

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

72nd Legislative Day

June 24, 1993

Speaker Giglio: "The House will come to order please. The Chaplain for today is the Reverend Father Victor Kaltenbach of St. Patrick's Church in Springfield, Illinois. Father Kaltenbach is the guest of Representative Curran. All the guests in the gallery may wish to rise for the invocation. Father."

Father Kaltenbach: "Let us pray. Oh Mighty Eternal Creator of the universe, we come here at the summer solstice and see the Almighty Creative Hand in the universe. It's awesome, special and we pause and realize that we're part of this eternal plan and in these deliberations You've asked this creature human to do the spacial works, do spacial plans and work out our goals and unless we build the House on the Lord, we labor in vain. We pause then placing our works and lives in Your hands, asking Your guidance and presence. Without You our works are vain, empty and with You as the ultimate purpose, we shall succeed. We ask You to be present with us, inspire us and be with us in these deliberations, here and always. Amen."

Speaker Giglio: "We'll be led in the Pledge by Representative Homer."

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

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

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

Speaker Giglio: "Representative Currie."

Currie: "Thank you, Speaker. Let the record reflect that both Representatives Carol Ronen and Monroe Flinn are excused

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today."

Speaker Giglio: "Mr. Clerk take the record. On the quorum call there are 115 present, a quorum is present. The House is ready to do its business. Committee Reports."

Clerk Rossi: "The Committee on Rules has met pursuant to Rule 29(c)3, the following Bills have been ruled exempt. House Bills 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460 and 2462. In pursuant to Rule 14(a)4 Conference Committee, House Members appointed, Rules Committee recommended consideration and the Bills will be placed on the Order of Conference. House Bills 258, House Bill 317, House Bill 1102 and House Bill 1163. Senate Bills 139, Senate Bill 159, Senate Bill 289. Senate Bill 712 and Senate Bill 899. Pursuant to Rule 14(a)6 Bills referred pursuant to Rule 27 and 37, rules recommends consideration and the Bills will be placed on the Order of Second Reading. House Bill 1850 and Senate Bills 48, 266 and 947. Signed by Represent...Chairman of the Rules Committee, Frank Giglio."

Speaker Giglio: "Supplemental Calendar announcements?"

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

Speaker Giglio: "Representative Homer in the Chair."

Homer: "Thank you. I'd like the Clerk read House Resolution 1081."

Clerk Rossi: "HOUSE RESOLUTION 1081, offered by Representative Homer. WHEREAS, The Members of this Body are happy to recognize the excellence of young athletes and wish to congratulate the Lewistown High School baseball team on taking first place in the Illinois High School Association's Class A Baseball Championship Tournament; and WHEREAS, Under the leadership of Head Coach Ned Graham and Assistant Coach Leroy Shumaker, the Indians had a record of

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30-3 for the season, were undefeated in the conference, and succeeded in winning the school's first State championship in any sport; and WHEREAS, Members of the Indians team are: Ryan Short, Chris Swearingen, Andy Braun, Jeff Timmons, Scott Graham, Marc Sepich, Jason Palmer, John Pasley, Kyle Potter, James Downing, George Stiglish, T. J. Timmons, Greg Glick, Mark Smith, and Dan Duckwiler; and WHEREAS, Mark Smith, George Stiglish, and John Pasley were named to the All-Tourney team; and WHEREAS, The team's statisticians were Jeanie Wirebaugh and Candace Juliusson; and WHEREAS, The team also had the support of Lewistown High School Board of Education President Ted Myetich, Superintendent Richard Well, Principal James L. Lewis, and Athletic Director Ron Madden; and WHEREAS, The faculty, staff, students, parents, and citizens of the Lewistown community are justly proud of the Indians and enthusiastically welcomed the team on its return from the tournament; and WHEREAS, The numerous achievements of the Lewistown Indians confirm our belief that hard work and dedication are effective when you set goals and strive to achieve them; therefore be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we heartily congratulate the Lewistown Indians on their outstanding season and winning the Class A championship; that we commend the coaches for their inspired leadership; and that we extend to them our sincere best wishes for the future; and be it further RESOLVED, That suitable copies of this preamble and resolution be presented to each of the individuals mentioned above.

Homer: "Ladies and Gentlemen of the House. I along with Senator George Shadid and Representative Bill Edley would like to present to you the Lewistown Indians, the winners of the

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Boys Class A High School Baseball Championship and I particularly like to know what Representative Deering and I'm glad that you have your red on Representative Deering because if you know who this team beat in the finals, Steelville. Yes, we're glad that you're wearing the red shirt today and I also point out that Steelville's the home of my mother-in-law, so I'm real happy that we were able to prevail and I'd like to point out there are only two boys here that are seniors and we're looking at a threepeat for Lewistown with another team that wears red and I'd like at this time to introduce to you the Coach, Ned Graham."

Ned Graham: "I would like to introduce the team at this time. First of all, seniors; Kyle Potter, Ryan Short. Juniors; John Pasley, George Stiglish, Greg Gick, Mark Smith, James Downing. Sophomores; Jason Palmer, Scott Graham, Andy Braun, Mark Sepich, Chris Swearingen, Jeff Timmons. Freshman; T. J. Timmons. Stat Girls; Jeanie Wirebaugh, Candace Juliusson. Principal; Jim Lewis. Superintendent; Richard Well."

Homer: "Since we're also introducing Senate Resolution 624 today by Senator George Shadid. Congratulations, guys."

Speaker Giglio: "Supplemental Calendar #1 appears Senate Bills, Second Reading, Senate Bill 48, Representative Moffitt. Read the Bill Mr. Clerk."

Clerk Rossi: "Senate Bill 48, a Bill for an Act to transfer territory between Representatives Districts. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Giglio: "Third Reading. Senate Bill 266, Representative Bugielski. Representative Bugielski, Senate Bill 266? Out of the record for a moment. On the Order of Conference Committees, Representative Phelps, appears House Bill 258.

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The Gentleman from Saline, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Conference Committee Report to the House Bill 258 is comprehensive in nature, but it's pretty well agreed to. It's been through the process and it's time to move on. The first part of the Conference Committee Report actually address the confidentiality of disabilities, includes agents appointed under recipient's power of attorney for health care or property as individuals entitled to inspect a copy of the recipients records upon a recipient's consent. It also allows the U. S. Department of Justice to review recipient files without consent. It allows state agencies that are mandated to form an integrated service system to share necessary identifying information. Also permits the disclosure of information to comply with the federal census. Number two, it amends the nursing home patient abuse, neglect reporting law with regard to the powers and duties of the Office of Inspector General. It retains the provisions amending the Mental Health Disability Confidentiality Act. It, also, establishes standards and procedures for a new system for prescreening all admissions to state operated facilities and this is the main crux of the Bill, which I think is valued by all of us. The prescreening admissions to state operated facilities, which had been endorsed by the Mental Health Association, the alliance of the mentally ill, Community Mental Health Associations and the other various consumer advocate groups relating as...to the mentally disabled. With that, I'll be happy to answer any questions."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House accept the First Conference Committee Report to House Bill 258?' Representative Wennlund are you

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seeking recognition?"

Wennlund: "Thank you, Mr. Speaker. I...I know that everybody was listening very intently to Representative Phelp's explanation, but for those who weren't, it's my understanding that the Department of Mental Health and Developmental Disability supports this Bill as amended by the Conference Committee Report as well as ASME and we stand in favor of this and ask that all join in favor of it."

Speaker Giglio: "Representative Walsh."

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

Speaker Giglio: "He indicates he will."

Walsh: "Could...Representative, could you just explain the prescreening portion of this Bill a little bit and just exactly...Will this...how a patient would go about..."

Phelps: "I'll try. This changes the existing policies and standards and procedures for admissions to state operated facilities by including...including court ordered admissions. It requires that if a designated community service area has participating mental health center, no person can be admitted to a state operated facility unless a written statement recommended admission has been obtained from a qualified certifier employed or under contract with the center of that facility who must determine the...the following, that if that admission is appropriate and what alternative treatment settings were considered or that exist and if admission to the state operated facility is recommended while alternatives were not considered appropriate. That's the way it's changed in those three ways."

Walsh: "It explains who the qualified certifiers are? I think that's in there..."

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Phelps: "Yes, it's defined in all."

