speaker McPike: "All right, Representative Leitch"

Leitch: "Thank you, Mr. Speaker, will the Gentleman yield?"

Speaker McPike: "Yes."

Leitch: "Representative, I'm on the CHIP Board and I don't recall us requesting this Bill. Can you tell me when that occurred?"

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

Speaker McPike: "Mr. Leitch, I don't think he heard you."

Leitch: "Representative, I serve on the CHIP Board and I don't recall the Chip Board ever requesting that you introduce this legislation. Can you tell me when this occurred, please?"

Hanrahan: "As you may recall, Representative, you were in a

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meeting with me and Rick Carlson and others of the CHIPS organization at which point we discussed this Bill at length and agreed to the contents of it."

Leitch: "I'm sorry, I couldn't hear him, Mr. Speaker."

Hanrahan: "I said, as you recall, we had a meeting together with the CHIPS Board about this legislation, and agreed that its content were to the benefit of the state in the sense that it reduces the cost to the state as well as to the participants making them eligible for this legislation."

Leitch: "Thank you."

Speaker McPike: "All right, no further discussion. Mr. Hanrahan, do you persist?"

Hanrahan: "I do."

Speaker McPike: "He's stubborn Mr. Black, he's stubborn. Mr. Black, you know, the Bill's in the record, I don't know what to do. I understand that the rule is that it's his choice at this point. Okay. Mr. Hanrahan, did you move to nonconcur? This is a Motion to nonconcur?"

Hanrahan: "This is a Motion to concur, and I ask for a roll call, Mr. Chairman...Mr. Speaker, excuse me."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendment #1, to House Bill 2028?' That's the question. All in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. Mr. Clerk, you have to pay attention. You have to pay attention, please. On...Mr. Clerk, take the record. On this Motion, there are 110 'ayes', and 1 'no', and the House does concur in...Rotello, 'aye'. Rotello, 'aye'. On this Motion, there are 111 'ayes', and no 'nays', and the House does concur in Senate Amendment #1 to House Bill 2028, and this Bill having received the Constitutional Majority, is hereby declared

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passed. House Bill 2108, Representative Levin. Mr. Levin.

Levin. Mr. DeJaegher, House Bill 2221. Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Speaker, Members of the General Assembly. I would wish to concur with Senate Amendment #1 and not to concur with Senate Amendment #2."

Speaker McPike: "You wish to concur in Senate Amendment #1?"

DeJaegher: "Yes, and..."

Speaker McPike: "All right, would you explain Senate Amendment #1, and we can take that vote first."

DeJaegher: "Mr. Speaker, this is Davey Phelps Amendment. I like to refer Amendment #1 to Mr. Phelps. Dave."

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker. This Amendment merely reinstates what we passed out twice before in other forms out of this House earlier in the spring, and it actually puts in place within the Center of Rural Health, a mechanism to provide area health education centers, especially for rural areas to establish a program to improve the supply and distribution of health care professionals in many underserved areas in and throughout the state. Presently the Osteopathic Group in Chicago accessed federal money for this particular program. We are asking...this is permissive language...it can be done or they could not, it's up to the Center for Rural Health, but we are, in this Amendment, hoping to allow that to happen in underserved areas."

Speaker McPike: "On that Motion, Representative Ryder."

Ryder: "Thank you. Representative Phelps, would you yield for a couple of questions?"

Speaker McPike: "Yes."

Ryder: "Thank you, Mr. Speaker. Representative Phelps, I was glad to hear you talk about permissive language because

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some of the information that I have received indicates that the funding is currently not available on this, and in fact, we're not sure exactly how or if a federal match can occur. Is that a correct statement, Sir?"

Phelps: "This would require a matching appropriation but even with the language that we have...if we're successful in adopting, would leave it up to the Center for Rural Health and Public Health to determine how it should be spent and how much."

Ryder: "Since we're concurring in part and objecting in part, that there may be some opportunities to work out the questions that I have on all this. The information that I have just received indicated that there was some problem with federal funds but I hope that we can work through that. As regards to this..."

Phelps: "We have reason to believe that this would increase the federal program for rural areas and still stay...keep intact the group from Chicago."

Ryder: "I...that's the part that concerns me..."

Phelps: "Right."

Ryder: "I believe that serving the underserved rural areas is envisioned within the language that you have. I don't see the underserved areas in an urban area."

Phelps: "And if some prefer on this Bill, we can look at 1147, maybe work out something."

Ryder: "That's a great Bill, we should do that. Good Amendment on it, we'll have to talk about that later, but since the Sponsor of the Bill has indicated he is splitting up the two issues, then that means that you're probably dodging the bullet on this one, so...I plan to support..."

Phelps: "We do that all the time."

Ryder: "I plan to support you on this Amendment 1."

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Speaker McPike: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 12...to House Bill 2221?' All in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? The Clerk, will take the record. On this Motion, there are 107 'ayes' and no 'nays', and the House concurs in Senate Amendment #1 to House Bill 2221. The Gentleman now moves to nonconcur in Senate Amendment #2 to House Bill 2221. All in favor of the Gentleman's Motion, say 'aye'; opposed, 'no'. The 'ayes' have it, and the House nonconcur in Senate Amendment #2 to House Bill 1221 (sic-House Bill 2221). House Bill 2234, Mr. Homer. Mr. Homer, please."

Homer: "Thank you, Mr. Speaker. I move that the House concur in Senate Amendments 1 and 4 to this Bill. One...Senate Amendment 1 was an Amendment that simply put the Bill into the form of a shell Bill. Amendment 4 is the product of an agreement between the Illinois Dental Society and the insurance industry regarding the issue of whether there should be mandatory coverage on group pol...group health insurance policies for TMJ, which stands for Temporomandibular joint disorder and for Craniomandibular disorder. These are conditions of the jaw and the joint that connects the jawbone to the skull and there's been a controversy for years surrounding whether that condition should be covered under group health plans and we've had a Bill in the last couple of years and until now, we had no agreement. This Amendment reflects an agreement between the industry and the Dental Society over this issue. This is a very pro consumer Amendment. It does establish a cap of \$2500 for treatment under this provision but it does require group plans to offer an option of coverage for this condition. And, I would answer any questions, urge support

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for the Amendment."

Speaker McPike: "Representative Brady."

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

Speaker McPike: "Yes."

Brady: "Representative, does this effect major medical?"

Homer: "I'm not sure I understand the question. It pertains to group health insurance plans. The group health...group accident and health insurance policies are affected, yes."

Brady: "It doesn't require them to provide it in the basic plan, it just requires them?"

Homer: "Right."

Brady: "Is it a requirement that they must offer an option?"

Homer: "An option for an additional premium."

Brady: "For an additional premium, and that premium in no way regulated?"

Homer: "Correct."

Brady: "And it is an a la carte type of selection? Any member within a group can choose to have or not chose...or choose to not have it?"

Homer: "That, I'm not sure of whether everyone in the group must be covered or whether selected individuals in the group. I'm not sure of the answer to that at the moment."

Brady: "Is this in any way, shape, or form, a mandate on single insurance plans?"

Homer: "No, individual policies are exempt from this Amendment."

Brady: "This is agreed to by the insurance industry and the Dental Society?"

Homer: "That's correct."

Brady: "Thank you."

Speaker McPike: "Representative Black."

Black: "Thank you, thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I simply rise to support

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Representative Homer in this. I unfortunately don't think this Amendment goes as far as it should. For those of us in this chamber who have been, and suffering with TMJ, it doesn't go anywhere near far enough, but the art of politics is the art of compromise. It's the best that we can do, I think it's a very reasonable compromise and my compliments to Representative Homer. It's long overdue that we pass this and send it on to the Governor."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendments #1 and 4 to House Bill 2234?' All those in favor vote 'aye'; opposed vote 'no', this is final action. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 109 'ayes', and no 'nays'. House Bill 2234...on this Motion, there are 109 'ayes' and no 'nays', and the House does concur in Senate Amendments 1 and 4 to House Bill 2234, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2330, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I would move to concur in Senate Amendment #1, and in order to explain Senate Amendment 1, it contains changes...it becomes the Bill and contains changes that were suggested by the financial division of the Department of Insurance. All of those changes are designed to enhance the financial solvency regulation of insurance companies operating in this state or to make needed improvements in the insurance statutes. One of the largest is that it increases from 5 million to 15 million, the minimum amount of policy holder surplus required of an unauthorized company accepting business as a surplus line supplier. And there are several other provisions for which I would be glad to answer any questions."

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Speaker McPike: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2330?' All in favor vote 'aye'; opposed vote 'no', this is final action. Mr. Ryder."

Ryder: "Mr. Speaker, thank you. I just want to indicate the Senate Bill was an original Bill by Representative Lawfer, and I compliment him for making the suggestions for the policy holders of Illinois."

Speaker McPike: "Have all voted who wish? The Clerk, will take the record. On this Motion, there are 111 'ayes', and no 'nays'. The House concurs in Senate Amendment #1 to House Bill 2330, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2349, Mr. Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 2349. Senate Amendment 1 extends the sunset of two coal research income tax credits. The credits are set by law to expire December 31st of this year and the amount extends that date...or the Amendment extends that date to December 31st, the year 2004. I would be pleased to answer any questions."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, I heard you use the word sunset. Are you sunsetting your headlight windshield wiper law, is that what you're doing here?"

Deering: "Not in this Amendment, Sir."

Black: "It's a later Amendment?"

Deering: "Quite possible."

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Black: "I...I see, well let me know when that comes up, will you?
Thank you."

Speaker McPike: "The question is, 'Shall the concur in Senate
Amendment #1 to House Bill 2349?' Representative
Rutherford."

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

Speaker McPike: "Yes."

Rutherford: "Just as a bit of understanding, when one extends a
sunset. Is ten years the typical process of for sunseting
an extension? Is that typically the way the General
Assembly does, or is that longer than usual or shorter than
usual?"

Deering: "If I may, I would like to refer to Representative
Phelps on this question."

Speaker McPike: "You're popular today. Mr. Phelps."

Phelps: "Thank you, Mr. Speaker. This is a pretty normal period
of these kind of tax exemptions...credits."

Rutherford: "Just because it's coal it's...that's not why it's
ten years as opposed to maybe five or something like that."

Phelps: "I think that's pretty well gauged by the technologies
that are involved for demonstration projects give a good
period of..."

Rutherford: "Okay, thank you."

Speaker McPike: "The question is, 'Shall the House concur in
Senate Amendment #1 to House Bill 2349?' All in favor vote
'aye'; opposed vote 'no', this is final action. Have all
voted who wish? The Clerk, will take the record. On this
Motion, there are 111 'ayes', and no 'nays'. And the House
does concur in Senate Amendment #1 to House Bill 2349, and
this Bill having received the Constitutional Majority, is
hereby declared passed. House Bill 2423, Mr. Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. I move to

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concur in Senate Amendment #1. Senate Amendment #1 would expand the language that I worked on last year dealing with foster parents right's to intervene in cases when placement is being questioned, and I'd move for its passage."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2423?' All those in favor vote 'aye'; opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 110 'ayes', and no 'nays'. The House does concur in Senate Amendment #1 to House Bill 2423, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2424, Mr. Dart. Mr. Dart."

Dart: "Thank you, Mr. Speaker. I would move to nonconcur in Senate Amendment #3. Thank you, Mr. Speaker. I move to nonconcur in Amendments 1, 2, and 3."

Speaker McPike: "All right, Mr. Dart. Are you finished? Any discussion? The que...no discussion. The question is, 'Shall the House concur (sic-nonconcur) in Senate Amendments 1...the Gentleman moves to nonconcur in Senate Amendments 1, 2, and 3 to House Bill 2424?' All in favor of the Gentleman's Motion, say 'aye'; opposed, 'no'. The 'ayes' have it, the House nonconcur in Senate Amendments 1, 2, and 3 on House Bill 2424. House Bill 2638, Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to concur in Senate Amendments 1, 2, 3, 4 and 7 from the Senate. All these Amendments were added to this Bill by Senator Watson, the Chair of Education Committee, and they are as follows: the original Bill to start with was passed of this House on a number of occasions, was the old Senate Bill 159, then it was 881,

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the same Bill without, and I say again 'without' the parenting provisions that were so controversial on the floor. Those have been removed and that Bill has passed out of this House a number of times already. Senate Amendment #1 contained House Bills 2528, 2698, 3085 and...which were my Bills, and then 2964 which was Representative Hassert's Bill, and they do the following, dealing with enrollment, before denial of enrollment can take place they must have due process, and then if it is denied you must have the...the school district must provide counseling. Another part of that Amendment, sets dates for the claims for the gifted moneys...money grants. Another provision united...united school districts will now be all called community unit...excuse me...unit school districts instead of Unit School Districts. Also clarifies language dealing with school aid payments...payments when unit districts dissolve and become high school and elementary districts. Also, when a community unit school district is formed part...may include all district bonded indebtedness. Sets up a matrix payments schedule for reorganization of school districts. This...and also includes language that would avoid multiple payments. And then Representative Hassert's Bill had to do with 'Chanie Mong School', dealing with tax...equivalent grants which this will sunset in 1998. Senate Amendment #2 was 2640 by Representative Levin, dealing with establishing of rules and regulations by the Governor Purchase Care Review Board dealing with special ed for nonpublic schools and special ed facilities. Senate Amendment #3 would put an immediate effective date. Senate Amendment #4 was 3601 which is a technical rewrite of the Illinois Education Facility Authority. That was Representative Currie's Bill. And Senate Amendment #7

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dealt with investments by community colleges and saying that if they have some mutual funds they must be limited to funds with assets of over \$100 million. So with that, that includes all the Senate Amendments, I'd move to concur in all of the Senate Amendments and ask for the passage of House Bill 2638."

Speaker McPike: "Representative von Bergen-Wessels."

von Bergen-Wessels: "Will the Sponsor yield?"

Speaker McPike: "Yes."

von Bergen-Wessels: "Thank you, Mr. Speaker. Representative, there's nothing in the Amendments that speaks to the black grants? Remember in the House we had taken the words substance abuse out of the black grant program, and there's absolutely nothing there?"

Brunsvold: "No, nothing in the Amendments. No, that was in the original Bill."

von Bergen-Wessels: "Okay, thank you."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr Speaker. Will the Sponsor yield, please? Thank you. Representative Brunsvold, it is my understanding that there was a promise that all provisions anywhere in this legislation that related to the parenting skills program were to be deleted. Can you assure us that all provisions having anything to do with the parenting skills program, have been deleted from this Bill?"

Brunsvold: "Representative Cowlshaw, those were deleted in the House before the Bill went to the Senate, and looking at the Senate Amendments, I see nothing in there that deals with any parenting programs."

Cowlshaw: "What Amendment took this out? It wasn't deleted in the underlying Bill."

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Brunsvold: "We took it out..."

Cowlshaw: "Page 12..want to look on page 12?"

Brunsvold: "We took it out in a House Amendment."

Cowlshaw: "Pardon me...just a minute please, maybe we can..."

Brunsvold: "Did you look on page 12 of the Bill, Representative?
It's not in there."

Cowlshaw: "Is it my...am I correct in assuming that Floor
Amendment 1, took out those provisions..."

Brunsvold: "Yes."

Cowlshaw: "...on page 12..."

Brunsvold: "...those were taken out as I recall because of the
controversial nature of those...that language because
there's too many important things in this Bill to allow it
to be jeopardized."

Cowlshaw: "Yes, thank you. Now, one other question. Most of
these Amendments, I think, I understand and I...some of
them are some things that are pretty familiar, however, I
am unfamiliar with Senate Amendment #7. Can you please
give us some explanation of what Senate Amendment #7 does
and who...from whom that came, is that a suggestion the
community college trustee or is it...what is the...what is
th source of that Amendment...that's #7, Joel?"

Brunsvold: "The original source was the Community College Board,
that..."

Cowlshaw: "I see, and what does it do?"

Brunsvold: "It would set up, I guess, regulations from what I
understand, that would provide that if mutual funds are
used as an investment that they be invested in assets of at
least 100 million...companies with assets and funds with
assets of at least \$100 million. I believe it's a
safeguard measure by the Community College Board."

Cowlshaw: "Thank you very much, Representative Brunsvold. Thank

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you, Mr. Speaker. Now that those questions are answered, I stand in support of House Bill 2638. Thank you very much."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendments 1, 2, 3, 4, and 7 to House Bill 2638?' All those in favor of the Motion...all in favor of that Motion, vote 'aye'; opposed vote 'no', this is final action. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this Motion, there are 112 'ayes', no 'nays', and the House does concur in Senate Amendments 1, 2, 3, 4, and 7 to House Bill 2638, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2642, Mr. McGuire."

McGuire: "Thank you, Mr. Speaker. Excuse me. I would like to concur with Amendments #1 and 2 on House Bill 2642, and I'll answer any questions if you have any."

Speaker McPike: "Mr. Steczo. Representative Skinner."

Skinner: "Well, for starters, what on earth do the Amendments do?"

Speaker McPike: "I have no ideal, Mr. Skinner."

Skinner: "Neither do I and I suspect the Sponsor doesn't either, since he didn't tell us."

Speaker McPike: "You're probably right."

Skinner: "Perhaps he'll tell us."

Speaker McPike: "Perhaps. Representative Cowlshaw."

Cowlshaw: "Thank you very much. Mr. Speaker, I think I have a very general idea about what each of these Amendments does, but do you suppose we could ask the...Representative McGuire to please at least give us a brief description of what Amendment 1 and 2 do."

Speaker McPike: "I'm sorry, Representative Cowlshaw, I did not hear you."

Cowlshaw: "Could the Sponsor please give a brief description of

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what these two...I think I understand them..."

Speaker McPike: "The Sponsor will yield."

Cowlshaw: "Could you please explain what Amendment #1 and Amendment #2 both do."

McGuire: "Yes, Representative. Amendment 1, excuse me, briefly tightens up the no pass, no drive legislation that was enacted last year with House Bill 418 which was Weller and Burzynski. Excuse me, and Amendment #2 does exactly the same as I mentioned for #1 but it also provides that no person who has reached the age of 18 and did not pass at least 8 courses in the previous two semesters of high school could take the driver education courses."

Cowlshaw: "And those are..."

Brunsvold: "Those are the Amendments..."

Cowlshaw: "Those are both initiatives of Senator Burzynski?"

Brunsvold: "Both by Senator Burzynski, yes ma'am."

Cowlshaw: "Thank you very much."

Brunsvold: "Your welcome."

Cowlshaw: "Thank you, Mr. Speaker. I appreciate your answering the questions."

Brunsvold: "Your welcome."

Speaker McPike: "Further discussion? There being none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2642?' All in favor vote 'aye'; opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. One this Motion, there is 102 'ayes' and 6 'noes', and the House does concur in Senate Amendments #1 and 2 to House Bill 2642, and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 2645, Mr. Homer. Representative Steczo in the Chair."

Speaker Steczo: "On the Order of Concurrence appears House Bill

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2645, Representative Homer. Representative Homer. House Bill 2794, Representative Woolard. Mr. Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to concur with Senate Amendment #1 which adds the following provisions to the Bill. It's a Department of Ag's initiative on weights and measures, some very substantial clean up language necessary there to accommodate some needs they have. We're addressing the drug residue found in milk, Representative Lawfer's Bill, and also humane care of animals as a part of this Amendment as well. I would encourage everyone to support the concurrence of Senate Amendment #1 to 2794."

Speaker Steczko: "The Gentleman has moved to concur in Senate Amendment #1 to House Bill 2794. Is there any discussion? Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. I rise in support of this. There's some language in there that was in the Bill that passed out of the House Committee and has agreement with the dairy industry as well as the Department of Public Health, and passage of this will make a lot of happy cows that won't have to see their milk...good milk destroyed. Thank you."

Speaker Steczko: "Representative McPike. Representative McPike."

McPike: "Thank you, Mr. Speaker. I recognize that this Bill is going to sail out of here and it passed overwhelmingly when it left the House even though I talked against the Bill, but in order to have a clear conscience and be able to sleep at nights, I thought I would at least mention something about the Amendment and something about the Bill. Now once every two or three years or maybe once in a career, you will come across a Bill that is so unusual, so strange that it does catch your attention. I read the

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Amendment that was adopted in the Senate and the Amendment in the Senate, defines companion animal, to mean an animal commonly considered to be or to be used as a pet. That would be something like a dog or cat. A companion animal and then it defines aggravated cruelty and it says, no person may intentionally commit an act that causes a companion animal to suffer serious injury or death. So the way I understand this Amendment, if a pit dog, if a pit bulldog is in your yard and has a death grip on your child and you do anything to that pit bulldog that would cause it serious injury or death, you are now guilty of aggravated cruelty and are guilty of a Class A misdemeanor. Unless of course, it wasn't your dog...it wasn't your child that was being injured, it was your ratite that was being injured. Then we go back to the original Bill. Now it doesn't matter if it's a companion dog or companion cat...I take it back, it does, it only applies to dogs, but if you have a companion dog that has injured your child, there's not a lot you can do about it. But if you have a companion dog that has injured your ratite I want to remind you, that according to this Bill, you can follow and chase this dog to the borders of the State of Illinois. You can chase the dog into someone else's yard, into someone else's kitchen, into someone else's dining room, into someone else's bedroom, you can chase that dog into the courthouse, into the Statehouse, into the Synagogue. There is no place in Illinois that this dog can hide once it has bitten your ratite, and what can you do to this dog? Well, you can kill it, you can kill the dog without restriction. You can shoot the dog to death with a rifle, a shotgun, or an assault weapon. You can stab the dog to death with a knife, a fork or an ice pick. You can club the dog to

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death, or you can cane the dog to death. You can burn the dog to death in a fire or you can burn it to death with a blow torch. You can bury the dog alive or you can skin the dog alive. You can put the dog in a microwave or in a pot of boiling water. You can starve the dog to death, you can strangle the dog to death. You can chop the dog up with a lawn mower or with an ax. You can chase the dog until it dies of a heart attack. You can hang the dog at dawn or at sunset, you can drown the dog in oil or water. You can flatten it to death with a steam roller or you can take it to the zoo and feed it to the alligators. There is nothing that you cannot do to this dog if it hurts your ratite, but if it hurts your child, you are guilty of a Class A misdemeanor. I said to some Legislators in my office a month ago when this Bill passed the House, can you imagine any special interest group, introducing a Bill like this. Can you imagine the Medical Society introducing a Bill that says that that you can burn a dog to death. No way. Can you imagine the realtors introducing a Bill that says that you can bury a dog alive. Can you imagine the Trial Lawyers introducing...yes, yes...I said that was a bad example, but at least that was my point. So although this Bill is going to fly out of here, although many, when the farm wagons start rolling down the center aisle, I understand the Bill is gone, but today in all seriousness, in the name of Lassie, Rin Tin Tin and Old Yeller, and on behalf of 101 Dalmatians and all their relatives, I'm going to vote 'no'."

Speaker Steczo: Representative Ryder."

Ryder: "Thank you, Mr. Speaker. The previous speaker just stood and indicated that because of his conscience, he was having trouble sleeping at night. And as a result, he found it

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necessary to make some confessions on this floor. I would suggest to that previous speaker that he's got a whole lot more confessions before he can sleep at night if that's all that he wants to talk about. I would further suggest that in this case, it's better to let a sleeping dog lie, it's better not to kick a dog while it's down, and more importantly, I like the last speech better, that one wasn't as good as it could have been, but in any event, we thank him for trying."

Speaker Steczo: "Representative Johnson. Tom Johnson."

Johnson, Tom: "Yes, Mr. Speaker, and Ladies and Gentlemen of the House. You know I don't know really what Representative McPike was talking about, but I have an Amendment on this Bill that was put on there in the Senate that would take care of I think, most of the issues that he raised that, in fact, will protect Lassie, Rin Tin Tin, and the 101 Dalmatians. And this is a Bill that I'm sure that many of you are...have been informed about and it's part now of the ratite Bill that would amend the Humane Care for Animals Act, to give protection to pets from such acts as dragging german shepherds down the street trying to kill them, et cetera, and would make that a Class A misdemeanor. So, I think that we have substantially helped Representative Woolard's Bill here, so that there won't be any, at least, aggravation cruelty done to these animals as they move toward his ratites, and I believe that this merits everyone's support in this chamber and would urge everybody to concur with this. Thank you."

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

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

Speaker Steczo: "He indicates he will."

Kubik: "Representative, before I stick my head in the sand and

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vote for this, I wanted to ask you a question. In the Senate Amendment, it talks about the Weights and Measures Act, and I guess my question is, I know it refers to a Bill that we...that was passed out or introduced by one of our Members, is there anybody...is the state still enforcing the Weights and Measures Act?"