Walsh: "Is the Hospital Association in favor of the Conference Committee Report?"

Phelps: "I don't think they have any objections. I don't have them listed, so I think the rule making process is what they are looking for to..."

Walsh: "Okay, thank you."

Speaker Giglio: "The question is, 'Shall the House accept the First Conference Committee Report to House Bill 258?' And on that question all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there is 115 voting 'yes', 0 voting 'no' and the House does accept First Conference Committee Report to House Bill 258 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Lang, for what purpose do you rise, Sir?"

Lang: "Thank you, Mr. Speaker. It's very rare in this Body that we get to commemorate such an important occasion, but I want to alert the Body that my seatmate, Dave McAfee is a 102 years old today and there's a birthday cake on his desk for all of us to share."

Speaker Giglio: "Representative Currie. Is Representative Currie in the Chair...in the chambers? Representative Schakowsky on House Bill 1102? Does the Lady wish to call this Bill? The Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Speaker and Ladies and Gentlemen of the House. The House concurs in Senate Amendments 1 and 2. The Senate recesses from Senate Amendment #4 and I...that's the essence of the Conference Committee Report and I urge its adoption."

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Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Dart."

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

Speaker Giglio: "She indicates she will."

Dart: "Representative, does this Conference Committee contain the provisions which redefines what finding of neglect, how that's defined?"

Schakowsky: "It actually deletes the part that redefined neglect. There were...there was no agreement that could be reached from between the parties that is...Department of Children and Family Services, the Legal Assistance Foundation and the Public Guardians Office."

Dart: "My concern was as I said, I'm not exactly sure what was in what Amendments at this point in time, but there was a provision that dealt with the determination of whether or not a child was neglected and it...there was a provision which said that a child shall not be considered neglected for the sole reason that the child's parent or other person responsible for his welfare left the child in the care of an adult is that out?"

Schakowsky: "That's out of the Bill."

Dart: "That's out. Okay. And one other point too, now there is also a provision in there dealing with services for an unfounded case. Are those provisions in or out?"

Schakowsky: "The original provisions of the Bill that says the Department must take some action are still in there, but it does not mandate specifics."

Dart: "There...there's a particular provision, once again, I apologize for not knowing exactly what's...the Amendments in or out of this. There was a provision particularly dealing with cases when they're unfounded cases which allow for services to be provided in unfounded cases, expanded

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what services could be given in unfounded cases. It expanded what services could be given in unfounded cases to include Section 8-2. Is that still in there?"

Schakowsky: "That was the subject of Amendment #4, which was taken out."

Dart: "Okay, so both of that and the other thing I just mentioned were the Amendment and those are out?"

Schakowsky: "That is correct. That is correct, Representative."

Dart: "Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative McAfee. McAfee, are you seeking recognition? Representative Schakowsky to close."

Schakowsky: "Thank you, Speaker. House Bill 1102, was under considerable discussion among all the child welfare advocates and interested parties and represents our best effort at this moment in time to come to an agreement that will improve the protection of children in our care and I urge its adoption."

Speaker Giglio: "The question is, 'Shall the House accept the First Conference Committee Report to House Bill 1102?' All those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, 114 voting 'yes', 0 voting 'no', and the House does accept the First Conference Committee Report to House Bill 1102 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Novak, House Bill 1163. Out of the record. House Bill 2080, Representative Dart. Out of the record. Senate Bill 139, Representative Pankau. The Lady from DuPage, Representative Pankau."

Pankau: "Thank you, Mr. Speaker and Fellow Members of the

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Assembly. I ask you to approve the First Conference Committee Report on Senate Bill 139. The reason why this even had to go to Conference Report was because I made the wrong Motion when the Amendments came back to the House. It's now been all cleared up and only one Amendment is on it, which is the one that the Sponsor of the Bill wanted and I ask you to approve this Conference Report."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 139?' And on that question, all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 112 voting 'yes', 0 voting 'no' and the House does adopt the First Conference Committee Report to Senate Bill 139 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Brunsvold, Senate Bill 159. Do you wish to call this Bill, Sir? Representative Wennlund, for what purpose do you rise?"

Wennlund: "Thank you, Mr. Speaker. To announce that Representative Jim Meyers is an excused absence today. His Mother is undergoing serious surgery."

Speaker Giglio: "Mr. Clerk, let the record so indicate. Representative Bruns..."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 159 passed out of here with really one...one sticking point, one disagreement was on home visits. Senator Watson and the Conference Committee met and discussed those differences. Senator Watson worked out an agreement with the home schoolers and that agreement is encompassed in this Bill now and, as far as, I know, there

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is no opposition now from...from anyone on Senate Bill 159. It contains the same materials and again we've answered the problem dealing with the home schooling. I would congratulate Senator Watson for his efforts in coming to...coming to agreement on the Bill and I would ask for the adoption of Senate Bill 159 Conference Committee Report."

Speaker Giglio: "Any discussion? The Gentleman from Lake, Representative Salvi."

Salvi: "Thank you, Mr. Speaker. I still stand opposed to this Bill and I know the home schoolers...I know that home schoolers are still strongly opposed to this Bill. Again, the home schoolers wanted to have an Amendment placed on this Bill in Conference Committee. We had hoped that we'd be able to get this Amendment on, that would have prohibited home visits and would have prohibited punishment by the authorities upon any family that failed to follow the dictates of the school district as to how to raise kids, how to raise children. We're afraid of what this Bill may become. In Missouri, the Parents as Teachers Program, and let there be no mistake, that's what this is, it's Parents as Teachers Program. In Missouri, it has failed. In other states, it has failed. It started out as a very small program and it has become a very expensive program in these states and it is regarded in these states, particularly Missouri, as being very intrusive and I don't think we should head in this direction of having teachers coming into the home and telling people how to raise their kids. It seems innocuous now, but I strongly urge a 'no' vote and for the home schoolers, in your district, this is a very, very important Bill. It...it may not seem very serious, but it is serious to me and to a lot of people who

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don't like this Soviet style intrusion into the family. I strongly suggest a 'no' vote on Senate Bill 159."

Speaker Giglio: "Further discussion? The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Despite the protestations of the prior speaker, I am a Member of this Conference Committee and I was present when Senator Watson, who was the Chairman of the Education Committee in the Senate called together all of the people with an interest in the provisions in this Bill and along with Senator Watson, we sat down and everybody with an interest in this Bill was represented there and we worked out the provisions so that everybody who took part in that meeting was content with the contents of this Bill. Now, if there is one individual home schooler, in someone's district, who is unfamiliar with what was done to change the provisions to make them acceptable to everyone, then, of course, perhaps it's important for that person to be...for the provisions to be explained, what they were to begin with, what they are now, but I have spoken to home schoolers in my own district and explained where we started this and where we are now in the contents of this report and they have no objection whatsoever. As I said, we talked to everyone with an interest and Senator Watson even made phone calls to people who, with an interest who could not happen to be here to attend the Conference Committee Meeting, therefore, I believe that this Bill has been signed off on, by absolutely everybody, and I suggest that the appropriate vote is 'yes'."

Speaker Giglio: "Representative Wojcik."

Wojcik: "Mr. Speaker and Members of the House. I would like to

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point out that there was a Conference Committee hearing regarding this home schooling and that Senator Watson did, in fact, have a conference call with those that were concerned including Phyllis Schafley. At that time, they were told that they do have the right to not allow anybody to come into their home and it was agreed to, so I don't know what is causing the dispute here, but if there is a problem, I certainly would hope that we would hear about it, because as we were told everybody has signed off on it."

Speaker Giglio: "Further discussion? The Lady from Cook, Representative Davis."

Davis: "Thank you, Mr. Chairman. Will the Sponsor yield? Okay. I have a question to the Sponsor, Joel."

Brunsvold: "Yes."

Davis: "It states here that you're deleting existing criteria for placing a school district on a financial watch list. In other words, if the school district has failed to pay their employees for 90 days, they no longer on a watch list? Failure to pay another school district by January for the...tuition, they're no longer on the watch list?"

Brunsvold: "I don't know if I can answer that right now. I'll have to get with Mr. Carey from the State Board."

Davis: "Failure to pay any amount due, they're no longer on a watch list? Defaulting on payment on debt, they're not on a watch list. Contracting of any loan not authorized by law, this removes them from the watch list? That's my first question?"

Brunsvold: "I don't believe so. This is State Board findings."

Davis: "Well, I'm reading...I'm reading this Conference Committee Report, Joel."

Brunsvold: "Would it remove them from the watch list?"

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Davis: "It states here, the following...it deletes the following existing criteria for placing a school district on the watch list. Now if it's removing this existing criteria, what criteria is left to have a school district on the watch list...watch list?"

Brunsvold: "I can't answer that right now."

Davis: "Okay, you know what else I see here. I see where it states that programs funded for scientific literacy can now be available to private school teachers and private schools."

Brunsvold: "Representative, let's..."

Davis: "Can we take this out of the record?"

Brunsvold: "You know we can answer...I...I would want to answer the questions for you before we pass this Bill, so let's take it out of the record, we'll check on that and I'll get back with you."

Davis: "I suggest that everybody hasn't signed on to it. Take it out. Thank you very much."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. On Conference Committee Reports, appears Senate Bill 289, Representative Homer. Representative Homer in the chamber? Senate Bill 289? Do you wish to call this Bill? Out of the record. Representative Balanoff, Senate Bill 712. Should we call this Bill, Sir?"

Balanoff: "Mr. Speaker, Ladies and Gentlemen of the House. Conference Committee Report would have the House 'receding' to Amendments 1, 2 and 4 and all that would remain in the Conference Committee Report would be a Bill that passed the Senate 53 to 0 and I believe the House 117 to 0 and provide the Department of Public Health in cooperation with counties, multiple counties and municipal health departments may establish...may establish permanent or

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temporary mobil sights for immunizing children referring parents to other programs that provide immunizations in public comprehensive health services."

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

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative I'm not sure...trying to look through this Conference Committee Report exactly what we're doing here? Does the Department of Public Aid regard this as a new program or just simply an expansion of what they're trying to do for, I think a number of years?"

Balanoff: "I think it may be...I don't think it's a new program, I think it's just something that they've wanted to do and kind of an expansion of kind of a current program."

Black: "So, it really...let's see if I can get to the jest of this very quickly. It's attempting to get an outreach program to get those school children immunized who unfortunately are not immunized when they go to school? Is that the intent of the legislation?"

Balanoff: "That...that is...that is correct."

Black: "And it doesn't require the Department of Public Aid to make any large expenditures of money to do so right?"

Balanoff: "No, it does not. That is correct."

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

Speaker Giglio: "Is there further discussion? Representative Balanoff to close."

Balanoff: "Vote 'aye'."

Speaker Giglio: "The Gentleman asks that the House adopt the First Conference Committee Report to Senate Bill 712 and on that question, all those in favor signify by voting 'aye', opposed, 'no'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? Take the record. On this question there are 113 voting 'yes', 0 voting 'no' and the House does adopt the First Conference Committee Report to Senate Bill 712 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Conference Committee Report, Supplemental Calendar #1 appears House Bill 317, the Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I move the House 'do adopt' the First Conference Committee Report on House Bill 317. As this Bill left the House it provided an increase in the Senior Citizen Real Estate Deferral Program. An increase of income eligibility from \$14 to \$30,000. The Senate Amendment, which this Conference Committee Report would adopt lowers that new eligibility threshold to \$25,000. That is all the Bill would do, if this Conference Committee is adopted. I would be happy to answer your questions and I would appreciate your support for this Motion."

Speaker Giglio: "The Gentleman from Will, Representative Wennlund."

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

Speaker Giglio: "She indicates she will."

Wennlund: "The Conference Committee Report recedes from Senate Amendments 2, 4 and 7. Can you explain what's left?"

Currie: "Yes. I just did. What's left is the Bill as it originally..."

Wennlund: "It was so quiet in here that I couldn't hear you."

Currie: "The Bill that we originally passed increased eligibility threshold for the Senior Citizen Real Estate Tax Deferral Program to \$30,000. What the Conference Committee Report, by adopting one of the Senate Amendments does, is to reduce

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that threshold to \$25,000. That still represents a substantial increase over the eligibility in current state statute, which I believe is \$14,000 in annual income."

Wennlund: "So, it...is the law currently \$14,000?"

Currie: "Yes."

Wennlund: "So, voting for this wouldn't be voting for a reduction of the..."

Currie: "No..no..no.."

Wennlund: "Of the threshold..."

Currie: "No, you..."

Wennlund: "...for senior citizens..."

Currie: "You'd be...would be expanding eligibility for this tax deferral program to seniors with annual incomes up to \$25,000 today that limit, the threshold limit for eligibility is \$14,000."

Wennlund: "Okay."

Currie: "Only people with incomes under \$14,000 today can participate in this deferral program under this Conference Committee Report, seniors with annual incomes up to \$25,000 would be able to participate."

Wennlund: "Okay, so what we're doing is we're increasing the threshold from \$14 to \$25,000?"

Currie: "That's right and originally the House approved this measure at a \$30,000 income threshold, the Senate Amendment reduced that \$30,000 figure to \$25,000 and the Conference Committee Report would support that Senate action."

Wennlund: "Thank you very much."

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

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would rise in support of the Conference Committee. I signed the Conference Committee Report. I think this is a fair and good compromise. What this does

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is allow those seniors who wish to defer property taxes. It would allow more of them to qualify under this program. Currently it is at about \$14,000 and this would increase it to \$25,000, so it is a...it is a good program for seniors. There is a little concern on the part of some as to how much this would expand the program, but quite honestly the universe of people who utilize this program is not very great. This may increase the universe of people who use it, but I don't think by a great amount. For those of you on my side of the aisle who are concerned that only one person signed the Conference Committee Report which...I was the one who signed the Conference Committee. The reason that some others did not sign the Conference Committee was that they wanted some additional legislation put into this Conference Committee. It has nothing to do with the substance of the Conference Committee, but the Senate...the Republican Senators wish to add some provisions, which were not included in this Conference Committee Report. So, I would rise and support the Conference Committee Report on House Bill 317."

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

Pankau: "Mr. Speaker and fellow Members of the Assembly. I also rise in support of this Conference Committee. This program had a ceiling of \$14,000 on it, so maybe in my district and I know possibly in your districts you had senior citizens that had maybe bought their homes 20, 30 years ago for \$20,000 and now maybe their homes are worth \$200,000. They had...they were facing a tremendous property tax bill, maybe a \$4 or \$5,000 a year. If your income level for deferring those taxes is only at \$14,000, that was 1/3 of your income by raising it up to \$25,000 we're now giving them a greater window of opportunity. This program will be

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used more. It's a good program, it should be used and with this Conference Committee Report it will be used."

Speaker Giglio: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this Conference Committee Report to House Bill 317. The Conference Committee Report puts the Bill in a very similar posture to that, that it was in when we passed it out of the House initially. One of the things we all told our constituents back in January that this Session of the legislature was going to deal with property tax reform. This is one measure which helps provide some measure of property tax relief for senior citizens by expanding the program for deferral. If you have an area like mine that has been seeing a 100% increases in assessments. It's particularly harmful to the Senior Citizens and others on fixed incomes. They are forced, in many cases, to have to move out of their house, to sell it, because they can't afford to pay the property tax. This is a program that helps them stay in their house. It's a modest increase in eligibility. It's one that you can go back to your constituents and say we took a step to provide some relief to you. I urge your support for House Bill 317."

Speaker Giglio: "The Gentleman from Kankakee, Representative Novak."

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

Speaker Giglio: "She indicates that she will."

Novak: "Okay. Representative Currie, just for clarification here, I notice on the analysis, there was on an Amendment that was put on in the Senate that would have exempted, a public library in Kane County from the tax cap. That was

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taken off, right?"

Currie: "Correct."

Novak: "And Senate Amendment #2 and #7 was taken off? Correct?"

Currie: "Correct."

Novak: "So, the only thing left in here is bumping the eligibility up from \$14,000 to \$25,000?"

Currie: "Correct."

Novak: "Okay. Ladies and Gentlemen of the House, I stand in firm support of this legislation. As a former County Treasurer, and as you know, County Treasurers are charged with the responsibility under the law to administer this program. It was very successful, although, I wish the Department of Revenue would promote it a little bit more because in some counties the number of people that have applied was quite low when we all know that the eligibility for people to participate in this program would be more than that, but this is a good program. It certainly helps senior citizens who are in a very tight financial situation where they're faced with losing their homes. So I encourage everyone to support this Bill."