Woolard: "Very definitely. The Department of Agriculture has that responsibility and I think with this passage of this Amendment, that we'll be able to clarify and expediate some of the responsibilities that they have now."

Kubik: "Do they have inspectors out doing this right now?"

Johnson, Tom: "Yes, they do."

Kubik: "And these people are inspecting measures in a butcher shops, et cetera?"

Johnson, Tom: "Yes, every scale in the state is inspected by the department."

Kubik: "And we...I didn't think that we had people out there because I've been in butcher shops in my area and they haven't seen a state inspector in a long time. I was...I just find it unusual..."

Johnson, Tom: "Many butchers have a traditional heavy thumb, but the scale itself has been credited by the department on an annual basis."

Kubik: "Okay, thank you."

Speaker Steczo: "Representative Black. Mr. Black, were you seeking recognition?"

Black: "No."

Speaker Steczo: "Representative Woolard, to close."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think that we do have a piece of legislation here that is vitally important for its passage. We're taking care of several issues which are important. You know, the

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ratites have been the subject of lots of consternation and discussion and probably debate. Probably a lot of it is legitimate and a lot of it just a lack of knowledge as to what this product and what this animal will do for the revenue enhancement of the State of Illinois. We have a responsibility to do everything in our power to help a fledgling new industry that will be a very large potential meat producer for the State of Illinois and this nation in the very near future. I encourage each and everyone of you to concur in Senate Amendment #1 because I think that this improves the Bill and adds some very much needed language for the Department of Agriculture. I encourage all of you to support this concurrence."

Speaker Steczko: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2794?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. This is final action. Representative Lang, one minute to explain you vote."

Lang: "Thank you, Mr. Speaker. I just want to break every House rule and introduce the kids from Boones School from my district up in the gallery."

Speaker Steczko: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. On a point of personal privilege. If I could have everyone's attention. Former Representative Bob Walters has asked me to remind you that he has rescheduled the tennis tournament for this evening at the Springfield Racquet Club beginning at 8:00. For those of you who paid, now is the time to step forward and get your rewards. Those of you who have not paid, if you'll just call Senator Frank Watson's secretary Joanne, you can be allowed to play in the tournament. Eight o'clock this evening."

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Speaker Steczko: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 109 voting 'yes', 2 voting 'no', none voting 'present', and the House does concur with Senate Amendment #1 to House Bill 2794, and this Bill having received the Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1, appears House Bill 2799, Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 2799, which now becomes the Bill, contains the following provisions regarding the assessment for grain dealers. I think most that most of you are aware of the fact that we have had this grain Bill...the assessment Bill in front of us for some time this Session. This is an agreement that has been reached by all. This will allow that the assessments only will be the portion that we will be dealing in this legislative Session. I would encourage everyone to join me in concurring in Senate Amendment #1 to House Bill 2799."

Speaker Steczko: "The Gentleman has moved that the House concur in Senate Amendment #1 to House Bill 2799. On that, 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, this is simply a small portion of what yet remains to be done on the grain insurance code, is that your understanding?"

Woolard: "I wouldn't say it was a very small portion, but it is a portion, yes."

Black: "All right..."

Woolard: "I think this is a very significant part..."

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Black: "You're right..."

Woolard: "...in order to insure continuance..."

Black: "That's right..."

Woolard: "...of the program, this was necessary to be done immediately."

Black: "Are...do you know if the negotiations will be continuing on a rewrite of the...of that entire code?"

Woolard: "I...I think that all of the parties involved including the bankers are going to be continuing to meet..."

Black: "Okay."

Woolard: "...and...and hopefully will come to some conclusion that will be an agreed process for next Session or maybe even into Veto Session."

Black: "Well, I appreciate your work on this and I will...I did misspeak. It is a major part of the Act as I well know in my district having gone through an elevator closing, so I commend those who have made this possible and hopefully negotiations will continue and we'll rewrite the Act in the very near future. Thank you."

Woolard: "Thank you."

Speaker Steczo: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. To the...to the concurrence to the Amendment. I agree with the Amendment although I'm disappointed that conclusions could not be reached on what this Bill was to be in the truly grain rewrite, which is absolutely necessary in the State of Illinois, and it's my hope that early next Session and even before then, the parties all get together and work diligently toward making the Illinois Grain and Insurance Act the...a model for the nation. This is absolutely necessary that we continue doing this this year, continue the liability of the fund and I stand in support of it."

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Speaker Steczo: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2799?' All in favor will signify by voting 'aye'; those opposed by voting 'no'. This is final action. 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 109 voting 'yes', none voting 'no', none voting 'present'. The House does concur with Senate Amendment #1 to House Bill 2799, and this Bill having received the required Constitutional Majority, is hereby declared passed. Representative Currie in the Chair."

Speaker Currie: "On the Supplemental Calendar #1, appears House (Senate) Bill 1381, on the Order of Senate Bills, Second Reading. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1381, a Bill for an Act to amend the School Code. Second Reading of this Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Ostenburg."

Speaker Currie: "Representative Ostenburg."

Ostenburg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Amendment is the elimination of the position of the regional superintendent of schools in Cook County, in the suburban area, and I would ask your support of this Amendment."

Speaker Currie: "Representative Ostenburg moves adoption of Amendment #1, House Amendment 1 to, Senate Bill 1381, and on that Motion, Representative Black."

Black: "Thank you very much, Madam Speaker, an inquiry of the Chair."

Speaker Currie: "State your inquiry."

Black: "Is this Bill, has this Amendment been printed and distributed?"

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Speaker Currie: "Clerk, can you tell us whether the Amendment is printed and distributed?"

Clerk McLennand: "Yes, it has been printed and distributed."

Speaker Currie: "The Amendment has been printed and distributed, Representative Black."

Black: "Could the...could the Chair, could the Clerk inform us as to when it is stamped?"

Speaker Currie: "Clerk, could you give us that information please?"

Clerk McLennand: "It was filed with the Clerk on June 14th, today."

Black: "June 13th?"

Clerk McLennand: "Fourteenth."

Black: "Fourteenth. Oh, today. Oh, all right, thank you very much. You know what time, or did we ever get that fixed? Okay, well, thank you very much. Will the Sponsor yield?"

Speaker Currie: "He indicates he will."

Black: "Representative, it's, I get, I get confused, we've, we've abolished and reinstated, and abolished and reinstated the regional superintendent or tendants, however, the case may be in Cook County, so many times in the last year I don't know what in the heck is going on up there any more. But I...I must admit to you I really have never really understood what goes on in Cook County much at all, but your Amendment doesn't abolish the regional superintendent of schools. That's already been abolished, correct?"

Ostenburg: "Representative, what happened was, prior to my entrance to the General Assembly, but I think you were here at the time, a measure passed, and I think it passed by fairly large numbers to eliminate the position of superintendent of schools in all of Cook County, including Chicago. Last year, at the 11th hour, during the budget

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negotiations when we had a lot of things slipped on our desk, one of the measures included reinstating this position for only the suburban area, not Chicago. What this Amendment does is eliminates that's position, that reinstatement of the position for suburban Cook County."

Black: "Do we have one superintendent in suburban Cook, or two or three?"

Ostenburg: "Well, under, under the provision that passed last year, would be one for Suburban Cook County, none for the City of Chicago."

Black: "I...now did Chicago not want..."

Ostenburg: "Now there's one, excuse me, there's one superintendent, there are three assistant superintendent positions."

Black: "Did the City of Chicago not wish to be included any more?"

Ostenburg: "Well, that's hard to understand. I've heard from several Chicago Legislators that they would like to have a superintendent for Chicago. It seems to be very confusing as to why Chicago was left out and this position was reinstated partially."

Black: "Okay. I...let's say that we abolish the suburban regional superintendent and the three associates. I know we had a problem earlier this year with the GED for example in Chicago, because, well, as I recall, there was some money involved, how much is this going to cost and who bears, who bears the cost of doing what the regional superintendent used to do, like GED, and certification, and all those things?"

Ostenburg: "Well, actually, I think that when we, when we look at the, the total picture by eliminating the office and collecting the fees, transferring those to the state board,

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we actually save money in the long run, because the position is, the superintendent and the, and the three assistants come to about half a million dollars in salaries, and that would be eliminated. I think that there would be a cost savings to taxpayers as a result of that?"

Black: "Well...then, now I understand how Chicago could probably work, although I...didn't we have to pass a supplemental to them or something, I recall what, \$600,000?"

Ostenburg: "The...the supplemental amount was passed for GED in order to allow the state board to enter into a contract before it's budget year. It's budget year doesn't begin until...until July 1st, and in order to enter that contract under the current year, the supplemental had to be...had to be passed. That has nothing to do though with total cost and, and the amount of revenue that will be generated from the GED."

Black: "Well, I would assume that out in the suburban areas there's a lot of, you know, school bus contracts, more so probably than the City of Chicago, although I really don't know that. Now with, assuming that the Fingerprint Bill becomes law, whose going to be in charge of all that?"

Ostenburg: "That's the Secretary of State's responsibility as is my understanding."

Black: "Oh, that's right, that's right. That way, when the people...how are they going to do...are they going to go into the Secretary of State's office and I'm on my lunch hour to get a license and there's 200 bus drivers in there to get finger printed, are they going to do that in the same office, or how are they going to work that? I'm just curious, I didn't, I didn't ask that question last week, I should of."

Ostenburg: "I, you know, I...I...I don't know, and but perhaps if

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the Secretary of State wants me to consult with them on that, we can enter into some arrangement."

Black: "I'm sure that we'll hear from him shortly. I...Representative, if this is a good idea, I notice that this barely got out of the Elementary and Secondary Education Committee. Why does, why does the State Board of Education and IEA stand in opposition?"

Ostenburg: "I think there are a lot of people who are in opposition because they envision this as the beginning of a process to eliminate regional superintendent's statewide, and I think that that's a misconception, I don't think that that's the intention or the design at all. My concern, and my reason for sponsoring this Bill is that we have a hodgepodge situation developing in Cook County that in the long term is going to be very ineffective in serving the needs of schools and students. I heard a lot, from a lot of individuals involved in education for years and years in terms of the complex bureaucracy that they had to deal with. I think the Legislature affectively handled that issue when it eliminated the position of the Cook County superintendent of schools."

Black: "Okay."

Ostenburg: "And, unfortunately what we see now is just a recreation of a new bureaucracy, and I don't think that that's affective for government."

Black: "I, I haven't had a chance to file a fiscal note, do you have any idea what this may cost the state board or pass through money to do this?"

Ostenburg: "My understanding..."

Black: "What I'm trying to get at, is it cheaper to have the regional superintendent and three assistants or is it cheaper to just have the state board do it?"

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Ostenburg: "My understanding is long term, it will be more cost affective to eliminate this new position then it would be to continue it."

Black: "But, in the short run, what are we talking about, \$200, or \$3,000,000? I mean what is, do you have any idea?"

Ostenburg: "In terms of the cost, well the, the cost of the superintendent and the three assistants is a half a million dollars. I think that last year when we debated this, we showed a difference of about \$800,000 in terms of the costs that currently are being, being handled by the state and subsidizing positions, and that that would be eliminated if this measure passes."

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

Speaker Currie: "Further discussion? Representative Hicks."

Hicks: "Thank you, Madam Speaker. Will the Gentleman yield for a question? Representative Ostenburg, I mean, I guess I understand what we did last year in which we eliminated the office, now we have a temporary person. Tell me, now the state is going to be running that up there, is that correct?"

Ostenburg: "That's right, the state, the state will assume responsibility for the three areas that previously were handled by the superintendent, which are certification of teachers, which the state does now anyway. It was just a second aspect, it will handle the GED certification. A contract has been signed between the board, the state board and the Educational Testing Service, which is the nations largest testing service to handle GED's, so that's been put in place. The third component is the transportation aspect with bus drivers and that, my understanding is, would be handled by the Secretary of State's Office."

Hicks: "Okay, but I guess, I'm more concerned with the money

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aspect as Representative Black was in which we're looking. I'm more concerned with what Representative Black, the line of questioning about us taking over the operation now and the cost to the State of Illinois of taking over the operation of that office. I understand now, the cost is going to be greater to the State of Illinois, and that we're really shifting the cost from the City of Chicago, from Cook County down to the state for the actual operation of that office, is that not correct?"

Ostenburg: "The figures that I have seen Representative, don't show that to be the case."

Hicks: "Okay, then I guess my question then directly to you would be, in this year's appropriation budget we have a \$1.2 million appropriation for the actual running of this office, whenever downstate, my offices downstate are all in a cooperative agreement with the local counties. The local counties fund that downstate, not the State of Illinois. So, I guess from my sense of it, were we not wrong from a downstate perspective, or from the rest of the state, I guess than rather than saying downstate perspective of...of voting to eliminate this office in the first place. We should not of voted to eliminate that office in the first place, we should of left that regional superintendent in place or a regional superintendent in place to run that office, let the City of Chicago, Cook County participate in the actual cost of operations, rather than the state putting out another \$1.2 million this year in the actual running of that operation, is that not correct?"

Ostenburg: "My feeling is personally, I was not involved in the debate at the time that the General Assembly eliminated the position. But, I can tell you that recreating this position for only suburban Cook County causes the

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complexity that your addressing, and I'm trying to eliminate that problem..."

Hicks: "Well, you're eliminating the problem Representative, but what you're doing is then you're shoving that over to the State of Illinois, and now the State of Illinois has got to come up with another \$1.2 million in the line item for the states, for the Office of Education here in Illinois. We've got to come up with another \$1.2 million appropriation to run that whole school district up there, all the school districts up there, if you will, and maybe what we ought to be looking at is going back and reinstituting the legislation by which you have a regional superintendent, a regional superintendent's office up there and allow them to do it, and allow the local county to participate in the actual operation rather than the state doing it. Why should the state be doing it only in Chicago, when it works very well in the rest of the state having a superintendent's office, why don't we go back in and put a superintendent back in and let them run it up there, and let them spend the money rather than the State of Illinois spending the money."

Ostenburg: "Representative, I wouldn't necessarily disagree with you, if you're including Chicago in that mix."

Hicks: "Yes, Sir, I am."

Ostenburg: "My only point is, that by creating a suburban superintendent's office, we continue the responsibility of the state having to provide these services for Chicago, and then we also create an office that the state is going to subsidize by paying part of the salary on the superintendent in the suburban area. It increases bureaucracy, it increases cost, all my Amendment addresses is eliminating that Cook County portion, because I don't

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think that that's cost effective. I don't think that that's good government. If you want to address the issue of the entire Cook County area, including the City of Chicago, I think I might be in support of that measure with you, but under this, under this provision, we're not talking about that at all. All I'm trying to do is eliminate this duplication that's being created and the additional cost that's going to be shared by taxpayers."

Hicks: "Thank you very much, Representative."

Speaker Currie: "Further discussion? Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. I rise in support of Amendment #1, and I do so for a number of reasons. For those of us who represent Cook County, or those of us who are on the fringes of Cook County, for years and years and years had heard from our school superintendent, our school board members, our parents who have children in school and others about the office of the Cook County Superintendent...Regional Superintendent of Schools. There was no question they felt that this office was useless and had to be abolished. So, low and behold, four years ago we in the General Assembly sat back and said you know, we agree with you, and we're going to abolish this office, and we did. To great accommodations from people back home and from newspaper editors and everybody else who said what a fabulous thing the General Assembly did. Low and behold, last year we were provided with a piece of legislation at the end of the Session that said, well wait, wait. We're going to recreate this office for suburban Cook County only, which absolutely makes no sense what-so-ever, and really does provide the fractured programming that the Sponsor of this Amendment spoke to. One of the things that we need to know, one of the reasons

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why this Amendment is so important, is that no matter what we do, no matter what the General Assembly does now or later, this office is abolished in Cook County, meaning both suburbs and Chicago this coming July 1st. As of July 1st, the state will be picking up the cost for all that programming. The programming that pays for itself and the programming that does not pay for itself. This Amendment provides that yes the State Board of Education will pick up some costs, but the important factor is, the county of Cook in this Amendment will pick up the cost for GED testing, that generally is the most costly program, that generally is the program that does not pay for itself. So, keep that in mind by adopting this Amendment, you not only take care of this problem of the regional superintendent's office in Cook County, you also provide that the County of Cook, will be paying it's share for a portion of for that programming which deletes that necessity of the state having to provide those resources. So, Madam Speaker, this is a good Amendment for the taxpayers of Cook County. This is a good Amendment for those people who are provided services by the office, it's a very worthwhile Amendment and I would support its adoption."

Speaker Currie: "Further discussion? Representative Hoeft."

Hoeft: "Thank you, Madam Chairman. Before I proceed, I would like to ask that this vote be through roll call provided through Rule 55(c) and with whatever number of people here can we count them here, you've got five ask for Roll Call vote here. Is that exceptable?"

Speaker Currie: "Do you wish to speak to the Bill, to the Amendment?"

Hoeft: "I do. Will the Sponsor yield?"

Speaker Currie: "Please do."

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Hoeft: "There has been so much misinformation on this Bill spread particularly about the fiscal impact of this, that it sort of is very interesting to me. The State Board of Education which is our group, our educational leaders claim that it would cost some \$2 1/2 million to run this office at the same time the board in Cook was \$1,900,000. So, it's going to cost \$600,000 more specifically, the institute fund. When a teacher gets a certificate, they have \$4 given to the regional office, that \$4 is to go to the school districts. Under this legislation that four dollars rather than to go to the school districts for their institute funds, would be used for administration. So, this Bill is saying to the Cook County school districts, we're going to take money out of your pockets so you can't properly institute your teachers in order to run this office under this level. GED, you said, Mr. Sponsor, that the GED program is to be administered by the educational testing service, is that correct?"

Ostenburg: "That's correct."

Hoeft: "Is it not correct that they are going to do the test correcting for the GED? They aren't going to collect the applications, they aren't going to do anything other than what presently is being done which is to correct the tests. Are they going to do the application process?"

Ostenburg: "Yes they are."

Hoeft: "They are going to accept the applications, they are going to go through the entire process, set up the examination, the whole bit?"

Ostenburg: "That's right. A task force hearing was held in Chicago yesterday at the Thompson Center, the Representative of the ETS, the Representative of the State Board of Education were there and testified as to what the

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role will be. There's an 800 number already in place that ETS has established. ETS will handle the applications that come in, it will determine all of the administrative responsibilities in connection with that, it will then use the same testing centers that are currently being used by the, by the regional superintendent's office for, for the actual test taking and then it will correct the test. So, ETS will handle all of the responsibilities and as a matter of fact 'Dr. Lehman', the current superintendent complimented ETS at that meeting yesterday for the efficiency with which they put together this transition. Also, ETS will handle all the computerized records, and, in fact, they may begin to computerize some records that currently are hand maintained. So, in fact, we will see an improvement in the efficiency of the administration of the GED test."

Hoeft: "And that is going to be covered by the applicants fee?"

Ostenburg: "That's going to be, that's going to be covered by the, basically the same cost that currently is...is being generated for that test."

Hoeft: "Bus driver, the bus driver licensing is going to be done by the Secretary of State, the training will be done by whom?"

Ostenburg: "That's not in this Bill, and I don't have that information."

Hoeft: "Who is going to do the training for the bus drivers? This is a critical component, how are they going to get trained?"

Ostenburg: "Representative, all I can suggest to you is that you talk to the State Board of Education and you ask them that question. There were a lot of people who were very doubtful that the State Board was going to handle the GED

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testing affectively. Yesterday I think it was proven to everyone's satisfaction that they have, so I have confidence in the State Board that they'll handle this aspect also, but I suggest you address your question to them. Under the legislation that passed that responsibility goes to them."

Hoeft: "Just to summarize about this Bill. If you are for a bureaucracy in Springfield for picking up the responsibility of certification, bus driver training, and all of the many other aspects of this office, if you are for rotating \$2 1/2 million out of the education budget which will be used for all of the 101 other counties in this state. If you want centralization, greater bureaucracy and greater expense to the other counties, if you want money taken out of the Cook County school district institute fund, then this is a good Bill. But, if you want local control and you want efficiency, then you're going to vote 'no', and Madam Speaker, I would ask again that there be a Roll Call Vote on this measure."

Speaker Currie: "Representative Turner."

Turner: "Thank you, Madam Speaker. Will the Gentleman yield for a question?"

Speaker Currie: "He will."

Turner: "Representative, I'm just curious about an immediate problem, and it may have been addressed, and it was not clear to me, but this is regarding GED testing as we speak, especially in Cook County. How is that situation being handled and what will this Amendment do to rectify, if, in fact, there is a problem with it?"

Ostenburg: "Representative, this Amendment doesn't speak to the GED question at all, but I can tell you that the GED situation has been remedied to the satisfaction of everyone

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involved, and no one, no one despite the fears that were generated in a lot of quarters no one will miss the opportunity to take the test. There are more people taking the test this May and April than ever before, because of that fear, and as a result there were some seats that simply wouldn't be available in any case, and those are being referred into July. But those tests will be administered in July and given on the same schedule as always been the case at the same eleven sights in Chicago that have been the case. So, there will be no interruption what-so-ever, but that is not a matter addressed in this Amendment."

Turner: "Okay, now in this particular Amendment, you're trying to eliminate, this is eliminate the superintendent's office, am I correct?"

Ostenburg: "This eliminates the superintendent for the suburban area of Cook County only. After the, after the action that was taken by the General Assembly two years ago to eliminate the regional superintendent in all of Cook County, which included Chicago and the suburbs. Last year a measure passed which recreated it only in the suburban area. That means that there's now a two tiered system in Cook County. There's the City of Chicago which will be administered by the Board of Education, State Board of Education, whether my Amendment passes or not, and also there will be this separate area in the suburban portion of Cook County that will have a whole new bureaucracy created to administer it. What this Amendment says is, we will eliminate that new bureaucracy. Now, the issue may have to be addressed at some later point in terms of all of Cook County, but I'm opposed to this piece meal process that creates unnecessary bureaucracy and passes unnecessary

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costs onto, to citizens by creating only a suburban superintendent."

Turner: "Okay, there was one other concern and that is that I've been told that there is a problem right now regarding the number of students that have applied to take this exam, that, in fact there, although you say the numbers have increased in May and June..."

Ostenburg: "In terms of the GED..."

Turner: "In terms of GED."

Ostenburg: "In terms of GED, on an average year, approximately 16,000 examinations are administered. That comes to a little over 1300 per month. Normally for the May, June period there might be as many as 2000 applicants total. This year, because of the fear that so many people had that the program was going to be eliminated, there have been almost 6,000 people make application. The current superintendent, the regional superintendent does not have adequate slots. Now this has nothing to do with the State Board, mind you, because it's the responsibility of the current superintendent, regional superintendent up until June 30th. The current superintendent because of that increase in demand does not have sufficient seats to test more than 4,000 persons, that means that at present, about 1500 people have been referred to ETS as the first people to be tested come July 1st when they assume the responsibility."

Turner: "Okay, thank you."

Speaker Currie: "Further discussion? Representative Cowlshaw."

Cowlshaw: "Thank you very much. Madam Speaker, I believe that Representative Hoeft asked for a Roll Call Vote on this Amendment, but there was no comment from the Chair as to whether that would be granted. So, I am making that same

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request and I would appreciate it if my colleagues would raise their hands in large numbers, and if the Speaker would look out here and count the hands, and let us know whether we are entitled as we are under the rules to a Roll Call Vote on this Amendment."

Speaker Currie: "Would you like to speak to the Bill, Representative? If not, we can call on Representative Kubik."

Cowlishaw: "I would like to speak to the Bill, Madam Speaker, but..."

Speaker Currie: "To the Amendment, Representative. To the Amendment."

Cowlishaw: "I beg your pardon, I couldn't hear what you said?"

Speaker Currie: "To the Amendment, Representative. Speak to the Amendment."

Cowlishaw: "You didn't answer the question."

Speaker Currie: "The Chair doesn't answer that question, Representative. Speak to the Amendment if it is your wish, otherwise the Chair would invite Representative Kubik, who's next in line to speak on this question."

Cowlishaw: "All right. Let me just speak then, to this Amendment."

Speaker Currie: "To the Amendment."

Cowlishaw: "Thank you. Seems to me that there are a couple of simple things involved here. The first thing, and the one thing that I think all of us need to be aware of..."

Speaker Currie: "Excuse me, Representative. Representative Stephens seems to want the attention of the Chair. Representative Stephens."

Stephens: "Very good, Speaker. An inquiry of the Chair."

Speaker Currie: "State your inquiry."

Stephens: "Is there going to be a Roll Call Vote on this Bill,

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this Amendment?"

Speaker Currie: "The Chair will follow the rules, Representative."

Stephens: "I asked a question of the Chair, Madam Speaker. I just expect the decency of an answer."

Speaker Currie: "Representative Cowlshaw."

Cowlshaw: "Thank you. There are just a couple of, three really simple things about this Amendment. The first one is, for a very good reason the Illinois Education Association is opposed to this Amendment. In fact, I have a note from one of the people that we all know who is associated with the Illinois Education Association substantiating their opposition to this Amendment, that's the first thing, and I think we need to take into account the views of all those people who represent the major interests in education. Secondly, this is a matter of transferring something that the state does not now pay for, over to something that the state has to pay for. Now if you believe we've got all kinds of extra money for paying for things we don't pay for now, then you ought to be for this Amendment. Finally, what we're talking about here is taking a local, elected public servant and replacing that person, the functions of that person by this appointed board of education that is our state board. I have never believed anybody appointed could do anywhere near as good a job or as accountable a job as someone who was elected and is answerable to that constituency. Let me give you an example of that; I recently sent out a questionnaire in my own district and I asked people, do you think the state superintendent of schools should be elected rather than appointed? And a significant number of respondents wrote in beside that question, I didn't know we had one. That's because that

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individual is appointed and not elected. I am suggesting that for us to even consider replacing someone who is accountable and elected by that local area, by some distant bureaucracy established by the State Board of Education is not good public policy, it is not good government, it does not make good sense, it is opposed by the Illinois Education Association, and I ask for a Roll Call Vote, but the Chair is too arrogant to answer."

Speaker Currie: "Further discussion? Representative Kubik."

Kubik: "Would the Sponsor yield?"

Speaker Currie: "He will."

Kubik: "Representative, we...we debated an Amendment last week. I was wondering if this was the same Amendment, or is this different from that Amendment?"

Ostenburg: "Representative, this Amendment deals only with the elimination of the regional superintendent, it doesn't deal with the ancillary aspects of assigning things to various places. It leaves everything the way it was before the action was taken last June to recreate the suburban superintendent position."

Kubik: "Okay. So, it doesn't, it leaves silent those issues that were debated last week in terms of splitting cost, et cetera."

Ostenburg: "That's right."

Kubik: "Okay. A question about the...you seem pretty up to date about this. Tell me a little bit about the GED program, the way that works is somebody who is applying, pays a fee, and then it is administered by the regional superintendent's office, is that not correct?"

Ostenburg: "That's right."

Kubik: "Does the states subsidize that program as well, or is it simply fee based?"

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Ostenburg: "It's, it's fee based and then of course there are administrative costs within the regional superintendent's office, that normal regional superintendent's budget would handle which are taxpayers dollars."

Kubik: "Okay. So the cost that, that are being talked about, that would be picked up by the state board would be general administrative cost as opposed to, you know the cost of the program itself."

Ostenburg: "That's right, it will be no different from what it is right now."

Kubik: "Okay. Finally, it is my understanding that the, the office that you pointed out will be abolished as of the first of July."

Ostenburg: "That's right."

Kubik: "Under the Bill that was passed last year, the office is recreated on what date?"

Ostenburg: "It's recreated, the first Monday of August 1995. There's a 15 month gap there."

Kubik: "So, there's a one year, about a one year, three..."

Ostenburg: "Approximately one year."

Kubik: "Okay, I would like to also point out Representative, that a previous speaker mentioned that the Illinois Education Association is opposed to this Bill, or this Amendment. I might point out that the Illinois Education Association has always been opposed to this Amendment, whether the current occupant is there or whether the previous occupant is there. So, their position hasn't changed and yet we voted to abolish this office a couple of years ago, I think for very, very good reason. I stand in support of the Amendment, I think that for those of us who live in Cook County, in suburban Cook County, this is a very excellent Amendment. It will save Cook County taxpayers money and

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frankly, I think the money aspect is important, but I think what is more important is that Illinois has more units of local government than any other state, perhaps in the union. This is a small step in the right direction of trying to eliminate and consolidate some of those, those units of government. I think this is a good Amendment, the only thing that would make it better would to be to abolish all regional superintendent's, but I guess we're not quite ready for that yet. But, I stand in support of the Amendment."

Speaker Currie: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. Pursuant to rule 55(c), I move and I'm joined by four of my other Members a record vote be taken on the question of the adoption of Floor Amendment #1 to Senate Bill 1391, 81."

Speaker Currie: "Further discussion? Representative Murphy, Maureen Murphy."

Murphy, M.: "Yes, to the Amendment, regarding the Amendment. An earlier speaker talked about a hodgepodge that would result if we do not vote in favor of this Amendment, in fact, this...voting for this is voting for a hodgepodge. A hodgepodge is whereby responsibilities are separated without responsibility. Who is going to be responsible for the training of bus drivers? It won't be the Secretary of State. The Sponsor has indicated he doesn't know who will train the bus drivers that carry our constituents children within the school boundaries of the suburban Cook County district. This is one of those suburban Cook County only, and it's strange that we have a Cook County Representative saying that he knows what's best, that the voters cannot vote themselves, a suburban regional superintendent of responsibility, and that the 101 other counties are

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supposed to pick up the price tag for the cost of keeping our children safe, whether it's on buses or in the buildings. This is not duplicative, in fact, this re-enactment speaks well to downsizing the regional superintendents which we did last year in legislation. We are down to 45 regional superintendents because of a compromise where all sides were brought to the table. If you care, if you're from Cook County, you better be able to answer your voters why you don't care who trains those kids, the bus drivers that will take your children from school to school. You don't know who is going to oversee the life safety and the safety of the buildings, how they're removing that asbestos, just what they're doing with regard to life safety, and we do not know about the GED. The GED is going to be split up by community colleges, the state board, we're not even sure who's doing the GED. So, the true hodgepodge is the Amendment as it stands, and it's been offered on the Floor today. I would urge careful consideration, it downsizes the original office, it's not Chicago, it's suburban Cook County, and suburban Cook County wants the safety of their buildings, they want their investments in their buildings protected, they want their children's lives protected, and having trained safe bus drivers transporting their children, and all those failed kids that dropped out of school, when we have a last safety nut of hope for a GED diploma, we're not sure who's going to administer those. So, again, I would urge do consideration instead of the partisan posturing about who's going to hold this office. Thank you."

Speaker Currie: "Representative Schoenberg."

Schoenberg: "Thank you, Madam Speaker. There have been several requests for the Chair that there be a Roll Call Vote, and

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according to the appropriate rule, I would like the Chair to consider it favorably that we do have a Roll Call Vote. Do we have five people on the Democratic side who know how to raise their hands? I guess we do. To the Amendment, Madam Speaker."

Speaker Currie: "To the Amendment."

Schoenberg: "I think the Gentleman has to be commended, Mr. Ostenburg has to be commended for providing a serious substantive policy solution to what has regrettably become a political parachute, a golden parachute. If this were a movie, we would title it, 'A sequel to the thing that wouldn't leave'. Representative Cowlshaw made a very compelling case about the merits of having an appointed official for certain positions, versus having elected officials. Well, the person who's currently sitting in this position is an appointed official, and the person who was appointed to this position was appointed by the Cook County president on the condition that he would get rid of his own job. So, what happened, we should only learn these lessons ourselves, because this gentleman he liked the job so much, he decided to stay and make it permanent. So, I don't know how you can put the spin on it that this is anything but a good Amendment, and I think if you do want to reduce government like Mr. Kubik said, you'll vote for this."

Speaker Currie: "Representative Parke."

Parke: "Thank you, Madam Speaker. I move for the previous question."

Speaker Currie: "Representative Ostenburg moves adoption of House Amendment #1 to Senate Bill 1381. All in favor vote 'aye'; opposed vote 'no'. Voting is open. Representative Ostenburg, one minute to explain your vote."

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Ostenburg: "Thank you, Madam Speaker. I would just like to emphasize that there's been a lot of talk about cost. As long as we have a dual system in Cook County where the State Board of Education has to come in and provide some of the materials in the City of Chicago, and that's the way it is right now, and you create a bureaucracy in the suburbs, that the state board will subsidize with taxpayers dollars for three administrative positions in addition to the superintendent an additional 1/2 million dollars of state dollars going into that. As long as you have both of those existing at the same time, there's no way that you're going to establish cost effectiveness and savings of tax dollars. In fact, you're going to cause an increase in tax dollars, an increase in how much the state is going to have to spend, because it's going to be subsidizing a superintendent's office like it has over the last several years, and providing various specific services to Chicago. The only way we're going to achieve any kind of cost efficiency is by consolidating the state's role, and let it do Chicago and the suburbs at the same time."

Speaker Currie: "Have all voted who wish? Have all voted who wish? Representative Hawkins, please add him to the Roll Call Voting 'yes'. Have all voted who wish? The Clerk will take the record. On this Motion, there are 61 voting 'aye', 51 voting 'no', and the Amendment is adopted. Are there further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Currie: "Third Reading. Clerk, Read the Bill."

Clerk McLennand: "Senate Bill 1381, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

Speaker Currie: "Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. In its

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present form the Bill contains nothing but the Amendment that we just adopted, which calls for the abolition of the suburban regional superintendent of schools and I would ask for positive votes on this Bill, Madam Speaker."

Speaker Currie: "Representative Steczko, for what reason do you rise?"

Steczko: "Madam Speaker, my light was turned off as I was..."

Speaker Currie: "We're going to take this Bill out of the record. It has not been read..."

Steczko: "That's fine, take it out of the record then."

Speaker Currie: "It has not been read on three separate days."

Steczko: "Certainly."

Speaker Steczko: "So, out of the record. And we're going back then to the Order of Concurrence and we'll pick up some of those that we earlier skipped. House Bill 99, Representative Lang."

Lang: "Thank you Madam Speaker, Ladies and Gentlemen of the House. I move that the House concur in Senate Amendments #2 and 3. Basically what the Senate did, was clean up this language a little bit. This involves international boycotts. The Senate raised the ceiling from 5,000 to \$10,000 and made some other minor changes and I would move that we concur."

Speaker Currie: "Representative Lang moves concurrence in Senate Amendments #2 and 3 to House Bill 99. On that Motion, is there any discussion? Hearing none, voting is open. All in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, please, vote Leitch 'aye'. Leitch 'aye', please. Have all voted who wish? Clerk, please take the record. On this Motion, there are 112 voting 'aye', none voting 'no', and the House does concur in Senate Amendments 2 and

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3 to...wait, Representative Daniels, please vote Representative Daniels 'aye'. The House does concur in these Senate Amendments to House Bill 99, and this Bill having received the required Constitutional Majority, is hereby declared passed."

Speaker Steczko: "Representative Steczko in the Chair. Let the Chair recognize the presence of a former Member, Representative Jaglin Schneider who is on the democratic side. On the Order of Concurrence, appears House Bill 537, Representative Phelan. Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. While there was a lull in the action there I would like announce to the House Members that the task force on Chicago schools will meet tomorrow in Room 118 to deal with the State Board. The State Board will be reporting on Chicago school expenditures and also at 9:00 a.m., all the members of the Democratic Task Force, I would like them to be there at nine. The new Superintendent 'Spagnola' will be there to address us, so if you can be there at nine we'd appreciate it."

Speaker Steczko: "On the Order of Concurrence, appears House Bill 742, Representative John Dunn. House Bill 902, Representative Sheehy. Representative Sheehy, on House Bill 902. Representative Sheehy."

Sheehy: "Speaker, and Ladies and Gentlemen of the House. I concur with Amendment #1. What it does, is it amends the Mobile Home, Landlord and Tenant Rights Act, and provides for the interest to be paid on security deposits paid on a mobile home lot. More than happy to answer any questions."

Speaker Steczko: "The Gentleman has moved that the House concur with Senate Amendment #1 to House Bill 902. On that, is there any discussion? Representative Black."

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

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Chair. I thought we already concurred with this. Am I mistaken?"

Speaker Steczko: "Mr. Black, no we have not."

Black: "We have not. All right."

Speaker Steczko: "The Clerk indicates to me that we have not."

Black: "We have not. Okay, will the Sponsor yield?"

Speaker Steczko: "He indicates he will."

Black: "Yes, Representative, what does the Senate Amendment do? Does it become the Bill?"

Speaker Steczko: "Representative Sheehy."

Sheehy: "Yes it does."

Black: "And what does the Amendment say specifically?"

Sheehy: "Well, what the Amendment actually does, it states the rate that would be paid to the mobile park owners on their deposits. It's equal to the passport rate."

Black: "Will it be a floating rate?"

Sheehy: "Yes, it is."

Black: "Floating what, on the..."

Sheehy: "Whatever the current rate is at the time."

Black: "All right, so it isn't pegged to the prime rate?"

Sheehy: "No, Sir."

Black: "All right. And this is, I believe this is the same Bill as House Bill 3145 then isn't it? A...Representative Churchill Bill?"

Sheehy: "I think it is Representative."

Black: "Okay, it got lost in rules, so, Senate Amendment #1 becomes the Bill and basically is the same as the Bill we had here in the House, so probably a good idea. Thank you."

Speaker Steczko: "Representative McAfee."

McAfee: "Will the Sponsor yield?"

Speaker Steczko: "Mr. McAfee."

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McAfee: "Will the Sponsor yield?"

Speaker Steczo: "He indicates he will."

McAfee: "Jack, does this reduce the rate of interest that's going to be paid to the mobile home owners?"

Speaker Steczo: "Representative Sheehy."

Sheehy: "Yes, it does Representative."

McAfee: "What would be the current interest paid to a mobile home owner presently under this particular Amendment?"

Sheehy: "I don't know what the current rate is but...5%."

McAfee: "And how long ago did we pass this 5% security deposit?"

Sheehy: "I couldn't give you a date. Its been on the books for a long time though."

McAfee: "To the Amendment, Mr. Speaker. I guess it would appear to me that this is going to actually affect a lot of people's security deposits, particularly those people who are in mobile homes who probably can least afford it. I don't think this is a very good Amendment for those people who have mobile home parks, at least for those people who live in the mobile homes themselves, and I would not support this Amendment."

Speaker Steczo: "Is there any further discussion? Representative Sheehy to close."

Sheehy: "Just ask for everyone's vote."

Speaker Steczo: "The Gentleman has moved that the House concur with Senate Amendment #1 to House Bill 902. All those in favor will signify by voting 'aye'; those opposed by voting 'no', the voting is open. This is final action. 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 90 voting 'yes', 18 voting 'no' and 3 voting 'present', the House does concur in Senate Amendment #1 to House Bill 902, this Bill having received the

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required Constitutional Majority, is hereby declared passed. On the Order of Government Programs, Third Reading, appears Senate Bill 1510, Representative Daniels. Out of the record. On the Order of Concurrence, appears House Bill 537, Representative Phelan. Representative Phelan."

Phelan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to...that the House concur with Senate Amendment #1 to House Bill 537. The Amendment has to do with drug and alcohol testing at the RTA. It basically puts the RTA in compliance with federal guidelines. Be happy to answer any questions."

Speaker Steczo: "The Gentleman has moved that the House concur with Senate Amendment #1 to House Bill 537. On that, is there any discussion? The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. I simply rise to support the Gentleman's Motion. I think this puts us in sync with federal law. One of those real nice federal mandates we really don't have anything to do with except to concur or incur the rath of the federal government. But this...the underlying mandate in this case makes imminent good sense. I think the RTA is strongly in favor of it, and urge an 'aye' vote."

Speaker Steczo: "Representative Wennlund. The Gentleman does not wish to speak. Is there any further discussion? The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 537?' 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? Please record Representative Giglio as 'aye'. Representative Prussing."

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Prussing: "Yes, Mr. Speaker. I'd like to be recorded as voting 'yes' on House Bill 902, please."

Speaker Steczko: "The transcript will so reflect."

Prussing: "Thank you."

Speaker Steczko: "Mr. Clerk, please take the record. On this question, there are 112 voting 'yes', none voting 'no', none voting 'present'. The House does concur in Senate Amendment #1 to House Bill 537, and this Bill having received the required Constitutional Majority, is hereby declared passed. House Bill 1786, Representative Dart. Mr. Dart. Representative Dart."

Dart: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 to House Bill 1786. It makes a technical change to the Bill as it went over to the Senate and the long and short of it is, it's to deal with a problem that they've had in posing order of protections in domestic violence cases for people who are violating bail bond situations and I move for its passage."

Speaker Steczko: "The Gentleman has moved that the House concur in Senate Amendment #1 to House Bill 1786. Is there any discussion? There being no discussion, all those in favor of the Motion will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. This is final action. 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 112 voting 'yes', none voting 'no', none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1786, and this Bill having received the required Constitutional Majority, is hereby declared passed. House Bill 1809, Representative Novak. The Chair recognizes Representative Novak."

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

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House. Senate Amendment #1 becomes the Bill. It is similar...it's exactly the same, I understand to Senate Bill 1624, which deals with the licensure rewrite for the Illinois Realtors Association. I know of no opposition and ask my colleagues to join in concurring in Senate Amendment #1."

Speaker Steczko: "The Gentleman has moved that the House concur in Senate Amendment #1 to House Bill 1809. On that, is there any discussion? There being none, those in favor of the Gentleman's Motion will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 113 voting 'yes', none voting 'no', none voting 'present', the House does concur with Senate Amendment #1 to House Bill 1809, and this Bill having received the required Constitutional Majority, is hereby declared passed. On the Order of Concurrence, appears House Bill 2108, Representative Levin. Mr...the Chair recognizes Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House. I would move that the House do concur with Senate Amendment #1 to House Bill 2108. Senate Amendment #1 becomes the Bill and it picks up some but not all of the provisions that were in House Bill 2108 as we sent it to the Senate. There is nothing that is in Amendment #1 that was not in the original Bill. If there are any questions I would be happy answer, otherwise I would simply move to concur in Senate Amendment #1."

Speaker Steczko: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 2108. On that, is there any discussion? Representative Parke."

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Parke: "Thank you, Mr. Speaker. Will the Sponsor tell us a little bit more...I mean I understand now that this Amendment amends the Condominium Act. Can you tell us a little bit about what you're...what part of the Condominium Act is being amended, and what it affects?"

Speaker Steczo: "Representative Levin."

Levin: "Yes, the...Amendment #1 removed a major portion of what was in the original Bill. The...the...Amendment #1 leaves into the Bill provisions dealing with Section 18 of the Condo Act...18...Section 2 and Section 18(4). The Amendments contain...Section 2 simply deletes an obsolete definition, in Section 18, the conflict of interest provision is clarified as is the proxy provision that is in the current statute. There was a mistake that was made about two and a half years ago and it was never intended that a private unit owner would be required to go through all of the disclosure if they did a proxy that we required that a board do, and this clarifies that. In addition, it simply moves around, puts in a different Section of the statute the authority for master metering."

Parke: "Let me ask you Representative. Has the Association of Condominium and Towne Home Association of Illinois signed off on this Amendment?"

Levin: "My understanding is there is no opposition to this Bill with the Amendment."

Parke: "Has the real estate group..."

Levin: "Their own real estate group..."

Parke: "...has the real estate community and the Trial Bar signed off on this also?"

Levin: "Yes, it's my understanding that this has been endorsed by the Chicago Bar Association, Condo Subcommittee which I frequently don't agree with but they've supported it and I

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know of nobody that has any opposition to any of the provisions that are in here."

Parke: "Thank you, Representative...I will...to the Bill if in fact...I mean to this Amendment if, in fact, it has been concurred by the various groups then, I will support this Amendment 1."

Speaker Steczo: "Is there any further discussion? There being none, all those in favor of the Gentleman's Motion, will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? This is final action. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 111 voting 'yes', 1 voting 'no', none voting 'present'. The House does concur in Senate #1 to House Bill 2108, and this Bill having received the required Constitutional Majority, is hereby declared passed. On the Order of Concurrence, appears House Bill 2645. Representative Homer. Representative Homer."

Homer: "Thank you. I move to concur with the Senate Amendment. This...the Bill itself creates the Campus Security Act and Senate Amendment 1 restores the provision for background investigation and applies both the provision for the background investigation and the Community Task Force only to public colleges and universities, so it's different than the Bill as it was introduced in the House which applied to all universities in the state, this Senate Amendment limits it to public colleges and universities. This Bill originated from the Citizens Council on Women. It's an attempt to address the growing problem of sexual assault on college campuses. It confronts many victims. The Bill is supported by the Illinois Coalition Against Sexual Assault, Illinois Campus Law Enforcement Administrators Association,

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Illinois Association of Chiefs of Police and the Illinois NOW. The various state universities are neutral on the Bill. I would urge support for this important measure."

Speaker Steczo: "The Chair would ask that all unauthorized individuals please retire from the floor as well. The Gentleman has moved for the concurrence in Senate Amendment #1 to House Bill 2645. On that, is there any discussion? Representative Black."

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

Speaker Steczo: "He indicates he will."

Black: "Representative, I have some specific questions about the Senate Amendment. I think the underlying House Bill is a good Bill. The Senate Amendment makes reference to security sensitive positions. I...I must admit I don't have a copy of that Amendment, but is security sensitive position defined in the Senator's Amendment?"

Homer: "No, it would be left up to each university to determine what those positions would be."

Black: "Might that not lead to some rather strange inconsistencies from campus to campus?"

Homer: "Well, that issue was discussed in committee and there was some discussion about whether the Bill ought to provide a definition, but the feeling of myself and those promoting the Bill, is that we should not, we should not hamstring university governing boards but rather allow them to determine for themselves how best to administer the Act and to provide maximum flexibility, so that's why we left out the definition."

Black: "All right, I...what...when this Bill was brought up in the House Higher Education Committee, it failed. Was it resurrected for some specific purpose?"

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Homer: "Well, actually it didn't fail. What happened was..."

Black: "Taken out of the record or..."

Homer: "No, there were two parts to the Bill. There was a part to...requiring that each university create a community task force to come with recommendations to improve this situation. That passed committee in that form, the other part of the Bill had to do with ordering these background checks for security sensitive positions. That was taken out of the Bill in committee, the Bill passed...the committee passed the House, but when it went to the Senate, the Senate put on this Senate Amendment which restored the deleted portion from the House Bill as pertaining to public universities only."

Black: "I just...I'm just curious with the University of Illinois obviously embarking on a nationwide if not worldwide search for a new president. I would assume the university would call that position a security sensitive position. I'm wondering if some great academic leader would want to submit to a security background check. He or she may not feel that that is an appropriate intrusion into his or her life."

Homer: "I understand that the University of Illinois is a leader in this field and they have a task force already that is coming up with their own definition of security sensitive position and so they are, and actually their head of security came and testified in favor of this legislation in the Senate."

Black: "Did we hear anything from, you know, the usual university people who testify for or against legislation? I just wonder..."

Homer: "No, they were all neutral when it was in the House."

Black: "Okay."

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Homer: "Apparently a U of I person did testify in favor in the Senate."

Black: "Okay. Thank you very much."

Speaker Steczko: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker, and Ladies and Gentlemen of the House. I rise in support of our concurring with Senate Amendment #1. I would like to point out that the language of Senate Amendment #1 is language that we voted in favor of last year as...by a vote of 117 to nothing. This language was on the Governor's desk, unfortunately it was combined with some other unrelated language that the Governor used his Amendatory Veto, and so it was...it never became law, but it also, this exact language then passed the Senate unanimously as well. I think that this...it is time now to provide our students on campus with the kind of security that they need. This legislation would do the job and I think it's time now that we put it clean on the Governor's desk so we can sign it into law. I urge everyone's 'aye' vote."

Speaker Steczko: "Representative Hoeft."

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

Speaker Steczko: "He indicates he will."

Hoeft: "Are the community colleges of this state under this provision? Are they part of the definition of higher education?"

Homer: "Yes."

Hoeft: "I've had a number of community colleges contact me on this Bill and they're frightened about the definitions, they are frightened about the inconsistencies. As administrators they have been told that they are going to be putting every single employee in the community college under this provision fearing that if they left a name out,

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and that individual was involved in some type of activity that would bring litigation against the school, that they would then be sued because of the violation of this Act. I believe that this is a very costly mandate on the community colleges and also on the higher education system. It is obviously an area we've got to address, but the individuals who've been talking to me say they are neutral on this Bill more out of fear and respect for the subject than in terms of their enthusiasm or lack thereof for this Bill. This is going to mean that every single employee in the higher education system will go through the community college, excuse me, will go through the criminal check and I think we ought to understand that and that's what we're voting here."

Speaker Steczko: "Representative Lindner."

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

Speaker Steczko: "He indicates he will."

Lindner: "Yes, this...Senate Amendment #1 is not any different than your original Bill, is that correct?"

Homer: "Yes, it is in one respect. The original Bill would have applied to all universities in Illinois. Senate Amendment limits the application of the Bill to public, state universities and community colleges."

Lindner: "But it still does not define security sensitive positions, is that correct?"

Homer: "That is correct."

Lindner: "And it still demands the criminal background investigations?"