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

Skinner: "Is the Senate Sponsor a Republican?"

Currie: "Is that a question to me?"

Skinner: "Yes."

Currie: "The Senate Sponsor is a Republican."

Skinner: "And what is his or her name?"

Currie: "Pardon me?"

Skinner: "What is his or her name?"

Currie: "Her name is Senator Doris Karpziel."

Skinner: "Is the Senator willing to pursue a veto override if this Bill gets vetoed?"

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Currie: "I certainly hope so, but I trust that we'll never need to find out. I'm hopeful that we will adopt this Conference Committee Report, so will the Senate, and that the Governor will sign the Bill."

Skinner: "Well, I am too, Representative. I just...well, I'd like to see it become law and since similar legislation has been vetoed previously, it would be interesting to know whether we're being hung out to dry here. Thank you."

Speaker Giglio: "Representative Currie to close."

Currie: "I think everyone understands what this Bill is about. It's helping senior citizens who are at income levels up to \$25,000 defer property tax payments until such times as their homes are sold. I'd appreciate your 'aye' votes."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 317?' And on that question all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 114 voting 'yes' and 0 voting 'no' and the House does adopt the First Conference Committee Report to House Bill 317 and this Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Conference Committee Reports appears Senate Bill 159. The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To answer Representative Davis's question dealing with the language being removed on the watch list, yes, that language removed on page 8 and the financial watch committee has inserted better language to identify those

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districts on the watch list and also Representative Salvi's concerns. I talked with Ralph Rivera from the Illinois Pro Family Network and they have, in fact, met with Senator Watts and are neutral on the Bill, however, there are a few individuals who still oppose it, but the profamily...the Illinois Profamily Network is neutral on Senate Bill 159 and if there are no other questions, I'd ask for the adoption of Conference Committee on Senate...First Conference Committee on Senate Bill 159."

Speaker Giglio: "Any discussion? The Gentleman from Lake, Representative Salvi."

Salvi: "Thank you, Mr. Speaker. I rise in strong opposition to this Bill as before. This Bill is opposed and let it be very clear, this...this Conference Committee Report as we have here on our desk is opposed by the home schoolers. Now there may be one individual or one group that came out and said that they're neutral on this Bill as a result of some compromise, but I've talked with various groups since we last presented this Bill and I want to make it very clear that there is strong opposition to this Bill, because that issue was raised last time. This is not something everyone, 'everyone' is signed off on. The Christian Home Educators Association, one of the largest home schooling organizations in the state, Cecil Magranahan has indicated and he has faxed material to me on this Conference Committee Report, he has indicated that he is strongly and vehemently opposed to this Conference Committee Report. Family Taxpayers Network is opposed, the Eagle Forum is opposed, Concerned Women for America, they are opposed and Family Institute is also opposed. There is strong opposition to this Bill for good reason. As I stated before, in other states where this has been presented and

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it's not being presented in Illinois as a Parents as Teachers Program and the reason it's not being presented as a Parents as Teachers Program is because PACT as that's know, Parents as Teachers Program has been recognized as being a miserable failure and so they don't want to call this Bill a Parents as Teachers Program. Now nobody is saying that this Bill means that they're going to be able to go into homes without any agreement of the family. Sure there has to be a signed agreement from the family. We're concerned about what this Bill can become and we have precedence, in other states particularly, Missouri, this Bill, this Parents as Teachers Bill has failed. It cost states millions of dollars. It's become intrusive and every year it becomes more and more intrusive. Please don't let them get their foot in the door with this apparently innocuous Bill. The home schoolers oppose it for good reason and I strongly ask for a 'no' vote on Senate Bill 159 on the Conference Committee Report before you. Thank you."

Speaker Giglio: "Further discussion? The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. As I...as I said before and I was really pleased in the prior discussion to have been joined by Representative Kathleen Wojcik, who also serves on Conference Committee for this Bill. It seems to me that when Representative Brunsvold first rose and spoke in behalf of this Conference Committee Report, he mentioned the extraordinarily fine job done by Senator Frank Watson in arriving at the final provisions of this Conference Committee Report. Having attended the Conference Committee Meetings, along with Representative Wojcik and Senator

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Watson, I can assure you that everyone with an interest in this Bill had his or her opinions taken into account. That, in fact, before we finally all signed this Conference Committee Report everybody, who had had an interest and who had been heard, agreed that this was a Bill that they could at least, perhaps not enthusiastically, but could, in fact, support. Therefore, I don't know what further anyone can do to try to accommodate all of the interests involved in this issue. It seems to me that everything that could be done has been done. That we now have a Bill that protects everyone's interests and does not impose anyone's will on anyone else and for that reason, I stand in support of the Conference Committee Report on Senate Bill 159."

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

Skinner: "Mr. Speaker, should it appear likely that this Bill passes, a request for verification is made. I would point out that the underlying thesis under this Bill is that teachers can teach parents how to become parents. I'd like to know, this is not a question, this is a rhetorical question, I'd like to know how a single teacher is going to teach a parent how to be a parent? That is going to happen. I don't think you can learn how to be a parent in a classroom. If you think that teachers ought to have to have added to their burdens the ability or the duty to teach parents how to be parents, you ought to vote 'yes'. It's probably is compromised down to the lowest common denominator at that point, at this point, but that doesn't mean that it ought to be past. All interest in Illinois are not represented in this General Assembly in proportion to their representation in the State of Illinois. There are lots of parents who think they don't need the school's

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help and if you think they don't need the school's help, you could vote 'no' and then when they come to ask you whether you need their help you can tell them 'no'. Go back and teach the kids how to teach, that's their job."

Speaker Giglio: "Further discussion? The Gentleman from Coles, Representative Weaver."

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

Speaker Giglio: "He indicates he will."

Weaver: "Joel, just...you know how nervous we all get around this time of the year with Conference Committee Reports. Just to ease my mind, there is nothing in this Conference Committee Report that deals with the transference or granting of adult ed programs, no adult ed programs whatsoever?"

Brunsvold: "No, no, nothing in there to do with that."

Weaver: "And the only, I notice on page 22, there's a repealer in there. That repealer applies only to the tax equivalent grants section?"

Brunsvold: "Yes, yes, only for that section."

Weaver: "Sounds good to me. Thank you."

Speaker Giglio: "Further discussion? Hearing none, Representative Brunsvold to close."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen. Just to clear up a couple of points. We passed a Parenting Bill here years ago. This General Assembly passed and the Governor signed a Parenting Bill from 0 to 5 years old and this Bill simply expands on that from Kindergarten to 12 on a very, very successful program. There were home visits only on a voluntary basis. People are involved in this program on a voluntary basis and they have to give written permission approval for a home visit, so there's a lot of

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safe guards in here for people who do not want someone to come into their home. A Conference Committee...Legislators that discuss this Bill in Room 400 felt that it was inappropriate for a group that did not want home visits to dictate to a group that did not or may have wanted someone to come into their home on certain occasions to mandate that they not have that choice to have someone come into their home, if they wished, and if they give written approval. That was the conferees thoughts that we should not dictate that they not have visits if someone really wants a visit, so that's what this Bill does. It's a very...very, very neutral as far as trying to get someone to mandate a visit because we're doing that. It's only a voluntary program and the conferees agreed on that, so I would ask for the adoption of Conference Committee #1 on Senate Bill 159."

Speaker Giglio: "The question is, 'Shall the House adopt First Conference Committee Reports to Senate Bill 159?' And on that question, all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there's 81 voting 'yes', 29 voting 'no' and the House does adopt the First Conference Committee Report to Senate Bill 159 and this Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Second Reading, Senate Bill...appears Senate Bill 266. Representative Bugielski? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 266. The Bill's been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bugielski."

Speaker Giglio: "The Gentleman from Cook, Representative

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Bugielski."

Bugielski: "Thank you, Mr. Speaker, Members of the House. Amendment #1 establishes a public private partnership in promoting Illinois tourism industry. It allows the state to leverage private funds by offering state matching grants. State and local governments can't afford to go at it alone and when it's promoting Illinois throughout the world. We need to get corporate Illinois involved to promote the state because we have a vested interest in Illinois economic health and it would help bring some of the private funds into promoting tourism into this state and I ask for the adoption of Amendment #1."