Homer: "Yes."

Lindner: "All right, and does it still also create the community task force, does the Bill?"

Homer: "Yes."

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Lindner: "All right, thank you."

Speaker Steczo: "Representative Weaver."

Weaver: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Steczo: "Yes, he will."

Weaver: "Representative, it's my understanding that the Senate Amendment takes this Bill back to its original form, is that the case?"

Homer: "Again, it does with respect to state and public universities and colleges. The original Bill applied to private schools as well. They didn't go that far, they only took...restored it with respect to public schools."

Weaver: "Okay, thank you."

Speaker Steczo: "Is there any further discussion? There being none, all those in favor of the Gentleman's Motion, 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 101 voting 'yes', 10 voting 'no', 1 voting 'present', this House does concur in Senate Amendment #1 to House Bill 2645, and this Bill having received the required Constitutional Majority, is hereby declared passed. On the Order of Concurrence, appears House Bill 2809, Representative von Bergen-Wessels. The Chair recognizes Representative von Bergen-Wessels."

von Bergen-Wessels: "Thank you, Speaker, Ladies and Gentlemen of the House. I would move to concur in Senate Amendments 1, 2 and 3, to House Bill 2809. Essentially, the Amendments bring together some concerns of various associations and make some changes. One, it would require that a petition for adjudication of an allegation of a deadbeat parent essentially when it comes to taking from a child's estate would have to be filed within six months of the date of the

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death of the child. It also allows the, the courts to, to make some interest, some determinations in the interest of justice, as to whether or not the deadbeat parent, if you will, should share in some part of the estate, and then there is another part to the Amendment which says that in the distribution of real property, that real property can be distributed before determination is made and a certificate filed with the recorder of deeds, and I'd welcome any questions, and move for concurrence."

Speaker Steczo: "The Lady has moved for the...the House concur in Senate Amendments #1, 2 and 3 to House Bill 2809. On that is there any discussion? The Chair recognizes Representative Wennlund."

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

Speaker Steczo: "She indicates that she will."

Wennlund: "Does this also prohibit a parent who took out a million dollar life insurance policy on his child that he subsequently neglected, from collecting the insurance proceeds?"

von Bergen-Wessels: "If he's the owner of the insurance policy, he's the beneficiary of that insurance policy, he can collect, it has nothing to do with insurance policies, and life insurance policies that a parent took out."

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

von Bergen-Wessels: "Yeah, I would assume he could collect, that's right. If he's the owner of the policy, the beneficiary of the policy, this has not to do with, this has to do with things that are in a child's estate. That policy would not be in the child's estate if the parent took it out."

Wennlund: "So, it doesn't, it wouldn't affect the proceeds of a million dollar life insurance policy that's probably took

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out? The chances are..."

von Bergen-Wessels: "It only affects, it affects the disposition of the child's estate."

Wennlund: "Okay, if it only affects the disposition of the child's estate, which is probably little or nothing at that age, so that it would, but a father could take out, or a mother could take out a million dollars worth of life insurance, and still collect after the deceased child had been abused and neglected. So, the parents still win, so this...to the Amendment. The Amendment leaves a big gaping hole in not including within it's provisions, a prohibition against collection of insurance proceeds taken out on a life of a child, it's something you ought to consider."

Speaker Steczko: "Representative Black."

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

Speaker Steczko: "She indicates she will."

Black: "Representative, Senate Amendment #3 becomes the Bill, correct?"

von Bergen-Wessels: "Yes."

Black: "And it incorporates..."

von Bergen-Wessels: "Amendments 1 and 2, yes."

Black: "Some information from Senate Amendment 1 and 2. I'm having...a difficult time, maybe you can help me out. It says that a neglectful parent can take property of a descendant, deceased, neglected child as a surviving joint tenant. That seems to fly in the face of what the Bill is attempting to do, can you explain, I'm not sure I understand that."

von Bergen-Wessels: "Representative, one of the things that the Illinois Bar Association was concerned about was the joint tenancy provision. We have in the probate code a section

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having to do with the inheritance when, when somebody has been the cause of the demise of another, which excludes a property and joint tenancy, and this seeks to do the same thing. If, if a parent and a child own something jointly, the parent would be able to continue to take what, in effect, the parent owns."

Black: "Let me see if I, let me see if I can put this in some language that I can understand. If a father owns in joint tenancy a brand new sports car, let's say a \$50,000 sport car in joint tenancy with that son, the son is later discovered to be chained to...in a closet and starved to death. You're telling me then that that parent can claim the car because that parent, is a neglectful parent is a joint tenant in that vehicle?"

von Bergen-Wessels: "He can claim the part of the car that that parent owns, as a joint tenant."

Black: "It seems to me that, well, you know it's your call. I thought your underlying Bill was a little stronger than what the Senate Amendment has turned it into, but..."

von Bergen-Wessels: "Representative."

Black: "Yes."

von Bergen-Wessels: "In the underlying Bill, as it dealt with a joint tenancy, it set up sort of...it says the property or other interest shall pass as if the parent died before the minor with respect to joint tenancy, it sort of set up a fictitiousness. So, perhaps this Bill actually makes it more clearer than the previous fictitious situation."

Black: "All right, but you, you personally feel that we're still giving sufficient protection to the neglected child as amended in the Senate?"

von Bergen-Wessels: "I still think that there's sufficient protection. Remember, the thing that we were really going

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after is a situation that occurred out in Rock Island, in Rhode Island, a similar situation to what occurred in Rhode Island, where the child because of a wrongful death action had a sizable estate, as a result of that litigation, and that's what we were really trying to get at."

Black: "Well, I think you and I are probably in agreement as to what we'd like to do with a parent that is neglectful. Particularly one who is adjudicated neglectful but, perhaps we'll have to wait for another day. Thank you."

Speaker Steczko: "Representative Biggert."

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

Speaker Steczko: "She indicates she will."

Biggert: "Representative, if...a child has a large estate, let's say that they received a \$1,000,000 because of a tort claim and the, the deadbeat parent owes \$5,000 in support payments. Does that mean that the parent is barred from receiving any of that, that amount?"

von Bergen-Wessels: "I'm sorry Representative, could you repeat that question."

Biggert: "If a child receives a...has re...the estate has received \$1,000,000 because of a tort claim..."

von Bergen-Wessels: "Yes."

Biggert: "...and the parent has been judged a neglected parent and owes \$5,000, does that mean that that parent is forever barred from receiving any of that, that estate?"

von Bergen-Wessels: "Under the Amendments in the Senate, that parent could have an adjudication that would allow that parent to take something of this state, of the estate as the interests of justice may require."

Biggert: "All right. Thank you. Then the Illinois Bar Association was opposed to the original Bill, do you have any communication from them as far as the Amendments?"

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von Bergen-Wessels: "Representative, the Illinois Bar Association originally in committee had concerns over the definition, definition of willfully deserting for example. The Illinois Bar Association, the Chicago Bar Association and Chicago Title and Insurance were involved in negotiations at the Senate level. The Illinois Bar Association's only concern was in the issue of joint tenancy, because in the original Bill we had...in error, placed the word joint tenant a little farther up in the Bill, and it seemed to be an internal conflict, and they only really wanted those two words that were on line 16 of the original Bill removed. So, their concerns went totally to joint tenancy, and I spoke to them just...I spoke to them just less than an hour ago."

Biggert: "Thank you, because I tried to reach them. Thank you, then I have just one other question. So many times when insurance is purchased, and people keep referring to insurance policies, let's just say that a parent buys a large insurance policy on their child, and then the child dies and they are a neglected child. Since that doesn't pass through the probate estate, would...would they be barred from that insurance policy?"

von Bergen Wessels: "Representative, I believe that was Representative Wennlund's question, and my understanding is since that insurance policy does not become part of the child's estate, that...that proceeds of that insurance policy would pass according to how that policy was set up. Who was the beneficiary of that policy."

Biggert: "Thank you."

Speaker Steczko: "Representative Lindner."

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

Speaker Steczko: "She indicates she will."

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Lindner: "Yes, I'm a little confused about a couple of portions of this. Senate Amendment #1 is included, is that correct?"

von Bergen-Wessels: "I'm sorry."

Lindner: "Senate Amendment #1 is included."

von Bergen-Wessels: "Senate Amendment #1 and #2 actually are incorporated in Senate Amendment 3."

Lindner: "I guess, if there is already an adjudication of neglect, I understand that, but this would allow one or the other parent to file a petition for neglect within six months of the death of the child?"

von Bergen-Wessels: "The Bill says a petition for adjudication of an allegation of this section must be filed, so I would assume 'yes', that it would mean one or the other."

Lindner: "But, would that be filed in the juvenile court, you mean?"

von Bergen-Wessels: "In a court of competent jurisdiction."

Lindner: "So, if two, if two parents are angry at each other, and the child dies, that would allow one of them to say, 'Well I'm going to file a petition for neglect against you and try and prove it so that you can't inherit from the child's estate'."

von Bergen-Wessels: "The Bill says, 'has willfully neglected or failed to perform any duty of support to that minor child for a period of one year or more, or has willfully deserted'. If you're talking about a recent feud that comes between up with the parents you wouldn't have that, that year time limit."

Lindner: "I'm sorry, what?"

von Bergen-Wessels: "If you're talking about parents getting into a fight, and for some reason there's a sizable amount of money in the estate, and I think your question is would

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that cause one parent to say, 'well I'll file a petition and hold this thing up'. My answer to that would be, that there is a provision in this Bill that that kind of thing has had to go on for a year, so this wouldn't, it couldn't be a current fight, because they wouldn't meet the one year requirement of the Bill, of desertion, neglect, and failure to pay child support."

Lindner: "Okay, now this, also it says failure to perform a duty of support. Does that just mean the child support would not of been paid for a year, or you know, that the parents are in a contest, could be in a contest over child support and maybe a judge would decide, yes, you didn't pay enough, would that qualify to disqualify this person?"

von Bergen-Wessels: "The Bill says, fail to perform any duty of support. So, I would assume that means there was no support."

Lindner: "No support."

von Bergen-Wessels: "Right."

Lindner: "So, this means no support."

von Bergen-Wessels: "It says fails to perform any duty of support. So, I'm assuming for example, maybe there's child support payments that they have been reduced because the person is unemployed right now, that wouldn't qualify as failing to perform any duty of support."

Lindner: "Okay, thank you."

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

von Bergen-Wessels: "Thank you, Speaker. I would just conclude in saying that right now the State of Illinois has no provision whatsoever in the law to address this situation where a child has passed away, and perhaps left a sizable estate because of a litigation, and a deadbeat parent might

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come back in like they did in the Rhode Island case after having neglected the child in that situation for some 15 years, and now wants a piece of the action. So, I think this Bill goes a far way in correcting that problem, and I would just urge your, your favorable consideration of the concurrence."

Speaker Steczo: "The Lady has moved that the House concur with Senate Amendments #1, 2, and 3 to House Bill 2809. All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 111 voting 'yes', none voting 'no', none voting 'present', and the House does concur with Senate Amendments #1, 2 and 3, to House Bill 2809, and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 3094, Representative Dart. The Chair recognizes Representative Dart."

Dart: "Thank you, Mr. Speaker. I move to concur in Senate Amendment #1 to House Bill 3094. This is a...the Amendment in the Senate was based on a compromised language we had to put together to technically clean up some of the provisions of the Bill. The Bill itself, the genesis of it came from the Peoria County States Attorney's Office it was an effort to close some loopholes in regards to the DUI laws that are on the books right now and I would be happy to answer any questions, otherwise I'd move for its passage."

Speaker Steczo: "The Gentleman moves that the House concur with Senate Amendment #1 to House Bill 3094. On that, is there any discussion? The Chair recognizes Representative Biggert."

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

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Speaker Steczko: "He indicates he will."

Biggert: "Representative, what's a Phlebotomist?"

Dart: "It's somebody who's trained to draw blood."

Biggert: "Okay, thank you. The only addition by this Amendment then is the ability to draw blood, from the original Bill?"

Dart: "The only difference from the original Bill?"

Biggert: "Yes, the addition to the original Bill."

Dart: "They also define more specifically the type of injuries involved. They've listed the Type A injuries and the likes along those lines to clarify that."

Biggert: "All right, thank you."

Speaker Steczko: "Representative Skinner."

Skinner: "In our analysis it says that as the Bill passed the House, certain Phlebotomists could draw blood, but in the Senate Amendment, they have to be trained Phlebotomists. Could you tell me what the difference is?"

Dart: "I would hope that they would all be trained, but I think so we..."

Skinner: "So would I."

Dart: "...clarification to insure that, in fact, that we're talking about someone who has been trained at it and can inform...do this properly, so we don't have just anyone drawing blood."

Skinner: "What about a Medical Technologist with a Masters Degree?"

Dart: "Once again, I think part of the problem originally had been is that the way the way the definition was, is it was artificially excluding certain people that were actually involved in the real life workings of this type of procedure..."

Skinner: "Well..."

Dart: "...and so they tried to expand it to make sure everybody

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who could be involved with these procedures that's qualified to do it would not be forbidden from doing it under the law, because it was posing a problem...the long and short of the Bill was...is what we're trying to do is take reality in what's going on like say in the emergency rooms with the medical professionals and put it into law because that wasn't the case unfortunately."

Skinner: "Well, I would merely point out for the Assembly's edification that we don't license Phlebotomists or Medical Technologists, so perhaps somebody that's into licensing might want to sponsor such a Bill in the future."

Speaker Steczo: "Representative Deering."

Deering: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Steczo: "He indicates he will."

Deering: "Senate Amendment #1 as I understand it, requires a driver to submit to a breath or urine test under stated circumstances, what are those circumstances?"

Dart: "They've killed somebody or they've caused major injury to them."

Deering: "So it's not if they get pulled over for suspected DUI?"

Dart: "Correct, correct. There has to be probable cause that the death of the person was based upon their actions or that the severe injury was."

Deering: "Thank you."

Speaker Steczo: "Is there any further discussion? There being none, all those in favor of the Gentleman's Motion to concur in Senate Amendment #1 to House Bill 3094, will signify by voting 'aye'; those opposed by voting 'no'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 111 voting 'yes', none voting 'no', none voting

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'present', and the House does concur with Senate Amendment #1 to House Bill 3094, and this Bill having received the required Constitutional Majority, is hereby declared passed. On the Order of Concurrence, appears House Bill 3192, Representative Giglio. The Chair recognizes Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 3192. What the Senate Amendment does, the Senate had some discussion with the Department of Agriculture with regard to the shipping manifest, and what it does it requires them to keep the Department of Agriculture up to what's required by law and the Municipal League which was against the Bill is for the Bill now and I really don't know of any opposition. So, I move to concur with Senate Amendment #1 to House Bill 3192."

Speaker Steczo: "The Gentleman moves that the House concur with Senate Amendment #1 to House Bill 3192. On that, is there any discussion? The Chair recognizes Representative Persico."

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

Speaker Steczo: "He indicates he will."

Persico: "Basically what you're...the Senate Amendment does then is removes the Department of Agriculture from this process, is that what you said?"

Giglio: "No. It clarifies the information to be included in the shipping manifest with regards to the disposal of grease and grease trap sludge. To include the Department of Agriculture's permit or license number."

Persico: "According to my...sorry Representative, but according to my analysis it says it removes the Department of Agriculture from the grease trap sludge tracking process."

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Giglio: "It does not include the Department of Agriculture permit or license number, that's all it does. I guess there was number attached to something that with regard to the sludge and the grease, that had something to do with the Department, the Department got involved and they didn't want to get involved cause they think they didn't have to."

Persico: "So the Department of Agriculture wanted to be removed?"

Giglio: "Right."

Persico: "Thank you very much."

Speaker Steczo: "Is there any further discussion? There being none, those in favor of the Gentleman's Motion, will signify by voting 'aye'; those opposed by voting 'no'. Voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. For what purpose does Representative Moseley, seek recognition? On this question, there are 110 voting 'aye', none voting 'no', none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 3192, and this Bill having received the required Constitutional Majority, is hereby declared passed. On the Order of Concurrence, appears House Bill 3197, Representative Leitch. The Chair recognizes Representative Leitch."

Leitch: "Thank you, Mr. Speaker. At the request of the Secretary of State's Office, I'd like to make another change in this Bill, so I'd appreciate a Motion to nonconcur and send it back for a conference."

Speaker Steczo: "The Gentleman moves that the House nonconcur in Senate Amendment #1 to House Bill 3197. All those in favor will signify by saying 'aye'; those opposed by saying 'no', the 'ayes' have it and the House does nonconcur with Senate Amendment #1 to House Bill 3197. House Bill 3244,

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Representative Dart. The Chair recognizes Representative Dart."

Dart: "Thank you, Mr. Speaker. I move to concur with Senate Amendments #2, 5 and 6 to House Bill 3244. House Bill 3244 contains provisions from the Audit Commission, but in addition to that, it contains provisions dealing with the Homeless Education Bill which we passed out of here a while back, unfortunately it got caught up in the rules and so they had to find a home for it. The majority of the Bill as it left here, the Homeless Education Bill, is here in this Bill with some minor changes that were made in agreement with all the different players in regards to transportations of homeless children and how that was going to be paid for, and the Audit Commission Bills...provisions deal with something we do annually around here to try to straighten out our books in regards to auditing. I'd be happy to answer any questions, but otherwise, I move for the passage of this Bill."

Speaker Steczo: "The Gentleman has moved that the House concur with Senate Amendments #2, 5 and 6 to House Bill 3244. Is there any discussion? There being, all those in favor of the Gentleman's Motion, will signify by voting 'aye'; those opposed by voting 'no'. Voting is open, this is final action. 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 110 voting 'yes', none voting 'no', none voting 'present', and the House does concur with Senate Amendments #2, 5 and 6 to House Bill 3244, and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 3322, Representative Lou Jones. Out of the record. On the Order of Concurrence, appears House Bill 3328, Representative

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Woolard. The Chair recognizes Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to concur in Senate Amendment #2 which is a deletion of the portion where the assessment was in place for the lamb and wool and sheep people. Representative McPike and his shepherds and his representative area have requested that we take this out because they believe that it was unfair and they were opposed to it, so in consideration of the great job that Representative McPike does for the shepherds in his area, we would concur in this Amendment."

Speaker Steczo: "The Gentleman moves that the House concur with Senate Amendment #2 to House Bill 3328. On that, is there any discussion? There being none, all those in favor of the Gentleman's Motion, will signify by voting 'aye'; those opposed by voting 'no'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 111 voting 'yes', none voting 'no', none voting 'present', and the House does concur with Senate Amendment #2 to House Bill 3328, and this Bill having received the required Constitutional Majority, is hereby declared passed. On the Order of Concurrence, appears House Bill 3457, Representative Sheehy. The Chair recognizes Representative Sheehy."

Sheehy: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I move to concur with Senate Amendments #1, 2 and 3. Senate Amendment #1, states the number of hours per semester you can work on a school improvement plan. Senate (Amendment) #2, actually deletes House Bill 3457, everything in it, and becomes the Bill itself. It states how much time can be spent on school improvement plan plus

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other technicalities in here. Amendment #3, there's some clean up language and would be more than happy to answer any questions."

Speaker Steczo: "The Gentleman has moved that the House concur in Senate Amendments #1, 2 and 3 to House Bill 3457. On that is there any discussion? The Chair recognizes Representative Black."

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

Speaker Steczo: "He indicates he will."

Black: "Representative, on Senate Amendment #2, I think it's on page 3 if you have a copy of the...I'm trying to get at a question that has arisen about whether or not anything in this Amendment could be construed as what we...what the General Assembly might be mandating as a collect...as a bargainable issue. It's on page 5, I'm sorry, not three, about the last four sentences. What's your interpretation of that last sentence?"

Sheehy: "Well, originally the first Amendment stated how many hours can be spent on home...school improvement plan. The language here was agreed upon with Senator Fawell and all parties concerned that if there were no hours set in collective bargaining agreement that, in-service committees would be able to constitute the amount of time expected to be spent on the home improvement."

Black: "Let me continue with two questions. Have you conversed with Senator Fawell?"

Sheehy: "Yes, I have, just about a half hour ago."

Black: "Okay. I must admit, I have not and I probably should have. But, is it your understanding that, in fact, all parties were in agreement to this language?"

Sheehy: "Yes, her words to me were, the SPE and the school board

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and other members that were concerned were involved in her office and they all agreed to this language in this Bill."

Black: "Okay. There seems to be some misunderstanding, I think on that point. I'm not sure the School Management Association is in...probably they have a different, I think interpretation of what they agreed too. But, that unfortunately often happens. Let me continue with...unless contained in a collective bargaining agreement the district in-service committee shall define what constitutes an amount of time. If a school board thinks that...say, ten hours a month would not be an inordinate amount of time to devote to the underlying plan. Is it your understanding that this Amendment then, would make that a bargainable issue or would it make it the sole responsibility of the in-service committee?"

Sheehy: "My understanding would be in-service committee."

Black: "All right, so, I guess where the confusion has arisen is whether or not we're making this a bargainable issue or whether or not we're simply saying, it can be a bargainable issue. What is your intent on that, are you...are you saying that the amount of time...is it your intent that the amount of time spent on a school improvement plan be, as a matter of law, a bargainable issue?"

Sheehy: "That's my intent, Representative."

Black: "Would we not then be getting into some very murky water on just what we might put into law will be a bargainable issue?"

Sheehy: "I really can't answer that, this is..."

Black: "Well, if we're going...you've told me what your intent is. And your intent is to make this a bargainable issue. I don't like to use the word, mandate, it is often over used. But, what are we going to do if somebody gets up

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here a year from now and says, that what you drive, what a teacher drives will be a bargainable issue. Somebody on the school board works for General Motors or Chrysler and says, 'I don't want any teacher driving a foreign made automobile in my school district'. And, so they find a Representative here from that district who realizes the importance of that automobile plant and so you make what a teacher drives a bargainable issue by legislative edict. And I don't have any problem with collective bargaining. I guess I have a problem with how many...how many things are we going to state, you will bargain this issue."

Sheehy: "I'm sure that everything you're saying has been taken in account with the parties that I mentioned. And if there is any objections to this, it would have been brought to my attention. That's the only way I can answer it."

Black: "Okay. Well, I appreciate your assistance. I know there's been a great deal of work done on the Amendment, there just simply seems to be, as often as the case, some last minute confusion on who said what and who agreed to what, but that's part of the process. I appreciate your patience."

Sheehy: "Thank you."

Speaker Steczo: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. It's a great pleasure to see you there in the Chair. I say that every time you're there. Mr. Speaker, rather than asking questions, I would just like to read something into the Bill...into the record, if I may. I have received some telephone calls from attorneys who serve a large number of school district as their clients. They are concerned about the language in this Amendment on page 5, lines 20 through 24, which begin, 'unless contained in a collective

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bargaining agreement and then go on with the words, the district in-service committee shall'. The concern here is, that until now there has been nothing that is defined as what is bargainable and what is not and, therefore, it is simply assumed that everything, that the local school district and that local teacher organization choose to bargain is bargainable. Once we start the General Assembly defining what is bargainable and what is not, we have really opened a can of worms. And I think we are setting a precedent for ourselves that would invite for us an horrendous amount of work that we, quite frankly, are not prepared to do and I also think it is important to point out that although, when this would be agreement was negotiated apparently there was some lack of understanding as to who all should have been involved in the negotiations and several of the major education groups were omitted from these discussions which is the reason why we now have this problem. I certainly understand what any attorney who represents school districts would want to tell us about being concerned about not only that we invite for ourselves an horrendous problem when we set a precedent where we are now going to define what is bargainable. It is much better for both teachers and for school boards to leave that to their discretion and let that be a local decision. But, I think the other thing is, that if this kind of thing is to be part of a bargaining agreement then for example, according to the school attorneys who have called me, if the agreement is that a total of 50 hours is to be spent on these improvement plans and then they spend 52 hours on this school improvement plan, they're, in fact, guilty of an unfair labor practice because that provision was part of the collective bargaining agreement. Consequently, I think

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there are some real problems with this Amendment and I would suggest that possibly, since I'm confident that this could be worked out if those who were not consulted in the first place were consulted now. I would suggest to the Sponsor that what he might want to do is nonconcur in Amendment #2 and then let us proceed from here, Amendment #2 is the one that's objectionable, to agree with 1 and 3, nonconcur in 2 and then perhaps we can finally get some language that everyone can agree on, but, that is only a suggestion. Otherwise, I shall simply have to vote 'no' because I really don't think we should be setting this kind of precedent."

Speaker Steczo: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Will the Gentlemen yield?"

Steczko: "He indicates he will."