Speaker Giglio: "Any discussion? The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As the Sponsor of a similar Amendment, this will go a long way to promote tourism in Illinois and I move for the adoption of the Amendment also. I stand in support of it."

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

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

Speaker Giglio: "Withdraw Amendment #2. Further Amendments?"

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

Speaker Giglio: "Representative Ostenburg moves to withdraw Amendment 3. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Giglio: "Third Reading. The Lady from Sangamon,

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Representative Moseley for what purpose do you rise?"

Moseley: "Of personal privilege, Mr. Chairman. I would like to be recorded as voting 'no' on Senate Bill 159. I inadvertently hit the wrong switch."

Speaker Giglio: "Mr. Clerk, let the record so indicate. House Bill 2080, Representative Dart. The Gentleman from Cook, Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. House Bill 28 is similar to how it passed out of here in its original form and almost unanimously, it's been sort of cut down a little bit and now applies only to Cook County. The Bill would require that taxing districts set up more of a schedule than presently exists. It requires the taxing districts, when there's been an extension in excess of the preceding year. If the levy is in excess of the preceding year extension increased by the consumer price index, for the calendar year preceding the levy year, they would have to go through the notice requirements under this law. It also sets forth a schedule so that taxpayers can be more aware of when exactly the levy hearings are going to be held. It's more of a taxpayers accountability, so taxpayers will be more aware of when the different taxing bodies are going to be seeking a levy. It will be an annual thing so it occurs the same time every year so more can be involved. This is an initiative supported by the taxpayers federation and I'd appreciate your support."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative Biggins."

Biggins: "Thank you, Mr. Speaker, I rise in support of this Bill. I am sorry to hear that the other counties in the state can not participate in it. I think it's a very good Bill and it will be a way of controlling rising tax rates and

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thereby rising property tax bills. I wish it would extend to all counties in the state, just as much as I wish we could extend property tax caps into Cook County, as we have them in the collar counties, so I rise and urge a 'yes' vote on this measure."

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

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative is this...does this only affect Cook County?"

Dart: "Correct. Originally the Bill in its original form covered the entire state but the Senate Republicans ask that it be scaled back for Cook County only."

Black: "Well, basically don't the other 101 counties already have to follow the basic criteria in this Bill, we have a hearing and public notice."

Dart: "Close to it, the only difference is with the factor dealing with the CPI now that's a new..."

Black: "Okay. So and there's nothing in here except the notice in the public hearing that is...would be required then in the County of Cook if any levy exceeds 5% of the CPI, whichever is less?"

Dart: "Whatever is less. Yeah."

Black: "Okay."

Dart: "That's for the primary change and then as I say it sets up a schedule so that the different districts within the county, there's some type of accountability so the taxpayer every year will know when these different bodies are coming forward."

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

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

Murphy, M: "Thank you, Mr. Speaker. I rise in opposition to this

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and I did not sign the Conference Committee Report, neither...nor did a few other Senators. Basically this is duplication of efforts that we already have in state law. If you...first on two fronts, if you look at the schedule running the entire week of December, you would have taxpayers leaving their homes Sunday through Saturday in the first week of December to caravan their tax districts if they all were required to have hearings. It's also a mandate on these taxing districts. If you notice park districts must hold a hearing the first Sunday in December without regard to when they usually have their regular meetings. This would involve park districts employing personnel opening up their doors and having meetings for the public on a Sunday, school districts on Monday, high school districts on Tuesday, townships on Wednesday, municipalities on Thursday, Friday, the county, Saturday all the other taxing districts, so legitimately if three or four taxing districts were required to have this hearing, the likelihood of good attendance would be nil. Secondly, we already provide that if any taxing district goes over 105% of its prior year levy, they must hold and publish an intent of a meeting. They must show what the true amount is going to be extended and they must have a public hearing. Secondly, the CPI is very dangerous. The CPI last year was 2.9%. If a taxing district had 3% levy increase, they would be forced to again publish the intent of hearing, past the intent of the levy and have a meeting at the requisite of the House. This is once again us telling all of these taxing districts when they should have their meetings. Townships have an annual town meeting, the second Tuesday in April and they have since 1850. Yet attendance at these is notoriously low. This would mandate

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another township meeting, in December, if they extend it over the CPI of the prior year. This is again one of those Bills, it sounds real good, truth and taxation. How could we be against it, but we are not doing anything about the truth and taxation, we are mandating to local tax districts when they should publish notices and when they should have meetings. I urge your due consideration and tell me who merits in this besides the publishers of newspapers. Thank you."

Speaker Giglio: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Being a publisher of newspapers I will forget that last remark, but to the legislation. I reluctantly rise in opposition to this Bill. I think the Sponsor is extremely well intended and I think that this Bill has a lot of good provisions in it, but I'll tell you, I think that people, if this Bill becomes law, I think there's going to be an awful lot of people who are going to question the wisdom of the legislature in requiring that a park district have a levy hearing on a Sunday and...you know, or in other units of government on a Saturday. I just think that we...we ought to reevaluate how we have set up these tax hearings and set up a more suitable schedule. I think the other provisions of the Bill, I have no problem with. I think that its a good idea to set up a schedule so that citizens can be aware of when these taxing bodies are having their hearings. That's a good provision of the Bill, but I really question whether we ought to be having hearings on weekends and it just doesn't make sense to me to do that, so I think we ought to defeat this Conference Committee Report and perhaps look at a different set of schedules for...for these hearings, so I would...I would urge Members to give consideration to this issue and say

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lets...lets vote 'present' or 'no' on this Conference Committee and perhaps maybe we can come up with a better schedule. So I would rise in opposition and would hope that we could defeat this Conference Committee and come back with a better schedule of hearings. Thank you."

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

Skinner: "I wonder if the Sponsor would tell us folks that represent the border of Cook County which districts are in and which districts are out. If you have overlapping tax districts how do you determine whether they're in or out."

Dart: "The way the Bill has been crafted down it applies purely to Cook County only."

Skinner: "Well, I've got District 220, the Barrington School District. Is it in or out? It covers Barrington Township, Cuban Township..."

Dart: "The majority EAV is in Cook County, it would come under this Bill."

Skinner: "I'm sorry."

Dart: "If the majority of the EAV comes under Cook County, it would come under this Bill. If it's in Cook County..."

Skinner: "Equalized Assessed Valuation is what EAV means?"

Dart: "Yes. If the majority of it's in Cook County then it comes under this Bill."

Skinner: "Well, it seems to me that's a pretty limiting factor in this Bill. It's the same as the tax cap legislation then, right? Everything that the tax cap legislation covers in collar the counties is not covered in this Bill."

Dart: "Right. Correct."

Skinner: "Thank you."

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

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Dart: "Thank you, Mr. Speaker. I would just say that the people who would be the beneficiaries here would be the taxpayers. The scheduling has been set up, presently the levy hearing is already in December. December was the only month to do this and the reason we did the dates in succession was to lend some protectability to this so the people every year would realize that this is the time to come and examine your levy and that is truly only the only reason for this for the protectability of it. It adds a lot of things in there which basically make the taxpayers more aware of taxing and make more accountability. And I'd urge a support of this."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 2080?' And on that question, all those in favor signify by voting 'aye'; opposed, 'no'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question there are 79 voting 'yes', 33 voting 'no' and the House does adopt the First Conference Committee Report to House Bill 2080 and this Bill, having received the required Constitutional Majority, is hereby declared passed."

Speaker Currie: "Representative Currie in the Chair and on Conference Committee Reports appears Senate Bill 899...899, Representative Mulligan."

Mulligan: "Thank you...thank you, Speaker, Ladies and Gentlemen of the House, the First Conference Committee Report from Senate Bill 899 continues to amend the Abused and Neglected Child Act to...include clergy as reporters. The first concept of this Bill came about over a year ago and many of the people from the religious community..."

Speaker Currie: "Excuse me, Representative, I've just been

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informed by the Clerk that the Bill is not...that the Conference Committee Report is not yet printed and distributed, so we'll take this out of the record."

Mulligan: "All right. Thank you."