Brunsvold: "Representative, I'm a little confused on this, I've just talked to the state board and they seem to believe that this Bill was all agreed on by the parties. Can you affirm, because I just talked to Senator Fawell also and she indicates that everyone in the negotiations had...that had come to the table were in agreement. What can you...shed some light on this agreement."

Sheehy: "Representative Brunsvold, Senator Fawell said to me that, SPE members were there, school board members, and I didn't get the names of everyone in that, but, she told me it was an agreed Bill, agreed language and there shouldn't be any problem, whatsoever, with it. With that, that's where we are at right now because everyone agreed to it. Now, there seems to be some problems with the collective bargaining unit here or part of the legislation. I'll be willing to listen to anyone else's objections but, my understanding is this is agreed to everyone, by everyone

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so..."

Brunsvold: "Even the collective bargaining position on the Bill?"

Sheehy: "There was some objections in regards to the collective bargaining but I said, I was still going to go along with this Bill. I mean, you can't come to me two minutes before the Bill is going to be presented and been involved in this thing for two months and now they're going to say something about it. But, I'm willing to listen to both sides and do whatever it is to make this Bill right so we can get it out."

Brunsvold: "Well, to the Bill, Mr. Speaker. I have talked to Senator Fawell and I've discussed this with the state board and also with teachers from the teachers' unions. And they seem to be in agreement on this, I don't know where the problem has developed with this Bill but, I would say, let's concur in Senate Amendments 1, 2 and 3 and go along with the agreement."

Speaker Steczko: "Representative Hoeft."

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

Speaker Steczko: "He indicates he will."

Hoeft: "On Amendment #1, my question is, it is limited to eight hours per semester that a teacher can work on the school improvement plan. If a teacher wants to voluntarily do that, is this restricting that individual to nine hours or eight hours?"

Sheehy: "It doesn't mandate anything, in fact, the eight hours that we had...the original Bill that was in committee was eight hours. When it left here and went to the Senate, they changed that. There are no required hours, set hours like we agreed to in committee. My original Bill is incorporated in Amendment #2 now and that's where the collective bargaining section comes in or the in-service

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committee, they can decide how much time is expected, Representative."

Hoeft: "Thank you."

Speaker Steczo: "Further discussion? Representative Curran."

Curran: "Thank you, Mr. Speaker. I think we need some clarity here on the subject matter of what can already be discussed under bargaining conditions. Right now, you can bargain for wages, working conditions and hours. The subject matter of this legislation falls under working conditions. There is no extension of anything under this Bill that is improper. The agreements were made before this Bill was brought to the floor. There is absolutely no sense and absolutely no good faith in suggesting that this arrangement was not already made and that this Bill is somehow, offensive. The Illinois Education Association which one of the previous speakers on the other side of the aisle, hailed just a few minutes ago and asked us to follow just a few minutes ago, is strongly supportive of this legislation. And if any of us are going to be true to what brought us here, and true to our word then we're going to support this legislation because we know that the arrangements have already been made and that this is good legislation. I ask for an 'aye' vote."

Speaker Steczo: "Representative Persico."

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

Speaker Steczo: "He indicates he will."

Persico: "Representative, I may have missed it during the debate but, the Amendment that you're talking about, Amendment #2, was this not agreed to by the IEA, the Chamber, the Illinois Manufacturing Association, is that correct?"

Sheehy: "Amendment #2 came across from the Senate, it's an agree...it didn't start here, it originated in the Senate."

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Persico: "Oh, I realize that. I realize that, but when it got to the Senate did it not have the agreement of the IEA, the IMA, and State Chamber?"

Sheehy: "Yes, it did. Yes."

Persico: "Was the school board alliance part of the negotiating process in the Senate? Were they part of it? The school board alliance, were they part of the negotiating process in the Senate?"

Sheehy: "I really don't know. Senator Fawell, said there were quite a few people there that were concerned with this and it was all agreed upon. I don't have everyone that was there. I don't know."

Persico: "Do you recall if...I just happen to recall that, Representative Cowlishaw tabled a few Amendments on the moratorium and that, because of this agreed Bill that was coming over from the Senate, I seem to recall that. I don't remember or not. Anyway, I stand in support of this Bill. It seems like a lot of work went in there, into this particular Bill, when it went over to the Senate, Senator Fawell held it until she had agreement with all the parties involved and I encourage everyone to support and concur with the Senate Amendments."

Speaker Steczko: "Representative Maureen Murphy."

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

Speaker Sheehy: "He indicates he will."

Murphy, M.: "Representative, are you aware that many of your colleagues have been lobbied by the Illinois Association of School Board in the past two hours? We've been called out, told that they were not allowed, they were not part of the bargaining process on this Bill. Are you aware of that?"

Sheehy: "As of ten minutes ago, they approached me and said, they were concerned about this. I told them I would go along

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with this Bill because there were a lot of people that were in agreement with this."

Murphy, M.: "All right, Representative, knowing that you're also wanting to include all parties and we heard that the IEA was for it, the IMA, we heard the Chamber and all these people are satisfied, but when you hear that management an elected volunteer management of Illinois Association of School Board members of whom there are many that we represent in the southwest suburbs and their attorneys that our taxpayers pay their fees are...upset, they feel they were not included in this negotiation. Is it at all possible for you to proceed with Amendments 1 and 3, and not 2? And we have checked with them. So, the Illinois Association of School Board's representative, Pet Webber has contacted many people on this side of the aisle and I'm sure, on yours, saying that he was not included in the talks. Now, it is interesting that the Manufacturers Associations and the Chamber of Commerce was included in the talks considering they're not going to be at those collective bargaining tables later on when all those school contracts come up. So, I think there's enough concern at this time to either withdraw the Bill from the record, talk with the ISB or perhaps take Representative Cowlshaw's suggestion and nonconcur and get the IBS at that table so we can straighten this out instead of moving for a...a mandatory veto later on. Because there is...ISB is against Amendment 2 and I would like that record to reflect that. So, at this time, as a former school board member, there is no way I could support the Bill in its entirety as presented. I would like to support Amendments 1 and 3, and I respectfully request you, Representative, to have some consideration, either pull the Bill from the record at this

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time so cooler heads could prevail or allow the opportunity of the ISB to negotiate and offer a nonconcurrency with regards to Amendment #2. This is not dilatory. It is not partisan. It has nothing to do with Republicans suddenly don't want act on this Bill. We simply believe, in good faith, that we were elected, that when we say an agreed Bill is agreed to, you better include one of the main parties and one of those is the Illinois Association of School Boards. I beg your sincere consideration, Representative. Thank you."

Speaker Steczo: "Representative Skinner."

Skinner: "Would the Gentleman yield to a question or two?"

Speaker Steczo: "He indicates he will."

Skinner: "Under collective bargaining is it possible that school teachers would have to spend zero hours on a school improvement plan? Is that a possible...?"

Sheehy: "It's always a possibility but I doubt it."

Skinner: "Well, I don't know how the school improvement plan is going to work if they spend zero hours."

Sheehy: "You tell me."

Skinner: "Mr. Speaker, it seems to me that the school improvement plans maybe be a useful tool to improving education in the State of Illinois, and certainly we have to have the cooperation of teachers to be able make this program work. And if there...if this is such a onerous duty that a local bargaining committee should put it at the top of its priority and the teachers would end up spending zero hours, it just can't work. I would...I don't know how we can vote for a proposal that may end up not working at all for individual schools. Thank you."

Speaker Steczo: "Representative Wennlund."

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

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House. The reason you ought to vote for this is because it makes ultimate sense. Every school improvement program, incidentally, which are mandated so it is not going to be zero hours, that's baloney. Every school improvement plan is going to be different than the other. Every administration, every school district in this state is not like the other one. They're all different. If you want to hear about the school improvement plans and the time wasted and spent on them, you ought to talk to your teachers. Because there is a problem there. And it ought to be left up to each individual district and the teachers ought to be a part of that because they ought to be involved in making and implementing the school improvement program because they know the students best. They know what the problems are best. And you ought to vote in favor of this."

Speaker Steczo: "Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker Steczo: "He indicates he will."

Levin: "Okay. All right, you know, we're hearing all kinds of things about one particular group having a problem with the process. The only thing we've heard substantively is that there may be a vagueness in the language in Amendment #2. Amendment #2 reads, 'unless contained in a collective bargaining agreement the district in-service committee shall also define what constitutes an amount of time expended to...expected to be expended in developing all school improvement plans'. I don't see a vagueness in there. Representative, is there any intention, with this language, to mandate that they must make this subject to collective bargaining or is this treated like anything else that it can be a subject of collective bargaining? If it's in the contract then it supersedes the provisions of this

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statute."

Sheehy: "It's just the opposite. It does not mandate whatsoever."

Levin: "Okay. So, your intention is to treat it the way we normally treat this kind of a situation. If it's negotiated then it supersedes. If it's not negotiated this particular provision takes effect."

Sheehy: "You're absolutely right, Representative. Absolutely."

Levin: "Okay. I think this is a very clear Amendment. I don't see any problem with the language. I do know as an attorney, myself, you can pick anything to death, but, I don't see that nonconcurring is going to help. I think the Gentleman's intention is clear, and we do this kind of thing all the time we say, if a collective bargaining agreement contains language, we follow it and if it doesn't we do (X), and that's all this does. I urge the concurrence in all three of these Amendments."

Speaker Steczko: "The Chair recognizes Representative Monroe Flinn. Representative Flinn."

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

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 and the main question is put. The Chair recognizes, Representative Sheehy to close."

Sheehy: "We've heard enough debate on both sides and I ask you for your favorable vote. Concur with this Amendment 1, 2 and 3. Thank you."

Speaker Steczko: "The Gentleman moves that the House concur with Senate Amendments #1, 2 and 3 to House Bill 3457. All those in favor will signify by voting 'aye'; those opposed

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by voting 'no'. The voting is open. This is final action. The Chair recognizes Representative Balthis. One minute to explain your vote."

Balthis: "Thank you, Mr. Speaker. I was just going to echo what Representative Levin said. This is not a mandatory requirement, it simply states, it's not an collective bargaining. So, I think the votes are up there. Thank you."

Speaker Steczko: "Representative Ostenburg. The Gentleman does not wish...does not seek recognition. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 100 voting 'yes', 7 voting 'no', 3 voting 'present' and the House does concur with Senate Amendments #1, 2 and 3 to House Bill 3457, and this Bill having received the required Constitutional Majority, is hereby declared passed. House Bill 3485. The House recognizes Representative Dart."

Dart: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 which is almost identical to House Amendment #1 with a technical change in it. The thrust of the Amendment is to deal with a loophole that we caused when we passed a law in January of 93 dealing with people that sit for the dentistry board. I don't know of any opposition to this and I move for the passage of this Bill."

Speaker Steczko: "The Gentleman has moved that the House concur in Senate Amendment #1 to House Bill 3485. On that, is there any discussion? There being none, those in favor of the Gentleman's Motion, will signify by voting 'aye'; those opposed by voting 'no'. The voting is open, this is final action. 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

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voting 'no', none voting 'present', and the House does concur with Senate Amendment #1 to House Bill 3485, and this Bill having received the required Constitutional Majority, is hereby declared passed. Moving back to a Bill that was taken out of the record earlier, House Bill 3322, Representative Lou Jones. Representative Jones, would you care to call this Bill? Out of the record. House Bill 3518, Representative Woolard. Out of the record. House Bill 3587. Is Representative Saviano on the floor? House Bill 3611, Representative Deering. The Chair recognizes Representative Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 3611. Senate Amendment #1 and 3 to House Bill 3611. Senate Bill (sic-Amendment) 1 is the language that was contained in House Bill 3610. It provides for the regulations and violations of the Illinois Banking Act as to the directors and officers of any bank and how they can be held liable. This does not cost the state any dollars. Senate Amendment #2 permits..."

Speaker Steczko: "Representative Deering."

Deering: "...the charter of a state bank to provide that..."

Speaker Steczko: "Representative Deering."

Deering: "...direct..."

Speaker Steczko: "Representative Deering, I believe #3 you...we're concurring in #1 and #3, correct?"

Deering: "That's right. I stand corrected. It provides that a charter of a state bank to provide that a director is not personally liable to the bank or shareholders for monetary damages or breach of directors fiducial duty, so long as the provision does not eliminate or limit the directors liability. I would like to answer any questions."

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Speaker Steczo: "The Gentleman moves that the House concur with Senate Amendments #1 and 3 to House Bill 3611. On that, is there any discussion? The Chair recognizes Representative Granberg."

Granberg: "Will the Gentleman yield?"

Speaker Steczo: "He indicates he will."

Granberg: "What kind of duty is that that can be breached, Representative, I didn't hear you?"

Deering: "Fiduciary."

Granberg: "Thank you."

Speaker Steczo: "Is there any further discussion? There being none, all those in favor of the Gentleman's Motion, will signify by voting 'aye'; those opposed by voting 'no'. Voting is open, this is final action. 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', 3 voting 'present', and the House does concur with Senate Amendments #1 and 3 to House Bill 3611, and this Bill having received the required Constitutional Majority, is hereby declared passed. Going back to House Bill 3587, Representative Saviano. The Chair recognizes Representative Saviano."

Saviano: "Thank you, Mr. Speaker. I'm going to present this Bill for Representative McAuliffe. This Bill amends the States Police Act by requiring the State Police Merit Board to award back pay to officers who are found not guilty in a suspension hearing, or who have served a period of suspension greater than that prescribed by the board. We have 3 Amendments on this Bill. Senate Amendment #1, which provides the State Treasurer may enter into agreements with financial institutions to provide check cashing services, and ATMS at the State Capitol, state office buildings,

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state parks, state tourism centers. I believe this Amendment has already been put on other Bills. Senate Amendment #2, permits specified state departments and institutions to develop policies and procedures concerning the provision of housing for state employees. Requires certain agencies to file quarterly reports with the Governor's Travel Control Board pertaining to employees reimbursed for state housing. I have also been informed that that's on another Bill. Senate Amendment #3, requires that an officer be informed in writing of his or her rights under the Act. Requires that the information about his or her rights be included with the information about the nature of the investigation, and be delivered in person, or by certified mail not less than three days before the interrogation, unless this requirement is waived by the officer. The Illinois Municipal League is in agreement with this Amendment. The Senate voted that out at 58 to zero. Actually the whole Bill, 58 to zero. I would ask for a favorable vote on this Bill. Thank you."

Speaker Steczo: "Representative Saviano, you had indicated Amendment #3 in your discussion but there is only Amendments #1, 2, 4 and 6, correct?"

Saviano: "One, two, three."

Speaker Steczo: "Let's hold on for just a second here. Our information shows Senate Amendments #1, 2, 4 and 6. Mr. Saviano, it's been recommended that we take this out of the record momentarily, just to check with the Clerk's Office to make sure that the records are copasetic. On the Order of Concurrence, appears House Bill 3779, Representative Currie. The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker, and Members of the House. I would move that the House not concur in the Senate Amendment to

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House Bill 3779. For the reason that while the Amendment itself may be okay providing for opportunities for signature digitalization on vote records, it seems to me this part of a much larger issue, an issue that revolves around the Motor Voter Bill, the National Voter Registration Act, and so for that reason, I would ask that the House not concur."

Speaker Steczo: "The Lady moves that the House nonconcur with Senate Amendment #1 to House Bill 3779. Is there any discussion? All those in favor of the Lady's Motion, will signify by saying 'aye'; those opposed by saying 'no', the 'ayes' have it, and the House does nonconcur with Senate Amendment #1 to House Bill 3779. House Bill 3975, Representative Currie. The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker, and Members of the House. I would ask the House not to concur in the Senate Amendment. Nothing is wrong with the Amendment but there are a couple of issues having to do with pharmacies in a couple of downstate hospitals that we need some clarifying language for and this Bill would seem an appropriate vehicle for that activity. So, just for that reason, I would ask for your noncurrence vote."

Speaker Steczo: "The Lady moves that the House nonconcur with Senate Amendment #1 to House Bill 3975. On that, is there any discussion? There being none, all those in favor of the Lady's Motion, will signify by saying 'aye'; those opposed by saying 'no', the 'ayes' have it. And the House does nonconcur with Senate Amendment #1 to House Bill 3975. House Bill 3997, Representative Clayton. The Chair recognizes Representative Clayton."

Clayton: "Thank you. I move to concur with Senate Amendment #1

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to House Bill 3997. This Amendment actually becomes the Bill. It states that the police training board shall annually review police procedures and make available suggested guidelines for law enforcement agencies. The Section does not alter the effect of previous existing law including the immunities established under the Local Governmental Employees Tort Immunity Act. This is supported by the Police Training Board, the Illinois Municipal League, the Police Chiefs and the Sheriffs Association."

Speaker Steczo: "The Lady has moved that the House concur with Senate Amendment #1 to House Bill 3997. On that, is there any discussion? The Chair recognizes Representative Granberg."

Granberg: "Will the Lady yield?"

Speaker Steczo: "She indicates she will."

Granberg: "Representative Clayton."

Clayton: "Yes."

Granberg: "Could you briefly explain the difference between the Senate Amendments and what was passed in the House Bill?"

Clayton: "The House..."

Granberg: "I believe there..."

Clayton: "The House..."

Granberg: "I believe there's a similar provision."

Clayton: "The House Bill required that that be the minimum standard for all law enforcement agencies. This is a recommendation."

Granberg: "And originally there was a question about potential liability...immunity and now that is taken out of the legislation?"

Clayton: "No, that's put in the legislation."

Granberg: "Okay."

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Clayton: "The...the Amendment discusses that, the original Bill did not mention it. The Illinois Municipal League was concerned about that."

Granberg: "All right, this does not expand immunity, for any..."

Clayton: "No."

Granberg: "All right, thank you, Representative."

Speaker Steczo: "Is there any further discussion? There being none, all those in favor of the Lady's Motion will signify by voting 'aye'; those opposed by voting 'no'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this Motion, there are 109 voting 'yes', 1 voting 'no', 1 voting 'present', and the House does concur with Senate Amendment #1 to House Bill 3997, and this Bill having received the required Constitutional Majority, is hereby declared passed. Going back to the items on this order that were taken out of the record, we'll go to House Bill 3322, Representative Lou Jones. Representative Lou Jones, do you wish to call House Bill 3322? Out of the record. House Bill 3518, Representative Woolard. Out of the record. On the Order of Education, Second Reading, appears Senate Bill 1144, Representative Phelps. Mr. Clerk, has the Bill been read a second time previously?"

Clerk McLennand: "Senate Bill 1144, has been read a second time previously."

Speaker Steczo: "Any Motions or Amendments?"

Clerk McLennand: "No Motions have been filed, Floor Amendment #8, offered by Representative Youngue."

Speaker Steczo: "The Chair recognizes Representative Youngue on Amendment #8."

Youngue: "Thank you, Mr. Speaker. Amendment #8 would call for a

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referendum for state community college and the local share would be paid for by sales tax rather than property tax. In November of this year, there will be a referendum which will call for the proposition as to whether or not the state community college in East St. Louis will have local autonomy and be a permanent college district or whether or not it will be annexed to Belleville Area College. The referendum as currently structured would call for the local share to be paid for by real estate taxes. The effect of my Amendment would be to change the real estate taxes as the method of payment for the local share to sales tax. The leadership, Dr. Cipfl has said that he...Belleville Area College has said that he supports this idea as does the leadership of state community college, its president. And this matter has been thoroughly discussed and I move for the adoption of the Amendment."

Speaker Steczko: "The Lady has moved for the adoption of Amendment #8. On that, is there any discussion? The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. This Amendment passed out of here earlier on the Community College Rate Bill. I wish it had been amended on the Community College Rate Bill, but for those of you that have some concerns about it, it's already in the Senate, amended to that Bill. Again, and we've heard a lot of debate, the Lady is right, its been fully debated but if the sales tax phase is good enough for one community college, I'm here to tell you it's going to be good enough for all 39. I intend to vote 'no'."

Speaker Steczko: "Representative Ron Stephens."

Stephens: "Thank you, will the Lady yield?"

Speaker Steczko: "She indicates she will."

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Stephens: "Representative, you eluded to the leaders, or leadership of the Belleville area colleges supporting this. What do you mean specifically?"

Younge: "I...specifically have talked to Dr. Cipfl who is the President of Belleville Area College, and he indicated to me that he thought the payment of the local share by sales tax, was a good idea."

Stephens: "Are you saying that he's seen the language of this Amendment and wants us to vote 'yes'?"

Younge: "I am not saying that he has seen this Amendment, this Amendment as you know has been recently prepared and put on this Bill..."

Stephens: "This Amendment or similar language?"

Younge: "I am saying that I discussed verbally the idea of the payment of the local share for the state community college by sales tax and Dr. Cipfl said that he thought that was a fine idea."

Stephens: "Well, I think he was just being polite. I would stand in opposition. I think that although this language has passed as it was amended to another Bill, this is still a issue that you ought to consider very carefully. I would hope that Amendment #8 is defeated. For those of you who do support the idea, it has been moved to the Senate in another form, but I think it's inappropriate to set this precedent that we start paying for local college districts, community college districts with a sales tax. Representative Black is right, you'll see it in all the other 38 districts throughout the state and it's not going to be good for taxpayers."

Speaker Steczko: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House. It is with profound regret that I

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rise and state that I am opposed to this Amendment. I have the greatest respect for this Sponsor, and I think we all realize that the Sponsor of this Amendment is someone who has gone to bat for her district, who has tried above and beyond the call to be sure that she serves her people well, and that is essentially what is necessary for all of us to do. However, because of the fact that this sets a precedent to provide an additional type of tax to be imposed by community college districts, a type of tax which they are not currently authorized to impose and because the Taxpayers Federation of Illinois as well as the Illinois Department of Revenue are opposed to this Amendment, I rise in very regretful opposition to the Amendment. And Mr. Speaker, under the rules of this House, I would ask for a Roll Call Vote and I am joined by a sufficient number of my colleagues on this side of the aisle, to qualify for a Roll Call Vote. Thank you very much, Mr. Speaker."

Speaker Steczko: "Representative Maureen Murphy."

Murphy, M: "Thank you, Mr. Speaker. To the Amendment. Once again, it's not just about setting a bad precedent and instituting a sales tax for a community college district, but more importantly, it will hurt this impoverished area and the small business that will be robbed of general revenue from their profits because people are known to want to save a dollar on big ticket items such as cars, televisions, large appliances, and the compliance factor is one of the main reasons that the Department of Revenue and others are very, very opposed to this. Community college districts are not neat little compact districts and from area to another, from one township to another, from one village to another, you may not have a compact line of demarcation with which to collect the tax. This will

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encourage tax evasion, people who purchase large items will be forced to go elsewhere and this will have a ripple effect thereby further impoverishing the very people the Sponsor seeks to help. We have not had a sales tax based on a community college districts boundaries. It's unconscionable, it's unpredictable, we haven't had it, we don't need it, and it will spread throughout our state as a viable form of getting more money. It's just another way to tax to get more money without thought as to where it's going, who it's hurting and how will we live up to a system of compliance. To reiterate, the Taxpayers Federation and the Department of Revenue is against it, the voters of this district..."

Speaker Steczko: "Representative Murphy, Representative Murphy, excuse me for one moment. Representative Younger, for purpose do you seek recognition?"

Younger: "Thank you, Mr. Speaker, I withdraw the Amendment."

Speaker Steczko: "The Lady withdraws the Amendment. Mr. Clerk, any further Amendments?"

Clerk McLennand: "Floor Amendment #9, offered by Representative Salvi."

Speaker Steczko: "The Chair recognizes Representative Salvi. The Gentleman withdraws Amendment #9. Any further Amendments?"

Clerk McLennand: "Floor Amendment #10, offered by Representative Black."

Speaker Steczko: "The Chair recognizes Representative Black on Amendment #10."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #10 simply does away with General Assembly scholarships in the year 1995. I'm appalled that we don't fund those. I thought we actually appropriated the money for General Assembly scholarships,

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but we don't. We just expect universities and colleges to eat that money. I've done some research, and I think there were like \$20 million in unfunded tuition waivers last year. That's silly. Some day we're going to have to address the question, and we're going to have a vote on the issue of General Assembly scholarships. However, the Sponsor of the underlying Bill, has asked me not to burden his Bill, and so at this time, I will reluctantly withdraw Floor Amendment #10."

Speaker Steczo: "The Gentleman withdraws Amendment #10. Any further Amendments?"

Clerk McLennand: "Floor Amendment #11, offered by Representative Younge. Younge."

Speaker Steczo: "The Chair recognizes Representative Younge on Amendment #11."

Younge: "Is that the same Amendment?"

Speaker Steczo: "The Lady withdraws Amendment #11. Mr. Clerk, any further Amendments?"

Clerk McLennand: "Floor Amendment #12, offered by Representative Phelps."

Speaker Steczo: "The Chair recognizes Representative Phelps on Amendment #12."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment tries to...clear up language in case the Cook County Regional Superintendent position is accomplished in being abolished, this clarifies the language in how the appropriations and funds will be transferred to the State Board of Education."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #12. On that, is there any discussion? The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. I don't believe the

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Sponsor was reading from the correct Amendment. He did not explain Amendment #12 that we have in our files. He may want to revisit that."

Speaker Steczko: "Representative Phelps, perhaps you could check and see that...if we're dealing with the same Amendment."

Phelps: "Thank you, Mr. Speaker, I withdraw Amendment #12. Sorry."

Speaker Steczko: "The Gentleman withdraws Amendment #12. Mr. Clerk, any further Amendments?"

Clerk McLennand: "Floor Amendment #13, offered by Representative von Bergen-Wessels."

Speaker Steczko: "The Chair recognizes Representative von Bergen-Wessels on Floor Amendment #13."

von Bergen-Wessels: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Amendment 13 contains a Bill that passed out of committee 36-14 of mine, and what this does it makes some changes in the MIA/POW scholarships, so that the restriction and use prior to a recipients 26th birthday is removed as is the restriction that the scholarship be used within a particular time period after the start of the use of that scholarship. And the reason for this, is that we have recipients or people who qualify for MIA/POW scholarships, who may have started to raise a family and now would like to go back to school and they're often times women who are past 26 and as the law was originally written, they lost out on the use of the MIA/POW scholarships. The Veterans Affairs Department of the State of Illinois informed me that they have the funds to fully fund these scholarships and so there wouldn't be any increased burden on the universities."

Speaker Steczko: "The Lady has moved for the adoption of Amendment #13. On that, is there any discussion? The Chair

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recognizes Representative Rutherford."

Rutherford: "Thank you, Mr. Chairman, will the Sponsor yield?"

Speaker Steczko: "She indicates she will."

Rutherford: "Representative, could you just for the benefit of those of us that may not know what is, what is the MIA/POW scholarship. Does that cover tuition now?"

von Bergen-Wessels: "Yes. It's for a child of a service person who is a MIA or a POW or who has been permanently disabled from a service connected reason."

Rutherford: "Okay, again just to clarify. This covers tuition, tuition and fees, tuition room and board?"

von Bergen-Wessels: "No, no, just tuition."

Rutherford: "Just tuition."

von Bergen-Wessels: "And certain fees, and certain fees."

Rutherford: "And is this for all state schools? Does it include community colleges?"

von Bergen-Wessels: "Just state universities."

Rutherford: "State universities includes the University of Illinois system?"

von Bergen-Wessels: "Yes."

Rutherford: "And not community colleges?"

von Bergen-Wessels: "Representative, I would have to check because I am not certain."

Rutherford: "Okay, fine, thank you."

Speaker Steczko: "Representative Stephens."

Stephens: "Just a question, Representative. You said that that the recipients may be older and want to return to school...is that..."

von Bergen-Wessels: "Or...begin...perhaps, I mispoke, or begin their college education."

Stephens: "We're not talking about the POW or the MIA, right?"

von Bergen-Wessels: "Their children."

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Stephens: "We're talking about their children."

von Bergen-Wessels: "Right."

Stephens: "Okay, thank you."

Speaker Steczko: "Is there any further 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 is adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "Floor Amendment #14, offered by Representative Ostenburg."

Speaker Steczko: "The Chair recognizes Representative Ostenburg, on Amendment #14. Representative Ostenburg."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is another Amendment pertaining to the regional superintendent of education in Cook County, and what this Amendment does is eliminates the position of the regional superintendent and transfers responsibilities for GEDS to Cook County. It transfers responsibilities for the transportation aspect to the Secretary of State's Office and it transfers the teachers certification portion to the State Board of Education."

Speaker Steczko: "The Gentleman moves for the adoption of Amendment #14. On that, 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, you added this identical about thirty minutes ago to another Bill. Do you really want to do this again?"

Ostenburg: "Representative, this is not an identical Amendment to the previous one."

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Black: "Oh."

Ostenburg: "The previous one was the elimination of the position in and of itself. This Amendment deals with when that position is eliminated, who assumes the responsibility of the various aspects of the office."

Black: "So you're specifying that the Secretary of State will be responsibility for the school bus driver permit, correct?"

Ostenburg: "That's right."

Black: "Maybe we should make that the state treasurer."

Ostenburg: "Pardon?"

Black: "Maybe we ought to make it the state treasurer. So then he could have billboards telling them to register before school starts."

Ostenburg: "That sounds very creative."

Black: "I'm surprised staff didn't bring that up. Then who else works on it? Who else is on the election code? Who's going to administer the high school equivalency?"

Ostenburg: "The GED would go to the county."

Black: "The Cook County Board?"

Ostenburg: "The Cook County Board would have responsibility for determining how they would want to administer it."

Black: "Oh, that's right, and then you say they are going to contract with a private firm for educational testing..."

Ostenburg: "The state board has contracted with a educational testing service for the current year, but I would imagine the county would probably do something similar."

Black: "Okay, and then who's going to register teacher certificates? At that point, you set up an office at Pershing Road and..."

Ostenburg: "That would go to the State Superintendent of Schools' Office. Superintendent Public Instruction."

Black: "You're showing your age when you call him the

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Superintendent of Public Instruction, you know that don't you? Ray Page would be proud of you though. Then the state board..."

Ostenburg: "The state board."

Black: "...handles all certification?"

Ostenburg: "Right."

Black: "And then, what about who's in charge of the fire safety code, those inspections? Are you going to have what, the Cook County Building Commissioner..."

Ostenburg: "Well, yesterday Representative, at the task force on GED, the current regional superintendent testified as to the various duties of that office and he acknowledged in the process that several of those duties, for example, the disbursement of funds to schools and things of that sort, probably would be handled more efficiently without a middle person taking those responsibilities because the directives do come from the state board at this time, so what we're doing is, we're eliminating an unnecessary branch of government so that the individual districts can get the information more directly from the state superintendent's office."

Black: "The last time I checked, I think we had more units of local government than any state in the country, unfortunately, this office does not have any taxing powers, do they?"

Ostenburg: "The state board..."

Black: "The regional superintendent?"

Ostenburg: "The regional superintendent? No, but they have the ability to spend thousands of dollars including thousands of dollars in administrative costs on offices, more than a half million dollars on executive personnel, not counting the others, that just for the superintendent and the three

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assistants."

Black: "Now, I remember, since you brought that up. One of the functions of a regional superintendent, is to administer the in-service workshops, teacher workshop fees and all of that kind of thing that I know you and I use to look forward to, those fall institutes particularly, but who's going to work that now? I mean, who's going to be responsible for that?"

Ostenburg: "I would assume it would be the state board."

Black: "You think the state board would come up and do that?"

Ostenburg: "That would be my understanding that they..."

Black: "The only thing that I'm afraid now...are we going to create a new bureaucracy in the state board? You know, a assistant superintendent in charge of in-service for suburban Cook, for example?."

Ostenburg: "My experience, Representative, and it may be different in different parts of the state, but my experience has always been that really the responsibilities fall to the local school district and it's just a bureaucratic exercise in terms of what takes place at the regional superintendent's level, and that bureaucratic exercise is kind of a link between the state board and the local school district. I think what we're talking about here, is not necessary the need to create a new bureaucracy in the state board because it's already there, but, they will be working directly with the local school district rather than going through the intermediary of the regional superintendent."

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

Speaker Steczko: "Further discussion? Representative Balanoff."

Balanoff: "We've discussed similar...a similar Amendment earlier today for a real long time, and I move just respectfully

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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 previous question is put. Representative Ostenburg to close."

Ostenburg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Once again, I would urge a favorable vote on this measure. I think this is an assurance that these various duties would be carried on adequately and properly in the event that this position is eliminated, which I'm hopeful will take place. Thank you."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #14. All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Representative Hoeft, did you seek recognition? No, the Gentleman does not seek recognition. Please record Representative Ryder as 'no'. Please record Mr. Dart as 'yes'. Representative Lang is 'yes'. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 64 'yes', 46 voting 'no', and the Amendment is adopted. Any further Amendments?"

Clerk McLennand: "Floor Amendment #15, offered by Representative Levin."

Speaker Steczo: "The Chair recognizes Representative Levin on Amendment #15."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #15 strongly encourages newly elected members of local school councils in Chicago to obtain eight hours of training. It amends Amendment #1 which contains a provision dealing with training of local school councils

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which required that prior to taking office a local school council member obtain the eight hours of training. So it's similar Amendment #20 that was adopted to Senate Bill 1595, and encourage your support for this Amendment to correct Amendment #1 in this respect."

Speaker Steczko: "The Gentleman has moved for the adoption of Amendment #15. On that, 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, what's the position of designs for change on your Amendment?"

Levin: "Representative, this...the language for this Amendment was taken from the negotiations on House Bill...I think it was 2107 in the Senate, and they're in agreement with this."

Black: "I noticed that there is a provision in your Amendment that says that the Chicago Board of Education shall not bear the cost of any of the training for the local school council members. If they're not going to bear the cost, who does?"

Levin: "The various...there is at this point...the intent is not to change the status quo in that respect. At the present time there is money that is available to each local school council for purposes of training and..."

Black: "What is the source of that money?"

Levin: "Pardon?"

Black: "What is the source of that money?"

Levin: "That I believe is Chapter One money, that is allocated to the individual school and right now the individual councils have the option of they can ask the personnel of the

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Chicago board to do the training, or they can go to outside to not-for-profit groups for their training. The...the purpose of this Amendment is to deal with the concern that was raised in the language which is in Amendment 1 and is likewise in several other Bills and was in House Bill 2107 which provided that after you had an election and you elected a local school council member, if that member did not obtain training, they would be out of office. And there were many that felt that that was inappropriate that while we want training and set a bad precedent to mandate that somebody who is elected by the voters, could not take office because of something else they were supposed to do. It's like, you know, saying that a Member of this General Assembly would be elected by their voters but couldn't take office because they didn't take a course in parliamentary procedure or Robert's Rules of Order. So this is the compromise language which was worked out in the Senate. This is the same language that was put on to Senate Bill 1595 with Representative Cowlshaw's support, in fact, she offered the Amendment because I was off the floor and it simply seeks to correct the language which is in the omnibus of Amendment #1 in this respect."

Black: "Well, that was kind of a long winded answer to a question about where the money comes from, and you said Chapter One. Chapter One money is basically federal funds for use in school districts that have a significant number of children below the poverty level, isn't that right?"

Levin: "There is state...some of the allocation that we provide is State Chapter One. They both have the same name. Both the federal fund and the state fund."

Black: "Does the state limit the usage of Chapter One money in any way, shape or form?"

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Levin: "Well, you know, it must be used in connection with...directly or indirectly services for the children of that particular school and providing the ability for local school council members to be able to do the best possible job by giving them the information they need to be able to make good decisions is...certainly fits in within that set of parameters. But the intent is not to change, Representative, any of the current funding mechanisms, it's simply to correct the language in Amendment #1 that provides for the...that somebody elected can't take office unless they get training."

Black: "All right, you've brought up an interesting point. How much money is spent in the Chicago schools on training of the local school councils? You know what the total is?"

Levin: "I do not know, no."

Black: "Would it be in the millions?"

Levin: "Pardon?"

Black: "Would it be in the millions?"

Levin: "I couldn't even venture a guess."

Black: "Surely not billions though?"

Levin: "Pardon?"

Black: "Surely not billions?"

Levin: "No, I'm sure not."

Black: "I'm sure not too. Well, all right, I appreciate your explanation of Amendment 15. Thank you very much."

Levin: "I'm sorry, Representative, I was informed that I was incorrect in saying that Chapter One money is used, there is grant money that is used for this purpose."

Black: "Grant money."

Levin: "Yes."

Black: "Like, what kind of grant money?"

Speaker Steczko: "Representative Black, your time is expired. Is

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there any further 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 and the Amendment is adopted. Mr. Clerk, any further Amendments? Representative Turner in the Chair."

Clerk McLennand: "Floor Amendment #16, offered by Representative Skinner."

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

Skinner: "Mr. Speaker, this is a new subject matter that the General Assembly hasn't considered this Session. I always thought that Dillons Role meant that local governmental entity couldn't do anything that the General Assembly didn't allow it to do, specifically allow it to do, and yet we have school districts in the state beginning to want to sell, and beginning to sell bonds which are backed from developer impact fees, but which have a backup of a general obligation on the taxpayers of the local district. What this Amendment says is that if all or part of the principle interest which is to be paid, which is to be collected to pay off these bonds, has to come from the property taxpayer, that there has to be a referendum ahead of time. But in other words, if you believe that bonds should not be sold to build schools without a referendum you should be voting for this ref...for this Amendment. If on the other hand, you think schools should be able to sell bonds without a referendum to build a new school, you should vote against this particular Amendment. I hope I'm joined by four Members under Rule 55(c) to get a record roll call. If you take your hands down from in front of your face, you might see that many people. If there are any questions, I will be happy to answer them."

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

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

Speaker Turner: "He indicates he will."

Lang: "Representative, does this include all kinds of bonds, life safety bonds and other kinds of bonds?"

Skinner: "This has to do with all or a part of the principle or interest of any bond."

Lang: "Any bond? Is that what you said, Sir?"

Skinner: "Yes. That would include life safety too."

Lang: "And under your Amendment, do I understand that the school board could insure the bonds but could not pay for the bonds unless they had a referendum, is that correct?"

Skinner: "Yes. If the bond holders want to realize that they are at risk if there is not enough to development in an area, for the developer impact fees to pay off the bonds, and they want to charge 50% interest in order to recapture that potential risk, that's fine with me, as long as they know they could lose."

Lang: "Well, how do we justify governmentally allowing an elected school board to make the decision to issue the bonds but not allow them the right to determine how to pay for those bonds? Why should we make that decision for them?"

Skinner: "I don't think we've made that decision, but apparently some bond councils do think we've made that decision previously."

Lang: "I'm talking about your Amendment, Representative, your Amendment says that the school boards can go ahead and issue the bonds but they can't pay for the bonds, there's no revenue stream unless it goes, unless it goes to referendum."

Skinner: "I'm saying..."

Lang: "Now aren't you, aren't you the Representative who's always

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hollering on the floor of this House about local control over schools, over siting for nuclear waste dumps and the like? What happened to your views about local controls?"

Skinner: "I don't think I was in on the nuclear waste dump fight, but..."

Lang: "Well, but aren't you a local control person?"

Skinner: "Yes."

Lang: "And aren't you an anti-mandate person?"

Skinner: "Except when the mandates get in my pocket."

Lang: "Except for the mandates given by who, Sir?"

Skinner: "If they get in my pocket, I get exercised. This is a situation where it seems to me that if the school board's bond council who is willing to say, this bond is okay, we think that you'll get paid back, and the school board is basically looking at it as a revenue bond to be paid back from developer impact fees. I guess I'd have to say I'd let the investors roll the dice. If they think there's going to be enough growth in there to pay back a \$7 million school, junior high school, let's say, and they're willing to take that risk, they'll charge an appropriate interest. But I don't think the taxpayers ought to be saddled with the burden of paying for this roll of the dice on the part of the school board and the bond holders."

Lang: "Representative, whatever happened to the idea of a representative democracy? Do we not elect these school board..."

Skinner: "That's the question that this is all about."

Lang: "Excuse me, excuse me."

Skinner: "I'm sorry."

Lang: "...Representative, democracy is one in which the elector elects elected officials to make decisions. Are we going to decide for them what decisions they can make and what

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decisions they can't make?"

Skinner: "We do that continually here."

Lang: "Thank you. Mr. Speaker and Ladies and Gentlemen of the House, to the Amendment. This Amendment is not good government. This Amendment says to a local school board that has been elected locally by citizens, that they can make some decisions relative to these bonds but not others. It says they can issue the bonds but they have to submit to the general public for referendum the decision of how to pay for those bonds and when to pay for those bonds and where the revenue stream for those bonds will come from. Now, I wouldn't agree with it, but if Representative Skinner wished to file an Amendment saying they can't issue the bonds, that would make more sense. But to say they can issue the bonds but require that by referendum only can they pay for the bonds, just doesn't make any logical sense. It's not good government in any way, fashion or form and I would certainly recommend a 'no' vote."

Speaker Turner: "The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. First of all, I rise to a point of order as to whether or not the Amendment's germane?"

Speaker Turner: "Representative Wennlund, the Chair rules that the Amendment is germane, it does deal with the School Code. It is germane."

Wennlund: "Thank you, will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Wennlund: "Representative Skinner, this would even prohibit refunding bonds, is that correct? Refunding bonds? So the school district wanted to go out and save money because the interest rate dropped down from 9% when they had bonds out

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at 9% for a school building, and they wanted to go down...because now they can sell them at a 3% rate, they would have to go to a referendum before they could issue refunding bonds, is that correct?"

Skinner: "I don't think so, Representative, because the bonds would have been approved previously."

Wennlund: "Well, that's not what your Amendment says"

Skinner: "The borrowing would have been approved previously by referendum."

Wennlund: "Your Amendment says any bonds. That would obviously include refunding bonds."

Skinner: "Well..."

Wennlund: "Which would allow school districts to save money for the taxpayers."

Skinner: "You may be correct, you may be incorrect, that certainly was not my intention."

Wennlund: "So, if this Amendment passes, the school districts throughout this state are not going to be able to go in and take advantage of lower interest rates, save money for the taxpayers, in effect, it will have a negative effect on the taxpayers of all these school districts. That's why the Amendment is not a good idea."

Speaker Turner: "The Gentleman from Adams, Representative Tenhouse."

Tenhouse: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill, I guess my real concern here is that this is another case I think sometimes we get into a case of political overkill. I can understand the intent here as far as Representative Skinner's concern is what he's trying to accomplish, frankly, this isn't the way to do it. I've serious reservations and I find myself in an unusual situation being in agreement with Representative

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Lang on this particular issue. I just think we elect our representatives as far as our school boards are concerned, we have to empower them with certain requirements and their also accountable to the taxpayers just like we are. I think even though this Amendment may well pass simply because of the political repercussions, I don't think it's good public policy and I intend to vote 'no'."

Speaker Turner: "Any other questions? The question...to close, Representative Skinner."

Skinner: "Well, two Representatives have indicated that I may be talking about in this Amendment, the wording may be talking about two bonds I really had not considered aiming at, and that may be the case, and I can not tell you one way or the other. I can tell you what my target is. My targets are school boards who sell bonds to build schools and that they promise the bond holders that there will be a flow of income resolving from developer impact fees. Now, there may or may not be enough developer impact fees to pay for these bonds. If there are not enough...if there not...if there's not enough revenue to pay for the bonds, it seems to me that before you gouge out the education fund, that you ought to have a referendum to see whether the people want these bonds to be paid off with general obligation moneys, that is with property tax moneys. If this Amendment doesn't succeed, I will go back and try to draw a narrower Amendment and we'll see you next year."

Speaker Turner: "The question is, 'Shall Amendment #16 to Senate Bill 1144 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. On this question, there are 17 'yes', 88 'noes' and 4 'present',

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and this Bill, this Amendment fails. Further Amendments Mr. Clerk?"

Clerk McLennand: "Floor Amendment #17, offered by Representative Phelps."

Speaker Turner: "Representative, the Gentlemen from Saline, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment adds the provisions that were included in Senate Bill 1186 that creates a new fund the state treasury called the Educational Service Regional Revolving Fund and all the money, deposits and the accounts and the possessions of that fund are subject to the control and disposition of the former regional superintendent of Cook County, should be deposited into this new fund. So the State Board of Education shall account for the educational service regions and maintain the separate funds designated."

Speaker Turner: "Any questions? Seeing none, the question is, 'Shall Senate Amendment...Floor Amendment #17 to Senate Bill 1144 pass?' All those in favor should say 'aye'; all those opposed say 'no', in the opinion of the Chair, the 'ayes' have it. Amendment #17 is adopted. Further Amendments Mr. Clerk?"

Clerk McLennand: "Floor Amendment #18, offered by Representative Hoffman."

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

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This would amend the tuition which are children are attending classes in a county operated juvenile detention center to insure that the juvenile detention center receives proper reimbursement for the days that they are

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serviced in that juvenile detention center. It also would allow if an agreement is met that the regional superintendent could possibly run these programs. What is happening over the past few years, we have not properly reimbursed the detention center for the education that they have provided. This would do that and insure that it is based on a cost basis to those detention centers."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, do you have a juvenile detention facility in your district?"

Hoffman: "Two of them."

Black: "Okay, now let's...that's what I want to focus on. I don't, and it's very expensive to my county because we don't. I would like to debate that and I know you and I would be in agreement on the whole concept of these juvenile detention centers, but anyway, if I have a juvenile from my district who is transported to a center in your district and he or she is going to be incarcerated there for some time, what is Amendment #18 saying? Does Amendment #18 say that my school district pays your school district?"

Hoffman: "No, it says...it could possibly happen that way. It says, #1, that the state reimbursement will be based on a per capita basis. If we then underfund that state reimbursement that could very well be the case, because what's happening now, for instance in Edwardsville, the Edwardsville school district runs the juvenile detention center school program. They are not sufficiently being

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reimbursed but simply by having a detention center in that school district, they are forced to pay for the schooling of children who don't live in the Edwardsville school district. If they were properly being reimbursed from the state, that would be fine. The problem is, they're not being reimbursed fully. If they are reimbur...reimbursed, if they are being reimbursed fully, then it does not cost your school district a dime or the school district where that child came from. If they aren't reimbursed fully, the difference would be made up."

Black: "I think what the critical parts of the language of the Amendment, and you eluded to this, the amount of the reduction, assuming that the reimbursement is not at cost and it probably won't be for awhile, then any amount not covered is going to be charged back to my school district, isn't that correct?"

Hoffman: "Yeah, the school district where that individual resides. So if he wasn't in the juvenile detention center, your school district would have to educate that child."

Black: "Correct."

Hoffman: "And it says, right now it says, that on a cost basis, the state shall reimburse. If we as a General Assembly or the state superintendent of schools, or the State Board of Education does not sufficiently fund that school program throughout the state, then yes, the school district where that child would have been going to school if not for being in the detention center, would have to make up the difference."

Black: "It seems to me that we might get ourselves into a position where we are spending money, and I know that these detention centers are necessary, but where we could be spending money to, excuse me, Representative Skinner about

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broke my knee here, let me see if I can move, it would...I think we're going to get ourselves in a position where many of the local property taxpayers and our local school system are going to see money shifted to a juvenile detention center, and their argument may very well be this, for the kids that are still in the home school district and who behave themselves, they are just simply going to have less money spent on them because it's going to be transferred to those adjudicated delinquents who are suddenly entitled to this extra, not extra reimbursement, that's not...that's an exaggeration, but do you see what I mean I..."

Hoffman: "No..."

Black: "There's obviously some people who are not going to like this one bit."

Hoffman: "Here's where I think maybe we're missing something. You're assuming that all people, all children that are in detention centers would be dropouts. I doubt that would be the case, and they would be in your school district if they weren't in the juvenile detention center, so we would be having to spend money to educate those children, in your own school district if they were not in the juvenile detention center in my district, okay? If they then go to juvenile detention center, the state is going to pick up the vast, the state will pick up the vast majority of that cost. We are saying that if the state does not pick up the entire cost, then that local school district would just pick up that portion, so I submit to you that you still are saving money in your local school district because you're only picking up the difference of educating a child between what the state pays and what the actual cost is."

Black: "Well, I think that's what we need to focus on. The home school district is going to get a per capita cost. The way

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that I interpret your Amendment, you're going to get whatever reimbursement is due the Edwardsville school district to use that as an example, plus you can go back and capture money from the home district so you may get a full per capita cost where as the home district is generally capped at a specified amount of money. We can't just access additional money, we're all reimbursed under our cost. This way, the detention center would seem to me, that they're going to get pretty much get a full cost of that student, either through state reimbursement or from the home district, and the may home district may have to make due even if that student is there with that per capita cost period."

Hoffman: "The idea, and I'll be very honest with you, the idea of legislation is that the property taxpayers of Edwardsville, Illinois, should not...and I'm sure that from your district, Representative, I'm sure that there have been times that probably they have bused juveniles from Danville who are ordered, because you don't have a detention center, to Madison County, so we're saying the property taxpayers from Edwardsville should not have to be paying to educate a child from Danville simply by virtue of having a detention center in the Edwardsville school district. And that's the whole idea. You do pay a per capita, but that's to the detention center. The detention center does not pay for the school program, the local school district pays for the school program and that's where the problem lies."

Black: "How do you arrive...how do you purpose to arrive at the per capita cost of educating that student in the detention center?"