Speaker Currie: "On Conference Committee Reports appears Senate Bill 289, Representative Homer."

Homer: "Thank...thank you, Madam Speaker. The House...or the Conference Committee Report before us amends the Code of Civil Procedure to provide in counties other than Cook that service of summons for garnishment or wage deduction may be made by registered or certified mail as opposed to personal service. There are also some provisions in the report which streamlines the procedures in connection with the garnishment if wage deduction proceedings. I would try to answer any questions and if none, would urge support for the Conference Committee Report."

Speaker Currie: "Representative Homer has moved to adopt the First Conference Committee Report on Senate Bill 289. For discussion, Representative Black."

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

Speaker Currie: "He indicates he will."

Black: "Thank you. Representative, I noticed that Representative Johnson did not sign the Conference Committee Report. Is...should I infer that is because he had a problem or wasn't available or...okay, well since he...my...my point person on these legal matters, I...I need to know that."

Homer: "Well, for the record, I don't know the answer. I know he didn't sign. I'm unaware of any opposition or nor could I anticipate any. What the Bill does, Representative Black. It's simplest form is it relieves the requirement for personal service on an employer in a wage deduction

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proceedings. Right now if someone is wanting to garnishee a defendant's wages, they have to have the summons personally served by the Sheriff on the employer. This would allow it to be done by cert...certified mail, so that it would cut down on the costs and streamline the procedure and I don't think Representative Johnson would be opposed to that."

Black: "Okay and, as far as, you know, the business community would probably rather have this than someone coming to the place of business and..."

Homer: "Right. In all candor I'm sure the business community would favor the Bill. I think if there is an opponent, it would be the Sheriff's only because they lose a fee. These are pretty simple matters to stop by...you know, it's not like tracking somebody down to stop by a place of business, and take the summons in and get a fee, but other than the Sheriff, I'm not aware of anyone who would be even opposed...at all opposed."

Black: "Thank...thank you very much, Representative. I appreciate your patience."

Speaker Currie: "Further discussion? Representative Biggert."

Biggert: "Thank you, Madam Speaker. If I might, in response to Representative Black's question, I was on the Conference Committee and did speak with Representative Johnson and not to put words in his mouth, but he had no, no problem with this Bill and I would stand in support of Senate Bill 289 and I think that Representative Homer has worked very hard to put all the details and the technicalities into this Bill that should be there."

Speaker Currie: "Further discussion, Representative Lang."

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

Speaker Currie: "He indicates that he will."

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Lang: "Thank you, Representative. I'm sorry, I was off the floor when you explained the Bill. Can you explain it again briefly, is it the same Bill basically that it was when it passed out of the House?"

Homer: "Yes, it's been tuned up...or it's had some Amendments offered, but which have been adopted, but the basis...the basis...it does not apply in Cook. It still doesn't and it would allow for wage deductions orders or non wage garnishments to be served on the...on the employer or the other party by certified mail as opposed to personal service."

Lang: "Thank you."

Speaker Currie: "Further discussion? Hearing none, Representative Homer to close. The question is, 'Shall the House adopt the First Conference Committee Report on Senate Bill 289?' Those in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 110 voting 'aye'; 0 voting 'no' and the House does adopt the First Conference Committee Report on Senate Bill 289 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative McGuire would like to be recorded as having wished to vote 'aye'. On the Order of Conference Committee Reports appears Senate Bill 899, Representative Mulligan."

Mulligan: "Thank you, Madam Speaker, Ladies and Gentlemen of the House, once again, the First Conference Committee Report for Senate Bill 899 continues to amend the Abuse and Neglected Child Reporting Act to include clergy. The concept and actual Bill was proposed almost a year ago and at that time various religious groups were asked for input

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on the Bill. The focus of this Bill should always be protecting children from child abuse and not defining clergy privilege, although we seem to have gotten into that. The Act as it currently is written requires certain professionals to report child abuse when they have reasonable cause to believe that there is child abuse. They have to report it in their professional or official capacity. Clergy have been exempted from this Act until now and we're asking that clergy, because of their closeness to children and the opportunities that they have to possibly observe such problems be included in this Act. I would strongly urge your vote 'yes' on this Conference Committee Report and I would be happy to take any questions."

Speaker Currie: "Representative Mulligan moves the House adopt the First Conference Committee Report on Senate Bill 899?' And on that question is there any discussion? Representative Granberg."

Granberg: "Thank you. Representative, for the information of the Members, for their clarification, Representative, could you tell us the position the Catholic Conference and the Jewish Federation and all the groups that were interested in this legislation? What position they might have, if any?"

Mulligan: "At one point, they were all in agreement and at various points they have each offered Amendments on language that they said were the last word on it and this going to be...where they would stand on it. It appears now that they're...they would prefer not to have any Bill, or they're not particularly happy with it, although we have asked for various types of language that would please them, that they have shifted the focus to clergy privilege rather than protecting abused children and that they're...that no

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language seems to make them happy, although we have discussed with them repeatedly and at various times and the language that is in the Conference Committee Report is the language that they asked us to put in it, so they have gone at various points from giving us the language and then deciding that they weren't happy with that language, so I would say that they're not particularly in favor of it, but, I don't know that for a fact and in..."

Granberg: "So, we don't know if they actually have any actual position on the merits of your Bill now or so they haven't said they are in favor of it. They haven't said they are not in favor of it? Have they said anything publically about where they stand on this?"

Mulligan: "They've been in favor, then they've been opposed, I mean basically you'd have to go back to each one of them on any particular day to ask and find out and that's been the problem all along, that's why it's gone to the Conference Committee."

Granberg: "So the Catholic...so the Catholic Conference, we don't know if they are in favor of the Bill or they are opposed to it now?"

Mulligan: "At one time, they have given us language that they agreed to, but as of today, I could not tell you that they're in favor of it."

Granberg: "Okay. And that would be similarly with the Jewish Federation?"

Mulligan: "Yes. All along the Jewish Federation has been in support of this, towards the end they decided that they would not then...the language wasn't. Although we asked for alternatives, they could give us no better alternatives. So, they are not particularly for or against, you'd have to ask each individual one."

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Granberg: "Okay. I just wanted to clarify, because I remember the one Bill they were in favor of, I thought that was my understanding, the second Bill they were not and then this went to conference, and I didn't know if they had input in the language, what was used, and if they went back to the first Bill. So, now they're off the Bill, both organizations are no longer in support of the Bill?"

Mulligan: "Right. It's very difficult to say that they have negotiated not particularly in good faith, but I mean the language we've gotten from them we have used, and at each point they've changed their mind back and forth, although the language that's been incorporated is the language that they asked that we use, and at this point I don't know where they stand."

Granberg: "Thank you."

Speaker Currie: "Further discussion? Representative Lang."

Lang: "Thank you Madam Speaker. I rise to explain what will be a 'present' vote on Senate Bill 899, and I will recommend that a Second Conference Committee Report proceed. The situation on this Bill is as follows; it has been negotiated for a long time. As Representative Mulligan knows, I was involved in helping put this Bill together initially. But, the Bill as it now reads, goes too far. Nobody in this House has a better record than I on the issue of child abuse, we're all against child abuse. Child abuse should be reported. It's important that we report child abuse, and I supported Mr. O'Malley, whose initial Bill this was, when he came out and said that these things should be reported. There's no question about that. But, the Bill goes to far, and it goes to far in this way. It's clear that clergymen and clergywomen who in the pastoral setting in a confession or at the church or at the

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synagogue who get the information when somebody's coming for counseling, it's clear that that's privileged. It's clear that that should not be reported. If that's all this Bill said and required...strike that. The Bill goes on to say that it only matters when it solely in that sitting. So, If I'm playing golf with my rabbi, or if you have your priest over for dinner, and you suggest some information regarding child abuse that you may know, under this Conference Committee Report that clergyman would be required to report it, even though you only told this person because they were your clergyman. So, if the clergyman gets the information under a situation that may be no one's really sure whether it's the pastoral sitting, maybe no ones really sure whether it's in the sitting of asking for advise or counseling, the clergyman cannot always be sure whether they should report or whether they shouldn't report. So, we set up a situation where the privilege that we all agree that exists, whereby clergymen are not required to testify against their congregants, it's a very similar situation here. So, this Bill it goes too far, and indeed, there were two versions of this Conference Committee Report drafted, and on page 6, I think it's line 2 on page 6, the words 'solely' is there. There was a version of this Conference Committee Report drafted without the word 'solely'. So, that if I play golf with my rabbi or you play golf with your priest, and you share information with that person then that would still be privileged. But, with the word 'solely' in here, it could be very easily construed that the information they receive under that setting is not privileged. Accordingly, it destroys the relationship between congregants and clergymen and clergywomen, and so the Bill goes too far. When the

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two different versions of the First Conference Committee Report were prepared, I was...I'm a conferee, and I was prepared to sign the report that did not have the words 'solely'. But, they decided not to distribute that report. They distributed the report that you see before you, and you see that I did not sign it, because this Bill, this idea, this report is too broad. It is too broad, and so the reason that no ones really sure who's for or against this Bill is that everybody's a little confused, everybody's not sure but all most all of the groups were prepared to sign off on the other proposal, the proposal without the words 'solely'. I can tell you very specifically that the Chicago Board of Rabbi's is opposed, because they've communicated that to me. Now, I would suggest a 'present' vote on this Bill, and I would suggest a new Conference Committee Report changing this, taking the word 'solely' off of page 6, line 2, coming back and passing this Bill, so that we can protect children under all circumstances. I strongly suggest that you vote present on this Bill."

Speaker Currie: "Further discussion? Representative Tom Johnson."

Johnson, Tom: "I agree fully with what Representative Lang has brought forth in terms of his arguments, and I would go a step further here, that basically we are treading on some very sacred ground in terms of what is privileged and what is not within the confines of our church community. I believe that as this Bill is currently reported back from the Conference Committee; would, in fact, put a real chill on the relationship between parishioners within a church Body and the pastor. We, in affect here, are beginning to reach into the church and saying that that pastor or

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priest or rabbi now should become an arm of the States Attorneys office, or an arm of the state, in terms of them now policing their congregation with these specifically difficult issues and reporting what might be a rumor an innuendo or whatever that occurs within their congregation, and I would urge that we take another long hard look at this, and I would certainly recommend either a 'present' or a 'no' vote on this. Thank you."

Speaker Currie: "Further discussion? Representative Levin."

Levin: "Madam Speaker, would the Sponsor yield for a question?"

Speaker Currie: "He indicates he will yield."

Levin: "Okay."

Speaker Currie: "She indicates she'll yield."

Levin: "Okay. Representative, I hear share of the concerns in terms of concepts of religious counseling and pastoral care and spiritual advise which the Bill intends to exempt from the coverage of the legislation. I mean, because it does seem to me that that's pretty fundamental and people ought to have a right to be able to go to their rabbi or other clergy person without any fear of divulgence of anything they intend to be held in confidence. Let me for purposes of legislative intent ask you, what your intents are in terms of coverage of that exemption under this legislation? It's, I think, clear that if I go into temple and I talk to my rabbi in the temple and I tell him I've been abusing my children, that that would be covered under the exemption, is that correct?"

Mulligan: "Yes."

Levin: "Now, lets take the same kind of a situation, but say rather than me being in temple, that I go to my Rabbi's house and go to see him and in the course of the conversation at his house, say the same thing, that I've

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been abusing my children, would that be covered under the exemption?"

Mulligan: "Yes it would."

Levin: "Now, let's say that instead the rabbi comes to my house, would that, and I say the same thing I say I've been abusing my children, would that be covered...the exemption, be covered under...in that situation?"

Mulligan: "Representative, let me put this to rest. For some reason, certain Members of the Body have tried to put a geographic area on privilege. The religious privilege is not covered by a geographic area. It's not covered if you're...I mean it is covered...it's covered if you're on the golf course, it's covered if you're on the moon, it covered wherever you are, if you talking...if the clergy is talking to that person in a religious capacity and that is the privilege that we've extended. Doctors, psychologists, all the people that are listed currently in the statute do not have that privilege, they are required in this instance to report. We have extended this privilege to the clergy just to protect them so that they feel that there pastoral counseling will not be infringed upon, and it would be covered, no matter where they are, if they're talking to them in a context of a religious pastoral counselor, they're covered under this. They are exempt. It's only if they willfully and wantonly do not report, that they could be prosecuted, and there's nothing in here that...it's so mild now that that would be very difficult for them to not..."

Levin: "Let me go to the next step then in terms of my question, and that is normally when you have a conversation, I'm an attorney I meet with my clients, you don't just jump in and go to the merits of the issue, there is some civilities,

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you frequently ask how's your wife doing and so on before you start discussion in terms of the merits of the matter. Would that apply here as well, would the expectation be that the person in talking to his rabbi, or other clergy person would have to directly go to the subject matter that he's disclosing or that there could be some social discussion first, and that, if you know...and then there's a movement from there into discussion of the matter, the disclosure that that would, in fact, be privileged?"

Mulligan: "No. That's a normal context, the way things normally happen. If the nature of what they're talking to them about then goes back to the person as a religious counselor, of course it wouldn't. That's the way people normally talk or bring up a subject, so that would not suddenly exempt them from the privilege because in the course of conversation they had some pleasantries."

Levin: "And finally it's my understanding, tell me if I'm correct, that the exemptions that you're picking up here, your intention is to pick up the commonly understood scope of the exemptions in terms of pastoral privilege as they've been articulated in past court decisions and in case law and statutory, and then you're going to pick them up as they exist and have been interpreted now."

Mulligan: "Yes, that is the intent here. Also, going back to when Representative Lang brought up the word 'solely' as making it limiting, it's hardly a limiting term, it's only a clarifying term, and when he talks about it being drafted without 'solely', it was only drafted without 'solely' for the possibility that it would be accepted, but it was never drafted with the thought that taking 'solely' out would ever be recognized. Taking 'solely' out would make the Act basically...they would not have to ever report anything and

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its 'solely' while providing religious counsel, 'solely' while providing pastoral care, 'solely' while providing spiritual advise, 'solely' during a person's confession, 'solely' while administering the sacrament of penance or reconciliation. I mean how could it be any more broader than we've made it in order to still allow them to have a privilege and to talk to people, and because you add a pleasantry, or because you're on the golf course, or because you're walking around in the supermarket and somebody comes up to you, that does not take away the privilege."

Levin: "I thank you for your answers. This is a...there's a major concern in terms of protecting this privilege. I think you've explained it well, and made clear that your intent is to provide the broadest possible privileges, we understand it, and for that reason I intend to support your Bill. Thank you."

Mulligan: "Thank you."

Speaker Currie: "Further discussion? Representative Phelps."

Phelps: "Thank you Madam Speaker, would the Sponsor yield for questioning?"

Speaker Currie: "She indicates she will."

Phelps: "Representative, back here, back row. Can you give me a instance where outside the exemption that you've outlined, where it would be a violation for a clergy person to be involved in the knowledge of this information. What would be a violating instance outside the pastoral counseling that you've exempted here?"

Mulligan: "Okay. Say you have a minister or a priest who's acting as a school principal, a cub scout leader, a coach, an advisor on a field trip, and a young person, someone comes to them and says that they're being abused and

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they're looking for some help in that, that would not be under the privilege, that would be would be when they're acting in a professional or official capacity, which takes them...which many ministers, priests, clergy members do outside of strictly a pastoral counselor or under the religious privilege, and there are those instances, and that's what we're looking for. Or say in a professional capacity where as a group professional bodies tend to protect one another and not report what's going on, say if a doctor or a lawyer, that's there been an abuse within the profession. That would not be under the privilege. Those are the things that we're looking to extend here."

Phelps: "Right, I understand that. So, the instance you just gave me, if a child came up to a principal or to school or whatever you were talking about in the religious school I guess, and mentioned I've been abused, does that mean then that the clergy person would be obligated to contact authorities or then would they contact the person that's been accused and named and sit down and say before I go to the authorities I'll let you know what my information is and what do you say about it. Then, if that's the result of what could happen, then it seems like we enter into a exemption in which you cover, which is counseling or pastoral sitting. You understand what I'm getting at, or what I was trying to say?"

Mulligan: "Would you just tell me the last part of your question again, I'm sorry."