Hoffman: "First of all, if the child is eligible for special education services under Article 14, this doesn't apply."

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They will get sufficiently reimbursed from the state, that's my understanding, and however, if that is not true, and my understanding is a larg...part of the majority of the people in detention centers qualify for the educational services under Art...are special educational services under Article 14. However, if that is not true, we shall...on page two of the Amendment, it is set out specifically how the per capita cost will be calculated. First, we would look at the expenses, the salaries, education supplies and administrative communication costs, et cetera, and then we would also look at the cost to determine what should be deducted from the state reimbursement on account of the education program for the year, not including any offset state revenue, et cetera. So, the per capita cost is specifically set out, how you would make this determination."

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

Hoffman: "Representative, I think that was a sign from the beer distributors asking us to get out of here."

Speaker Turner: "I think your message is well taken, Representative, and maybe some of these flashing lights that are flashing me, will make a move on it. The Gentleman from Kane, Representative Hoeft. I'm sorry, Representative Black, were you through?"

Black: "Thank you very much, Mr. Speaker. I was on the phone, I'm not done. I...first the flood, now the electrical bill isn't paid, I tell you, what you guys won't do, but anyway..."

Speaker Turner: "Actually, actually, Representative, the five minute timer was on eight minutes and..."

Black: "As well it should be."

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Speaker Turner: "...and that may have been the problem, but go ahead."

Black: "Okay, well, let me just close. I...if I could, Mr. Speaker, and Ladies and Gentlemen of the House. I can understand what the Gentleman is trying to do with this Amendment, but for those of you inclined to vote for this and the fact that he has two detention centers in his district, certainly I'm sure causes some financial strain on his home district. I submit to you that this may need a lot of work because it is going, I think, to be interpreted as putting a financial strain on your district. The criteria for cost will not I think will be the same for the detention centers as it will be your home school district. For example, I think the class...the student/teacher ratio is going to be a...probably a great deal smaller. There are other concerns that you have. I know all of us have had this happen when students have been taken out of the home school and sent somewhere else. I reluctantly rise in opposition to the Amendment. I think it is critical that we do more work on this to make sure that we know exactly what the cost impact will be, not only on those communities that have the detention centers, but in those communities who may be asked to pay some of their hard earned education fund dollars for students of theirs that might be in those detention centers. I don't know what the position is of the state board at this time, I certainly don't have any idea of the fiscal impact and until I can get some of that information, I would rise in opposition of the Amendment."

Speaker Turner: "The Gentleman from St. Clair, Representative Hoffman to close."

Hoffman: "Thank you..."

Speaker Turner: "Representative, before you close, the Gentleman

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from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. This is a commendable thing that the Sponsor is trying to do, but it's the same thing that was tried to be accomplished with the Orphanage Act. If you remember correctly, we have orphanages throughout the area, and the state board is not paying its fair share because of our proportional cut backs that we are making in this account. Representative Hicks produced the same type of a Bill but I think he produced it in a much more logical manner. I have spent a day in the juvenile center in Kane County, and I know that the average child there is there for less than three days, and to be able to create a fiscal plan to pay back on a three day basis is extremely difficult. Education today is individualized, each child is receiving different supplementals. It would be almost impossible to sit there and try and figure out what is the per student cost of children who are rotating in and out this system. I would strongly urge that the Representative look at what Representative Hicks did and have the state board pay its full share through an appropriation the following year. I think it would cut out an awful lot of paperwork, I think it is a lot more logical system, and I think it would be something that would be supported by the school systems through out the state."

Speaker Turner: "The Gentleman from St. Clair, Representative Hoffman to close."

Hoffman: "Well, let me just say that I think...I respect both the previous speakers, but I think their comments are extremely shortsighted. Here's what...if you are in an area that has one of the fourteen detention centers in the State of Illinois, you're taking children...are juveniles, juveniles delinquents, violent criminals from everywhere in the

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state, take them off the streets of Danville, take them out of Kane County, take them out of Benld, take them from Litchfield and you're keeping them so they're not violent juveniles on the streets in that area. They're providing a service to everyone in the State of Illinois, so what do you do? What do you do? You say the school District 189 in East St. Louis, you're going to pick up the cost but we're not going to reimburse you. So District 189 in East St. Louis, pays for the cost of educating a child from Carmi, Illinois, doesn't make a lot of sense for the poorest districts in the state pays to educate a juvenile delinquent, violent offender, because they're in the detention center in St. Clair County. If you're the Edwardsville school district, you have to pick up the cost for children who are from other different school districts. All we are saying is, number one, the state should fund them properly and reimburse these local school districts. Number two, if the state does not do it's job, then the district from which that child came, will make up the difference, that's all we're saying. We're saying, you're going to make up a difference. If you're not, if that child is in the juvenile detention center in the education program, he is not in the local school district. Therefore, that local school district is reaping the benefit, a savings by not having that child there. I submit to you, this is something that is reasonable, if you want the 14 juvenile detention centers to keep violent criminals and violent juveniles in their detention centers, they're going to have to reimburse you, and that's what we're asking for."

Speaker Turner: "The question is, 'Shall Amendment #18 to Senate Bill 1144 pass?' All those in favor should vote 'aye'; all

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those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Schoenberg votes 'aye'. Have all voted who wish? The Clerk shall take the roll...the Clerk shall take the roll. On this question, there are 66 'yes', 44 'no', and the Amendment is adopted. Further Amendments Mr. Clerk?"

Clerk McLennand: "Floor Amendment #19, offered by Representative Frias."

Speaker Turner: "The Gentleman from Cook, Representative Frias."

Frias: "Thank you, Mr. Speaker. Amendment #19 to Senate Bill 1144, requires the Chicago Board of Education to allocate no less than \$100 million for the building of new schools to relieve the overcrowding situation in the City of Chicago. This Bill is the result of the school board's negligence to building...to addressing the issue of overcrowding in the City of Chicago. Every school in my district is now operating at over 110% capacity. What this Bill does is, it requires the board to come with a \$100 million. Now, the question is, where is the money coming from? This Bill...this Amendment does not speak, does not direct the board in any specific manner to come up with the money, but I have a suggestion for the board. Since this is a one time expenditure and does not require revenue stream, and I strongly suggest that they get out of the real estate business, sell the property that they own in order to pay for the building of new schools, in order to meet their mandate of providing adequate classroom facilities, providing for a conducive environment for these children to learn in and build these schools to alleviate the problem which is now gone just beyond being over overquoted...overcrowded to severely overcrowded. I've had the opportunity to tour schools in my district where

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the children are being taught in the basements, in boiler rooms, in makeshift classrooms that double as cafeterias, two and three classes being taught simultaneously. Ladies and Gentlemen, this is not a conducive learning environment, this is a responsible Amendment, it's about time we require the board to do what they're suppose to do, and that is build new schools. I move for its adoption."

Speaker Turner: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, its very nice to see you up there in the Chair."

Speaker Turner: "Always a pleasure and always willing to serve, Representative."

Cowlshaw: "Thank you. Mr. Speaker, before I address the Amendment itself, I wonder if I might make an inquiry of the Clerk? Mr. Clerk, could you please tell me if Amendment #5 to this Bill was adopted and if it was or was not adopted, could you please tell me the vote that was recorded? There is a recorded vote on Floor Amendment #5."

Clerk McLennand: "Amendment #5 was defeated, but with the LIS system down, we can not call that vote up at the moment."

Cowlshaw: "All right, I believe that, Mr. Clerk, if you have the availability of those records, it would show that that vote was 52 to 52. That was last Thursday as I recall. At any rate, those of you who voted 'no' on Amendment #5, which was the reorganization of the Chicago public schools, where were you? Where were some of you who may be in favor of this when you had an opportunity to really do something to reform the Chicago schools and give to them smaller school districts with elected school boards? No wonder your school board...the Sponsor of this Amendment admits the school board is a failure, of course it's a failure, it's an appointed body. It has a district that is so immense it

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cannot possibly manage it, it has this enormous amount of bureaucracy and it has a terrible mismanagement of money. Now, we're all aware of that. Now we're...if we were to adopt this Amendment, which by the way I would ask for a Roll Call Vote on this Amendment, and I am joined by a sufficient number of my colleagues to meet the rules requirement for a Roll Call Vote. Thank you, Mr. Speaker. ...adopt this Amendment...what we have done is forced the Chicago Board of Education to issue \$100 million in bonds, we have not made any suggestion about where on earth they are going to get the money to retire those bonds, all we've done is make that financial situation in Chicago worse. Number one, let me point out to you that every year for the last several years, the total enrollment in the Chicago public schools has been going down. Down, not up. Why would we want to build brand new schools, especially when the Bill itself says that these new schools are to be constructed and used not to replace existing schools, no matter how deplorable the conditions of those existing schools, but to instead provide additional classroom facilities, when used with existing schools, will eliminate student enrollment that may exceed in some cases the capacity, original intended capacity of the school. We all understand that in a little over a year, the City of Chicago school system is going to fall off of a \$700 million cliff, and at that point, that board of education and every interest group in the city will be down here looking for still another bail out from Springfield. All this Bill does is increase the amount of money they're going to come down here and ask us to give them. Well, if they wanted money and they wanted help, we should have approved Amendment #5 that was a real chance for reform.

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This is a very bad Amendment and it ought to be defeated."

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

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

I rise in support of Floor Amendment #19. I think the previous speaker was totally in error. The school buildings that Representative Frias is referring to are deplorable, the overcrowding is a real problem. We've got schools with 140% over capacity. The Chicago Board of Education has promised over and over again to do something about the problem. This isn't simply an Amendment filed by Representative Frias in a vacuum. This is an Amendment filed after...as he's described to me waiting for years and years and years for the board to do what they promised him they would do, what they promised his community and other communities they would do, which is take care of the overcrowding in the schools. The fact that declining enrollment exists in the City of Chicago, is not relevant. What is relevant is, there's schools all over the City of Chicago that have 140 and 150% of the number of kids that they should have. They have kids learning in closets, they have kids sitting on the floors. We need to be able to take care of school buildings, to provide school buildings where children can learn in an appropriate environment. The Amendment proposed by Representative Frias will do that. It will say to the board, do what you promised, do what you promised, and what you promised was to take care of the conditions under which these students deal on a daily basis. Be better for students, be better for faculty, be better for administrators, this is what we need to do. We need to make sure that children are in an environment in which they can learn, and teachers are teaching in an environment in which they can teach. I

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think it's a reasonable Amendment to accomplish the goal that the Chicago board promised Mr. Frias, but has yet to deliver. An 'aye' vote is recommended."

Speaker Turner: "The Lady from Cook, Representative Mulligan."

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

Speaker Turner: "He indicates he will."

Mulligan: "Representative Frias, how much did you estimate this would cost, or how much is in the Amendment for this?"

Frias: "One hundred million dollars."

Mulligan: "Did you mention that the...you were hoping that the school board would sell its property or does the Amendment direct the school board to sell its nonschool property in order to be used for this purpose."

Frias: "The Amendment does not require them in any way specifically to come up with the money. My suggestion that, based on the information that I've been able to obtain from Representative Hoeft, that that figure is, the figure that I called for, the expenditure of \$100 million, is at or near the amount of money that the board owns in property and it's my suggestion that they get out of the real estate business, sell the property, it's a one time expenditure. They should be in the business of teaching children, building schools and not managing real estate."

Mulligan: "If the school board chooses not to do that, who then would be responsible for funding this Amendment?"

Frias: "The school board."

Mulligan: "The Chicago School Board?"

Frias: "Yes."

Mulligan: "Have they yet decided to hold a referendum regarding the extra bonding money that we proposed and gave to them, the authority we gave to them last year?"

Frias: "Not to my knowledge."

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Mulligan: "So then, basically it would ultimately happen that they may come back to the General Assembly to look for their funding?"

Frias: "I wouldn't support that. I would...I would...I would...I would once again strongly suggest to them that they sell the property that they own, because that is exactly the amount of money or near the amount of money that this is calling for."

Mulligan: "I think the desire that you have to improve the school facilities in your district is a good thing, but I would suggest that perhaps what you ought to do, is introduce some...an Amendment or a straight Bill that would require the Chicago board to have a referendum placed on the ballot about selling that property in order to fund it and also place a referendum on the board to increase the property tax to properly fund their schools as does my district. I certainly would support an Amendment such as that, I think that would be a good Amendment and I think that that would serve a good purpose. As far as this Amendment goes, it may ultimately fall to the taxpayers in my district who get very little school aid to pay for it, so therefore it would be very hard for me to support. Thank you."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, this is a very, very interesting Amendment. Trying to follow along in what you were talking about with the previous, with Representative Mulligan, I believe. Did I hear you correctly to say, that it's your understanding that the Board of Education of the City of

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Chicago currently owns approximately \$100 million worth of rental or income producing property?"

Frias: "That's my understanding, Representative."

Black: "And you're asking for \$100 million to build badly needed schools in the city, aren't you?"

Frias: "Yes, that's exactly what were asking, we're asking that they be in the business of building schools to properly educate the children, to decrease the dropout rates and to get out of the real estate business."

Black: "A very, very interesting equation. I think however, the weakness in your equation, your Amendment does not specifically ask or require that the board of education sell off its \$100 million worth of rental property, does it?"

Frias: "No, it doesn't, but that would be the most logical and reasonable solution or a way to provide income to finance this Amendment."

Black: "Well I, it makes imminent good sense to me, but in my tenure here, I've not always been impressed with the logic used sometimes by the Chicago Board of Education. I know you would probably agree with that, although I don't want to put words in your mouth. My fear is, that without a direct mandate or provided by law, I'm not sure they would sell their income producing property and then I think unfortunately, we get to the weakness in your Amendment, it does not identify a funding source, correct, for the school construction money? So would you...let's say that the Chicago Board of Education says, 'oh no, we've got to keep this income producing property, it may appreciate in value over the years', what...where would you then tell us how the board of education would raise the \$100 million?"

Frias: "I would Co-Sponsor a Bill or Amendment that would require

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them to do just that."

Black: "Okay, and I..."

Frias: "I would Sponsor an Amendment with..."

Speaker Turner: "Turn on Representative Frias. Go ahead Representative Black."

Black: "Yes, thank you very much. I'd appreciate and would certainly be willing to Co-Sponsor such an Amendment, this however, does not do that. Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House. There's an intriguing possibility with this Amendment, and I know many of us would like to deliver that message as I think the Sponsor would, to the Chicago Board of Education, that it gets a little difficult to educate children in buildings that have broken windows, doors that don't work, plumbing that doesn't function, paint that peels from the floor and all of the other things that I think that have been well documented in the Chicago media about the condition of many of the Chicago public schools. The only weakness in the Amendment is that it does not require them to sell their income producing property. That means that to finance \$100 million of construction would obviously would require some kind of a tax. I think the Gentleman's on the right track. I'm not sure why the Chicago Board of Education is such a big landlord in the City of Chicago, but unfortunately I'm not convinced they would sell that income producing property which the Gentleman has said probably would raise enough money to build a \$100 million worth of new schools or renovated schools, so until I see that language, I must reluctantly withhold my 'aye' vote, because I don't know how the \$100 million would be financed. But I congratulate Representative Frias. I think he's on the right track and

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I think the message, if it isn't being received by the Chicago Board of Education, it should be received and should be received very clearly."

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

Santiago: "Thank you, Mr. Speaker and Members of the Assembly. I rise in support of this Amendment. It is a very unique idea and it is an idea that we must consider because it is an idea with a message and a strong message to the Chicago Board of Education that what they're doing to these children in our neighborhood, it is not educating them but it is...what they're doing, their committing a crime because when you put a child in a school environment where you have a school that is, that has about 110 to 120% of its capacity, you're committing a detriment and a crime to that child. In order to have a very right learning environment, you must provide that child with an environment that is conducive to his education, and by putting children in a room and stack them up like a can of sardines, you are committing a crime and it is a shame. And I ask each and every one of you here that has a child in a school system here, anywhere in the State of Illinois, do you want your child to be taught in a closet? Do you want your child to taught in a hallway? Do you want a child to be taught in a lunchroom? Do you want your child to be taught in a mobile classroom, where in the winter the kids have to put their coats on because of the many holes and the wind coming into those classrooms? Well, if you like your child to get an education in that kind of environment, then you will vote against this Amendment. But if you want your child to have...to be educated in an environment where that child is going to expand his

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educational ability, then you must provide as a Legislature, an opportunity for that child to be educated as required by the Constitution of the State of Illinois and the Constitution of the United States that we must provide every child, whether in public schools or parochial schools, with an equal opportunity to learn just like any other child in the State of Illinois. So, if you believe in equity and in fairness, you must stand up and put a green vote up there and say, we want to help the kids in the State of Illinois and provide an equal education to all the kids whether they're in the City of Chicago or anywhere in the State of Illinois, so I request and hope that you will consider voting 'yes' for this Amendment. Thank you very much.

Speaker Turner: "The Gentleman from Kendall, Representative Cross."

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

Speaker Turner: "The Gentleman moves the previous question, all those in favor say 'aye'; all those opposed say 'no', in the opinion of the Chair, the previous question is put. The lights that are flashing will be able to explain their vote in the explanation of votes. The question is, 'Shall Amendment #19 pass to Senate Bill 1144?' All those in favor should vote 'aye'; all those opposed vote 'no'. Voting is now...the Gentleman from Will, Representative Meyer, one minute to explain your vote."

Meyer: "Thank you, Mr. Chairman, and quite frankly I'm disappointed that I'm only explaining my vote instead of asking a couple of questions because I did have what I feel are legitimate questions to ask and maybe the Representative could nod his head, help me better understand the issue here. Did the school board in Chicago

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promise to build more schools for you and has not delivered, this might...? Okay, I would just like to speak to the suggestion that possibly more schools...some of the school's property could be sold, the rental property. Last summer I, along with other Representatives from this side of the aisle, visited the school board in Chicago and we were told that those school properties did not have the value that would be...that they could command because they had been leased out on long term leases, and they were leased at the low market rates in terms of the investors what they should expect as a return now, and so, that is not a good...according to your school board, it's not a good method of funding those schools. My concern is that the school district will be right back here asking for more money from this Body in order to bail out the Chicago schools. I agree with you that we do need to provide good schools for our children to go to, but we also need to have a school board that is responsible and responsive to the people that they serve, and that's the people of the City of Chicago. All I can ask is what do you expect when you have a school board that..."

Speaker Turner: "The Gentleman from Kane, Representative Hoeft. One minute to explain your vote."

Hoeft: "Last year, Mr. Meyer's, Representative Meyer, was in the same bus that I was, and we asked to see Chicago schools, three of them. Twenty three Representatives started at Pershing Road, and we couldn't 'pay'...the Chicago public schools were leading us to these schools. They couldn't find one school, not one, and we drove through the...Chicago trying to find these schools. They didn't want us to see these schools. If you've been in some of the Chicago public schools, you understand the deplorable

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conditions. You can't educate under these circumstances. I salute the Gentleman for bringing this up, and I say to the Chicago public schools, are you listening? When will you respond? We've asked, we've asked, and that's why in desperation this Amendment is brought forth. I repeat Chicago, the public schools, are you listening?"

Speaker Turner: "The Gentleman from Rock Island, Representative Brunsvold, one minute to explain your vote."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand with Representative Frias to support this Amendment. He is co-chair of the task force on Chicago schools. We have been meeting...the first meeting we had in Chicago was with the Finance Administrator to try to find out where the money is going. Tomorrow we are going to have the second hearing from the school board's perspective on where that funding is going. I applaud the Gentleman for trying to do something in his area and in Chicago to try to improve the buildings there. And yes, it is the people's responsibility in Chicago to take the blame for their school system and I think Representative Frias is trying to point that out to the people in Chicago that this is their responsibility. They should take a close look at what's going on there with their school system, and fix it. Representative Frias I support your Amendment wholeheartedly."

Speaker Turner: "The Gentleman from McHenry, Representative Skinner, one minute to explain your vote."

Skinner: "I've been trying to find the bogey man in this Amendment, and I can't find it. It doesn't say if there is \$100 million that's going to come out of our pockets outside of the City of Chicago. It says there's going to be \$100 million earmarked first in the Chicago school

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budget and the Chicago School Board could decide to cut \$100 million from anyplace else it wants to. Well, that's not my problem, that's the Chicago School Board's problem. Why should I care. The Gentleman is trying to make a point with the Chicago school board, it seems to be a valid point. If he wants to make additional points, I'd be happy to support them as well."

Speaker Turner: "The Gentleman from Cook, Representative Kubik, one minute to explain your vote."

Kubik: "I too rise in support of the Amendment. I think Representative Frias has hit the nail squarely on the head. I'm well aware of the problems that he faces in his community with the overcrowding. This Amendment is not perfect, and I would love to see an Amendment which would say they've got to sell this property. But I think at the very least, at the very least, this sends the strongest possible message to the Chicago school board, that this is a priority. You cannot have kids learning in bathrooms and broom closets. You've got to provide schools that they can learn in. So, I think the Gentleman has a good Amendment, and I heartily support it."

Speaker Turner: "Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. On this Amendment, there are 76 voting 'yes', 32 voting 'no', 1 voting 'present', and this Bill...the Amendment passes. Further Amendments, Mr. Clerk?"

Clerk McLennand: "Floor Amendment #20, offered by Representative Phelps."

Speaker Turner: "The Gentleman from Saline, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, I withdraw #20."

Speaker Turner: "The Gentleman withdraws Amendment #20. Further

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Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Turner: "Third Reading. On the Order of Concurrence Calendar, we have House Bill 3518, Representative Woolard. The Gentleman from Vermilion, Representative Black."

Black: "Well, I have an inquiry of the Chair."

Speaker Turner: "Yes, Sir."

Black: "What happened to Amendment #20?"

Speaker Turner: "The Gentleman withdrew Amendment #20."

Black: "Oh, kind of an advisory referendum, okay, I understand."

Speaker Turner: "That, or the beer distributors got a hold of him. Representative Phelps."

Phelps: "If the Gentleman would like, I could accommodate him if he wanted to cooperate on just a little maneuvering of parliamentary procedure, if Representative Black wants to hear #20, we can do that."

Speaker Turner: "That Bill is out of the record right now, I don't think we can go anything at this point. He says he's ready. Little late fellows. The Gentleman from Williamson, Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to nonconcur on Senate Amendment #1 to House Bill 3518. I think there's been a consensus of all parties involved in this process that the clerks and the school people are in agreement that the language maybe as ill drafted and a nonconcurrence would be in order at this time."

Speaker Turner: "The Gentleman moves that the House nonconcur to Senate Amendment #1 to House Bill 3518. All those in favor should say 'aye'; all those opposed say 'no', in the opinion of the Chair, the 'ayes' have it, and the House does nonconcur with Senate Amendment #1 to 3518. The next

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Bill is House Bill 3587, Representative McAuliffe. Representative Saviano is going to handle that Bill and instead. Read the Bill, Mr. Clerk. It's concurrence. The Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker. All right, I think we've got this Bill straightened out with the Amendments. Back...to get...the...jist of the original Bill, this amends the State Police Act by requiring State Police Merit Board to award back pay to officers who are found not guilty in a suspension hearing, or who have served a period of suspension greater than that prescribed by the board. The Amendments to the Bill. Senate Bill 1, amends the State Treasurer Act to allow the state treasure to enter into agreements with banks to provide services in the state buildings which include the Capitol...on down. Senate Amendment #2, amends state Employee Housing Act to allow state departments develop policies and procedures concerning housing for state employees, and to file the appropriate reports on those housing procedures. Senate Amendment #4 and 6, are intertwined, and those amends the Illinois Uniform Peace Officers' Act to require that a police officer be informed in writing of his or her rights in an investigation not less than three days before interrogation. I would ask that we concur with the Amendments and look for a favorable vote. Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendments 1, 2, 4 and 6, to House Bill 3587?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. This Bill, there is 107...Representative Johnson votes 'aye'. On this

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question, there are 108 voting 'aye', no 'noes', no 'presents', this Bill, having received the required number shall be hereby declared passed. On page 4, Government Programs, Third Reading, we have Senate Bill 1510, Representative Daniels. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1510, a Bill for an Act concerning taxation. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1510 would amend the Property Tax Code to add in the definition of aggregate extension, the Property Tax Extension Limitation Law within the code, amounts of extensions to pay principle or interest on general obligation bonds issued without referendum under the Park District Code, the Chicago Park District Act, or the Downstate Forest Preserve District Act. Once included, the aggregate extension would be limited in growth by the lesser of 5% or the rate of inflation. What this Bill does, essentially, is to bring non-referendum bonds under the tax cap. At the present time, due to the legislation that was passed a few years ago, did not include non-referendum bonds in the cap and so as a consequence, when those bonds expired they would have to go to referendum. I would...I would say to you, this is a reasonable Bill which is a...an attempt to try to make tax caps a very livable and reasonable proposal. I would also point out that forest preserve districts and park districts are a little bit different than municipalities, educational facilities such as schools, et cetera, because about 60% or better of their budgets are usually contained with short-term roll over non-referendum bonds. They use these bonds for maintenance of facilities. They use these bonds

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to upgrade park...playgrounds and those sorts of things. So, what this Bill will do is to bring non-referendum bonds under the cap and then limit the cap. I'd also point out that one of the strongest advocates of tax caps have been the Taxpayers Federation of Illinois. They are neutral on this Bill. They understand that this is a realistic solution to the problem, and although they support tax caps strongly, they believe that in this instance it is something that we ought to consider and we ought to pass. So, I'd be happy to respond to any questions you might have and would appreciate an 'aye' vote on Senate Bill 1510."

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

Currie: "Thank you, Speaker and Members of the House. I rise in strong opposition to this measure. There is no question that this Bill creates a substantial loophole in the collar county tax cap that was adopted with such enthusiasm by the Sponsors of this measure a mere two years ago. The question of non-referendum park district bonds was addressed when the Governor's Office drafted the tax cap proposal for the collar counties. The Governor said 'no' then; I assume the Governor would say 'no' now. It's hard for me to see how those of you who rode the tax cap issue to victory at the polls, those of you who told your homeowners that property taxes are now capped in your neighborhoods, could possibly support a measure which does a disservice on exactly that same ground to those same taxpayers. Is it your bet that the taxpayers won't notice what you've done? Is it your idea that you can continue drafting the campaign brochures that tout your support for tax cap imposed by the people in Springfield on your local government? I don't think you can have it both ways. If you're for the tax caps, if you were for them then, if your

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campaign literature says you're for them now, the only way you can legitimately vote on this measure is 'no'. I'm not a supporter of tax caps, but I finally...finally concluded that those Legislators and the Governor representing the collar counties knew something that I didn't. We were prepared two years ago to give your people tax caps. Now you've got them, and I hope that you can learn to live with them. The only right vote is a 'no' vote. Those of you who tell your taxpayers you're sticking up for them had better be red on Senate Bill 1510."

Speaker Turner: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Two years ago, for those people who are freshmen, we sat here for 19 days in July. The people of this state were held hostage. There was no budget. We sat here for 19 days in overtime for one reason and one reason only: property tax caps for the suburban collar counties. Make no mistake about it, this is an exception to the cap. Those 19 days two years ago were used for the cap and that was all. Wasted the taxpayer's money, wasted per diem, wasted holding the people without any checks. And now we come around today two years later and we ask for an exception. Is it for education? No. Is it for other vital programs? No. It's for park districts. If this is the most important thing to except from the property tax cap, then our priorities are certainly wrong, and this is indicative of our false sense of priorities. There should not have been a cap, but it was gone; it is given. And now we start drawing exceptions, but not for education but for park districts. It's simply wrong, and I ask for a 'no' vote."

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Speaker Turner: "The Lady from Cook...no, from Lake, Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this piece of legislation. And it's true all of us have to set priorities and when we come down here we try and address all of the problems that are given to us, but we don't very often get an opportunity to address issues that apply to the front-end of the problem. This is part of the solution to some of the problems. Listen to this quote from the Chicago Sun Times from last Thursday. 'Calls reporting juvenile crimes in Phoenix, Arizona decreased by 55% when recreational facilities stayed open until 2:00. Crime dropped 90% in Philadelphia area after vacant lots were cleaned and gardens planted. Juvenile arrests decline by almost one-third in Fort Myers, Florida after the city began a youth academics and recreation program. Crime decreased after an abandoned recreation center was opened in Newark, New Jersey.' The park districts in this state speak to the quality of life. They do not get the same kind of funding that other...that other districts get. I would urge an 'aye' vote, try applying our...our vote to the front-end of the problem."

Speaker Turner: "The Lady from Cook, Representative Mulligan, one minute to explain..."

Mulligan: "Thank you, Mr. Speaker. I, too, rise in support of this. Last summer I did a survey in my district of why people moved to the 55th District. The number one reason was the educational opportunity; the number two reason were community services. I think that...part of the reason I would support this can best be expressed in reading an excerpt from a letter that I received today from a

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constituent who is not a park district board member, and many of our park district board members, particularly in Cook County, are lobbying hard in anticipation of possible tax caps in Cook County. I read from the letter: 'I am distressed by news articles that inform me certain lawmakers promise to oppose the tax cap break for park districts and see recreation as a fringe benefit when compared to other governmental needs in society. In my opinion, this is a short-sided viewpoint. As a homeowner, I'd like to ask local government entities to be fiscally responsible and to hold down taxes wherever possible. I do not, however, want to tie their hands making it impossible to continue to provide the services which I have come to desire and expect. In today's world we are seeing increasing gang activity, vandalism, killing, mental and physical illnesses. If exercise, recreation and relaxation can help to significantly reduce these ills (and it has been proven that it can), then I wouldn't call it a fringe benefit. Therefore, the cost to create and maintain these programs and to build and maintain the facilities that house these programs needs to be given a funding source. Please vote 'yes' on Senate Bill 1510.' I'm going to vote 'yes' on this to protect the values of the homes in my area, to enhance the communities where we live and to provide benefits for the people in our communities. I think this is a good vote. I think it was intended to be an exclusion on the other parts of the tax cap. I was not here when this was passed, so it's not my problem that you sat here and fought, as we have this year, on rather trivial issues compared to what may be important to the lives of people because they're political and rather not to what's benefiting society and our community. Therefore, I

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would support this Bill and strongly urge that everyone else do so."

Speaker Turner: "The Gentleman from Cook, Representative Balanoff."

Balanoff: "Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to Senate Bill 1510. Not only as some of the previous speakers have said, it is a loophole in the tax caps, but it is really disingenuous of all those who say that they support it...have supported and support tax caps. You can't have it both ways. This will be a property tax increase without a referendum. Make no mistake about it. You're not going to fool the voters."

Speaker Turner: "The Lady from Cook, Representative Krause."

Krause: "Thank you, Speaker. I also rise in support of Senate Bill 1510. One of the things to really focus on here is the benefits that our local governments provide to the citizens and the quality of life of the communities that we represent are greatly enhanced by the type of projects that can result from the provisions of this Bill. I also am a supporter of the tax caps that are proposed in our county for in November. But, in addition, I believe that this Bill has a great deal of merit that can be added to assist our communities. There are, as has been stated by the Sponsor of this Bill, there are certain limitations nevertheless that are put into this Bill as far as the principle and interest cost that cannot exceed the 5% or the CPI. And when you weigh it and the pluses and the minuses, it is very clear that the provisions of this Bill will bring benefits back to our local communities that our park districts in our districts, and certainly in my district, act judiciously as far as controlling their expenses. They do have to rely heavily, exclusively on the

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property tax and this Bill is what is needed in order to continue the benefits that the park districts bring as well as the quality of life that they bring to our communities, and I join with the others in urging a 'yes' vote."

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

Skinner: "Mr. Speaker, if we pass this Bill, Senate Bill 1510, we're going to vote...be voting to gut Governor Edgar's tax cap. This is not just a loophole, this is gutting it. Number two, if you vote for Senate Bill 1510, you'll be voting against a \$72 million real estate tax cut in the collar counties. Number three, if you vote 'yes' on this Bill, I think you're going to be voting to put Governor Edgar into the position of vetoing his strongest reason, that is vetoing or signing, his strongest reason for re-election in the collar counties. Let me tell you the hit piece that I'd do if I were doing the direct mail against you. It would say, 'Representative X voted to keep your park district and forest preserve district taxes from going down 42%; some friend of the taxpayer he is or she is'. Now what is the Republican Party trying to do here? Are they trying to create hari...commit hari-kari? They're taking the strongest argument...the absolute strongest argument Governor Edgar has to re-election in the strongest Republican areas and they're saying, 'Oh gee, we don't care'. Well, I know a little bit about the history of this Bill because it was passed by the State Senator from Crystal Lake, Senator Karl Berning was the Representative of Crystal Lake in the late 1960's. And he came home and bragged to a local Crystal Lake country club meeting of local Republican politicians that he just passed this great Bill. It was going to allow park districts to sell bonds,

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to borrow up to 5% of their assessed valuation without having had a referendum. Now, I wasn't at that meeting, but my father was. And he went up and said, 'Karl, you think this is good? What happened to voter control of local taxes?' Well, obviously it went down the drain. However, two years ago (that is four years ago, I guess it was or three years ago whenever the tax cap was passed) the tax cap did two things: One thing people know about and that is it said that the extension of the real estate taxes for each individual district in the collar counties couldn't go up more than the cost of living or 5% whichever was less. It did a second thing, however, which most people don't know about and which this Bill is attempting to repeal. It ended non-referendum bonds in the collar counties. It gave the power back to the people where it ought to have been...where it ought to have been, well where it should be always, back with the people. Well, I have a list here for those of you in the press corp who want to know how much each park district and forest preserve district in the collar county is going to have its tax bill not cut by, but let me just talk about the biggies. The biggies are the forest preserve districts. The DuPage County Forest Preserve District, if this Bill passes, what's going to happen to DuPage County taxpayers? Their forest preserve tax bill will not go down 35%. It will go down 39% if this Bill fails. Thirty-five million dollars in taxes that would disappear and couldn't ever be levied again without a referendum will stay on the books, my guess is. In Kane County, it's even worse. There would be a 45% cut in the forest preserve tax rate, \$8.6 million. In Lake County gets a 40% cut, \$14 million. In Will County, it's an astounding 48% of the tax rate of the Will

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County Forest Preserve District, \$12.9 million. Well, it does one other thing. This Bill absolutely says that park districts are more important than any other tax district in the collar counties. They're more important than schools. They're more important than cities. They're more important than local roads. They are the most important tax district in the entire five county area. You may agree with that; if you do, you'll vote 'yes'."

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

Lang: "Thank you, Mr. Speaker. I hate to follow such eloquence. Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to Senate Bill 1510. Many on the other side of the aisle who have been speaking in favor of this, talk about the quality of life and have been trying to make this an issue regarding whether we value parks, whether we value the good things in our communities. This Bill has nothing to do with that. This Bill has to do with an exemption to property tax caps. We're all for parks. Those of us who will vote red on this are for parks. We want our parks to be strong. The allegations that good...parks that are stronger and stronger are going to reduce crime in our communities by 90% are kind of silly. But we're for parks. We're for recreation. We're for giving kids and adults and seniors something to do. A red vote on this does not mean you're against parks. Let me tell you what a red vote means and why you should be voting red. A red vote means that you know what's gone on in this Legislature on the issue of caps. You know the Legislature was held hostage on the issue of caps. You know that there are those on the floor of this House, on the floor of the Senate, and the Governor of the State of Illinois that wanted caps. Well,

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if you want caps, you've got to want them all the time. If you want caps and you're a Legislator who's consistent that says what you mean and mean what you say, then you're for caps all the time, not selectively, not when it suits your purposes, not when an interest group says you should not be for caps in this situation, no matter what the cause, no matter what the cause because people are yelling and screaming on the floor of this House about how their beleaguered property taxpayers need caps and that we should take the power away from park districts and schools and other elected officials in your local communities and we're going to impose these caps because we know in Springfield what's best and we know in Springfield what they should do in each local community, in each of the many taxing districts in Illinois to accomplish these great goals which is saving taxpayers money. Well, if you were for it then, you ought to be for it today; and if you're for it today, you ought to be for it tomorrow. And those of you who have decided now that caps are not the way to go, then instead of this Bill, let's see a Bill to do away with the caps. Let's see a Bill to say to local elected officials, 'You were elected to make decisions. We want you to make those decisions and we are not going to make those decisions for you in Springfield'. If you believe in caps, believe in them from your heart, believe in them from your soul, and believe in them all the time. Voting green on this Bill means you don't believe in them all the time. You are not consistent and that your previous votes on caps were lies to your constituents. Be honest, be fair, be for caps or be against caps. If you're for caps, you know how to vote on this Bill. I'm voting red."

Speaker Turner: "The Gentleman from Rock Island, Representative

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Brunsvold."

Brunsvold: "Mr. Speaker, thank you. I'd like to yield my five minutes to Representative Skinner."

Speaker Turner: "The Lady from Champaign, Representative Prussing."

Prussing: "Thank you, Mr. Speaker. The hour is late, and I move the previous question."

Speaker Turner: "The Lady moves the previous question...asks, 'Should the previous question be put?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, the previous question is put. The remaining flashing lights will be allowed one minute to explain their vote. Representative Kubik, to close."

Kubik: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, first of all, want to say that I'm very heartened...heartened by the overwhelming number of taxpayer advocates we have converted today, and it's very good to see that. I never thought I'd see that day, but it's wonderful. It's not all bad, is it? Let me say that what we're voting for today is a limitation on extensions. What we're saying is that those extensions should include bonds, and that I don't think is a difficult concept to understand, especially, especially when park district budgets are 60% bonds. There are no other units of government that have that percentage of their budget in bonds. Secondly, park districts do not receive sales tax. They do not receive state aid. They do not receive fees from the...the state government. They rely solely on property taxes. That is the only thing that they...that is the only way that they get their money. This is an attempt to craft a reasonable approach to the tax cap, and I think

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it is reasonable because it will provide a limitation on the increases in bonding authorization and budgets. I might also point out that this Bill includes not only operating expenses but bonding authorization, so it is pulled together. Finally, a previous speaker said that we, by enacting this Bill, are saying that park districts are the most important unit of government. I don't think that's the case at all. I think what we're saying is that when we passed this Bill a couple of years ago, we did not realize the impact it might have on park districts. And we, is there anybody in this House, is there any piece of major legislation that has gone through this General Assembly that has not been altered at some point in time? Was any legislation, whether it be Build Illinois, whether it be the Education Reform Act, whether it be the Utilities Code, any one of those Bills was further amended a few years down the line to make sure that it met with some reasonable standards? That's all we're doing here. We're providing...I would say to you that this is a vote for limitation. This is a vote to keep park districts within the property tax cap, and I would appreciate your 'aye' vote. Thank you."

Speaker Turner: "The question is, 'Shall Senate Bill 1510 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. The Gentleman from DuPage, Representative Johnson, one minute to explain your vote."

Johnson, Tom: "Yes, the hypocrisy around here is getting very, very strong. We are to say that we are never to change any legislation or perceived legislation in this chamber. Well I hope the speakers on the other side of this aisle remember when it comes to casino boats that when the Mayor

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of the City of Chicago asks that the casino boats not be included for the City of Chicago that when they come back up here again for a vote, may those people never change their mind. All I'm saying is let's be responsible here. Let's all of us be responsible. Let's look at the legislation in terms of what is necessary for our constituents and for the people of this State of Illinois. Thank you."

Speaker Turner: "The Lady from DuPage, Representative Cowlshaw, one minute to explain your vote."

Cowlshaw: "Thank you, thank you very much, Mr. Speaker. There were some excellent remarks made by my colleagues earlier, and I would add to them that I have a very strong concern because of the area where I live as to the conservation aspects of this, and, in particular, the preservation of open space. You would feel the same way if you lived in the fastest growing area in all of Illinois. But none of those are the reasons to vote 'yes' on this Bill. The only coinage we have to spend here is our word and when this was negotiated originally, the language in this Bill was suppose to have been included. That was the understanding and somehow when the language was put together in the dark of night, the actual Bill emerged without this language being included. We agreed to this through our negotiators. As far as I'm concerned, it's a matter of ethics, and the only ethical vote is..."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins, one minute to explain your vote."

Biggins: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to explain my green vote for parks. The...I received letters, as most of us did, from all over the state. Park districts throughout Illinois wrote

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Legislators and asked for their support for this Bill. It's a bipartisan support. It should be, and I'm proud I voted 'yes'. I can understand the other side of the aisle being a little confused about tax caps because they haven't been wearing them. They didn't support them in the first place. They don't know the good that they are doing and they will continue to do. So, saying all that, I'd like to announce that tomorrow the property tax cap caucus will have its team photo taken in the well. Extra film has been ordered to accommodate those on the other side of the aisle that tonight are speaking so positively about them. So, we'll all get in the picture together tomorrow."

Speaker Turner: "The Gentleman from Kankakee, Representative Novak, one minute to explain your vote."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, I'm a major supporter of parks and conservation, and I think the State of Illinois has lost thousands and thousands of acres of wetlands as well as open spaces. That's probably one of the reasons why I very (and I'd like to underscore this word) reluctantly rise in support of this Bill. I'm not asking my colleagues on this side of aisle to support this Bill, but I think that Illinois needs more open spaces for its citizens in the State of Illinois. The unfortunate part of this whole situation is the scenario and it's especially embarrassing. If I were a Republican that sat on that side of the aisle in 1991 after 19 sweat, sweaty hot July days when we should have been home taking care of our constituents when we were at an impasse at an intolerable situation and we said, 'Yes, I was one of those 72 votes that voted for the tax caps as much as I did not like them'. Now, the hypocrisy is unbelievable. I cannot believe this."

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Speaker Turner: "The Gentleman from Cook, Representative Levin, one minute to explain your vote."

Levin: "In explaining my 'no' vote on this legislation, I can't believe people arguing that two years ago Doug Whitley and the others that crafted the tax caps made a mistake. They knew exactly what they were doing. Doug is an extremely knowledgeable individual. He went on after being the head of the Taxpayers Federation to being the Director of Revenue, and he knew what he was doing and you all knew...we all knew exactly what was going on. This is the first Bill to come out of the Revenue Committee to open up tax caps. Parks are great, but so are schools, so are municipalities. There's a whole list of services we would like to be able to provide. The bottom line though is you're going to raise property taxes, and that's what tax caps are supposed to prevent. Now, you can go back to your constituents and say you voted to raise their property tax \$500 or..."

Speaker Turner: "The Gentleman from Cook, Representative Schoenberg, one minute to explain your vote."

Schoenberg: "Thank you...thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's been a lot of styling and posturing on this issue, but this is hardly the dunkirk on property tax caps. I am a consistent supporter of property tax caps, as are many of my colleagues in the suburbs, and, frankly, I'm disappointed not to see all the suburban Members voting for this whether they're Democrats or Republicans. This isn't Armageddon either, and Mr. Kubik is absolutely correct. I couldn't think of a better way of saying that this does not circumvent property tax caps, and that's why I'm supporting this measure, and I feel it's entirely consistent with my support of property tax caps."

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Speaker Turner: "The Gentleman from Vermilion, Representative Black, one minute to explain your vote."

Black: "Yes, thank you very much, Mr. Speaker. Just to explain my vote. A previous speaker on the other side of the aisle, and much of the debate centered around consistency and not changing your mind, I find it absolutely amazing that Representative Levin could get up and talk about how horrible this Bill was, et cetera, et cetera, et cetera, when he as Chairman of the Revenue Committee in which this Bill was reported from, voted 'aye' on this Bill in committee. Then he gets up on the floor of the House and makes some kind of an impassioned plea about why everybody should vote 'no'. Well, he must have seen the light in only a few weeks because as Chairman of the Revenue Committee he thought it was such a good idea he voted 'yes' in committee and then turns around and chastises everybody who voted 'yes' while they sit here on the House floor. Well, my congratulations to him. I suppose he's seen the light. He has seen the light. Maybe he's been to Teutopolis."

Speaker Turner: "The Lady from DuPage, Representative Biggert, one minute to explain your vote."

Biggert: "Thank you, Mr. Speaker. I also support this Bill. I'm concerned with the reference to the political ramifications of this Bill. I think we are here to represent the people of our district and no vote should be made on how it's going to reflect on us politically and I don't think we should be discussing those issues on the floor. Rather, it's what's best for our district. I'm also concerned that there seems to be this feeling that we cannot vote or make any adjustments to the tax caps. We make adjustments to legislation all the time. That's what we do here all the

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time. I am in support of this Bill."

Speaker Turner: "The Gentleman from DuPage, Representative Daniels, one minute to explain your Bill."

Daniels: "Take the Bill out of the record, Mr. Speaker."

Speaker Turner: "Representative, the rules provide we're in a middle of a roll call, I don't think you can take the Bill out of the record. The Gentleman from Vermilion, Representative Black."

Black: "I think if you'll take a look at the rules, the Bill...the Bill is under the chief control of the Sponsor until the record is taken. Now this isn't anything new. Hey, those of you over there playing clowns listen up. Your rights are just as much at stake here as mine. All right? You have the right to take your Bill out of the record and many of you have done so when you see it isn't moving. Now let's not be blatant in discrimination here. The Chief Sponsor has the right to control his or her Bill. No record has been taken. Many of you on that side of the aisle have taken your Bill out of the record. I can name one right now and she knows I'm looking at her. Now, what's fair is fair and what's right...take the Bill out of the record."

Speaker Turner: "The Gentleman from Will, Representative Wennlund, for what reason do you rise?"

Wennlund: "Mr. Speaker, we're talking about Rule 35. The Chief Sponsor may request the consideration of a Bill be deferred when it's called on the order of any business and no result has been announced. The Chair has not announced the results and ordered the Clerk to take the record. The Chief Sponsor has the right to control it and he has removed it from the record, and I demand that it be done right now. Live by your rules. Change them if you want to

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change them, but live by them."

Speaker Turner: "The Gentleman from Cook, Representative Lang. The House Rules, Rule 38(b), Representative...the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. House Rule 38(b), 'on final passage after the question has been put and the roll call is started, a Bill may not be taken from the record'."

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

Black: "All right. Many of them are now calling, take the record because you know damn good and well that you've done this before and you've done always for Members on your side. You did it last week. You did it last week. You know it's just absolutely amazing how all the defenders of liberty on that side of the aisle can be riled, riled when our rights are threatened, but oh my god, what if your rights are threatened? You took a Bill out of the record just last week for one of your freshmen Members. You're like, I can't believe, particularly with you in the Chair, Mr. Speaker, that time and time again you simply resort to whatever is convenient to your particular agenda. We have always, you did it last week, you let a Democrat take a Bill out of the record because it obviously wasn't going to go anywhere, and yet all of a sudden now, we're going to stand on the rules. It's...I find it amazing how when the rules benefit you, we will follow the letter of the rule, but when they don't benefit you we'll bend them any which way. I'm absolutely amazed at the lengths you'll go to, to not only embarrass the Minority but to double cross the Minority, and that's not a term of endearment."

Speaker Turner: "Representative, your remarks will so duly...will so duly be recorded. I do understand how the rules change."

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Unfortunately, I was not in the Chair when those changes were made, and the ruling...from the rule book at this point, and we're going by Rule 38(b) says that, 'when a Bill is on final passage and after the question has been put' (and the question was put) 'and the roll call is started' (and it is started) 'that a Bill may not be taken for (sic - from) the record'. Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. On this question, there are 48 voting 'yes', 60 voting 'no' and 3 voting 'present'; and this Bill...the Gentleman from Cook, Representative Kubik."

Kubik: "I believe this Bill has the requisite number to be put on...placed on the Order of Postponed Consideration. I would ask that it be placed on Postponed Consideration."

Speaker Turner: "The Gentleman is in his right to ask for Postponed Consideration, and the Bill will be placed on Postponed Consideration. The Gentleman from Clinton, Representative Granberg. Agreed Resolutions, Mr. Clerk. We'd like to make a few announcements before you leave. We want to remind the Members to check out of their hotel rooms tonight, that there will not be a Session on Thursday, to remind you that you are to check out of your rooms tonight. Agreed Resolutions."

Clerk Rossi: "House Resolution 2947, offered by Representative Zickus. House Resolution 2949, offered by Representative Younge. House Resolution 2950, offered by Representative Younge. House Resolution 2951, offered by Representative Ryder. House Resolution 2952, offered by Representative Ryder. House Resolution 2953, offered by Representative McAfee. House Resolution 2954, offered by Representative Irwin. House Resolution 2955, offered by Representative Dart."

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Speaker Turner: "Representative Granberg moves the adoption of the Agreed Resolutions. All those in favor should say 'aye'; all those opposed say 'no', in the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted. Death Resolutions, Mr. Clerk."

Clerk Rossi: "House Resolution 2948, offered by Representative Tim Johnson, with respect to the memory of Donald E. Long."

Speaker Turner: "Representative Granberg moves for the adoption of Death Resolutions, all those in favor say 'aye'; all those opposed say 'no', in the opinion of the Chair, the 'ayes' have it, and the Death Resolutions are adopted. Representative Granberg now moves that the House stand adjourned until the hour of 11:00, Thursday...11:00 Wednesday. All those in favor should say 'aye'; all those opposed say 'no', in the opinion of the Chair, the 'ayes' have it, and the House stands adjourned until the hour of 11:00 on Wednesday."

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