Phelps: "If for instance, the reporting child, you know, tells the person then before they would report it to the...be obligated to report it to the appropriate authorities, perhaps they would call the accused or the named and then enter into a counseling situation, and be covered under

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exemption."

Mulligan: "I think that...that would be up to the clergy as it was presented to him. I think first the..."

Phelps: "So, it's a judgement on his part you're saying maybe."

Mulligan: "Right. I think if that person, male or female, had..."

Phelps: "Well, let me ask you this then, what you do think...?"

Mulligan: "Believes reasonable that the child was being abused, then they would be obligated to report it."

Phelps: "Is it defined in this Bill then what constitutes counseling? What is it constitutes counseling? If it's not on the golf course, does it have to be in the church or the synagogue or...?"

Mulligan: "If the person or someone came to them and said they would like religious help or they would like counseling with the problem, or if the abuser came to them and said they would like help. If they know of an instance where it's either being covered up within their own profession or if there is an instance where a child comes to them and says; 'help me, report this, I'm being abused' specifically or they can see the physical evidence of it. So, it would be up to them if they have reasonable..."

Phelps: "But, they can't ask questions of that child or bring the accused in and say; 'before we go to the authorities, we've got to get some clear information here'."

Mulligan: "I would think that it would depend on the type of abuse, and what...I mean if it's physical and you can see it, you would probably be more comfortable reporting it, then if it wasn't and you might ask a question or so before. So, I think that would depend on the individual instance. But, these men...or supposedly...or women are supposedly trained to counsel and ask. So, I would think

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they would be able to determine that. I think we're really splitting hairs, because they're fearful of adding any extra reporting or anything that they may have to do, and I think that's what it's getting down to."

Phelps: "Thank you, Representative, for your nice attempt and I think you have cleared... Madam Speaker, to the Bill."

Speaker Currie: "To the Bill, proceed."

Phelps: "I really feel that even though she's answered some of the questions in trying to clarify in my mind the confusion that this could offer, if I were a clergy person, I would feel impressed upon my congregation or members that I would be counseling to have a disclaimer to clarify myself. Even in the sermon, if a clergy person would want to put out a warning; 'no one contact me if there's any reason you'd want to talk me about such sins in your life', or approaches and insults to individuals like child abuse, because I would have to report it. Otherwise, to leave it to the judgement and outside of the sole exemption that you've mentioned, I think infringes upon the relationships and also upon the...jeopardizes relationships and the confidentiality of which the church said in its counseling purposes is there for. Thank you, Madam Speaker."

Speaker Currie: "Further discussion? Representative Kaszak."

Kaszak: "Thank you Speaker. This...throughout this Legislative session there's been an extraordinary amount of discussion of the best interests of the child. Here we have a situation where we are balancing the best interests of a child with the interests of the clergy to maintain a degree of privilege, and reasonable arguments can be made on both sides. But, there comes a point when you need to make a decision, and I suggest in keeping with the suggestions and tenor of this Legislative Body throughout this Session,

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that we error on the side of the child. We error on the side of the best interests of the child. I believe that this proposal and this Conference Committee Report adequately protects the clergy, they were...participated in the discussions that went on throughout this Bill, and I think that this provides the kind of protection that they need. So, I urge an 'aye' vote on this Conference Committee Report."

Speaker Currie: "Further discussion? Representative Churchill."

Churchill: "Thank you Madam Speaker, Ladies and Gentlemen of the House. I, too, rise in opposition to this Bill, as I have in the past on this particular issue. We've had a lot that we've done this year for the child, and as with all issues in the State Legislature, you eventually get to a point where you take the issue to the point where you've gone a little to far, and I think that this is one of those Bills that in indicative of that progress on this issue. We're now trying to take a piece of legislation and we're trying to say that this is for the good of the child, but we're crossing over that large line between church and state. And what we're really doing in affect is to ask members of the clergy to be agents of the state for reporting child abuse, and that goes too far. What happens if we come back on the other side then, and we say; 'well maybe agents of the state ought to be working for various churches', I'm sure that there would be an outcry from people saying; 'no, no, no, no, there's a line of separation for church and state, over which you cannot cross and that takes it too far. But, then if that's the case, then why should we be at this point trying to pass a piece of legislation that says that clergy should be agents of the state? There are enough problems in churches today as it is. There are

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enough problems in society today as it is. People have problems. Many people look to their clergy as people who can help them resolve their problems. Anything that chills the relationship between a member of the clergy...a member of a church and the clergymen is something which is not good for our society, is not good for the church, is not good for the people of this state; and, therefore, I think this Bill goes one step too far beyond the line and deserves defeat. Thank you."

Speaker Currie: "Further discussion? Representative Weaver."

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

Speaker Currie: "She will."

Weaver: "Right behind you here. Over here. In conducting our own little discussion back here, I confused and maybe you can help clear some of this up? I understand the reasons for adding ministers and clergy in the Section IV of the Bill, but with the exemptions provided on page 6 and more specifically; 'religious counsel', 'pastoral care', or 'spiritual advise', maybe you can help me understand what kind of sitting that would not be excluded. What conversation would a minister have with a parishioner, for example, that wouldn't fall under one of those three conditions that would be exempt?"

Mulligan: "I..."

Speaker Currie: "Representative Mulligan."

Mulligan: "Representative Levin asked the same question. Basically, it is not geographic in nature, there is no sitting. It is the content of the conversation. It is not the sitting where it takes place."

Weaver: "But, for a minister, for example, to be exempt from this requirement, all he would have to say is; 'I was giving my parishioners spiritual advise'."

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Mulligan: "That's right, it's very broad. That's up to his judgement."

Weaver: "So, essentially every conversation could be exempt."

Mulligan: "Not necessarily, but he certainly had the ability to make that decision. I mean he's trained...every day they make decisions about privilege. It's very clear here that this is a very broad exemption. We have worked with them on the language repeatedly. This is what they wanted and they're still not happy with the language. That doesn't mean that it's not very broad. It's much broader for clergy than it is for any other profession."

Weaver: "Well, I agree with that. As a matter of fact, I think my point is that it may be too broad. If someone were to be charged as an offense under this law, all they would have to claim in their own defense is that it was 'spiritual advise', is that not the case?"

Mulligan: "Would you remind repeating that last statement."

Weaver: "Okay. If someone were to be charged with an offense under this law, and they were to offer as their defense they were giving 'spiritual advise', that would be an adequate defense under what you proposing here, is that true?"

Mulligan: "What kind of a situation would you be speaking of?"

Weaver: "Well, if they were talking with a parishioner and discovered that that parishioner was guilty of child abuse and they didn't report it, to charge them for non-reporting under this law, they could adequately defend themselves by saying; 'I was giving spiritual advise, or pastoral care, or religious counsel to that individual'; and they would, therefore, be exempt. Is that true?"

Mulligan: "Well, if that was the nature of the communication they had, yes. It would have to be willful and wanton. On the

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other hand, if it involved say transferring a minister or a priest out of a parish and moving him to another parish after he'd already been accused and then they didn't report it, then there'd be a problem, and that would be 'willful and wanton'. In talking to an individual, that is how you have to interpret it."

Weaver: "I don't understand what moving the minister has to do with it. It doesn't matter if they're moved or not, if they stay there and they are charged with not reporting an incidence of abuse, they would very easily defend themselves and become exempt from this law by claiming that it was 'spiritual advise', is that correct."

Mulligan: "I'm talking about one professional person to another. You could almost always say that you're giving 'spiritual advise' in some capacity. It depends if they want to present it that way, and they have to made that decision. Are you saying the Bill is not broad enough, and that you'd like us to change it and make it harsher?"

Weaver: "No I... What I'm sayin and maybe I'm misreading this, but in Section IV, you are including clergy, minister, priest, rabbi's and so forth among professions that have to report it, and then on page 6 you provide exclusions that are so broad that it totally undoes what you did in Section IV."

Mulligan: "There are three categories that they have. One is religious where they are exempt, and the other is professional and official. Now you would have to determine whether they're acting in a professional or official capacity, or whether they're acting in a religious capacity. It's the same thing with anyone else that's required to report. They have decisions to make under it, and what capacity they're acting in and whether they are

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required or not. I mean they...you can claim whatever you want, we made it very broad at their instance."

Weaver: "Well, and that's just exactly my point, that how in the world would you ever prosecute anyone under this law with these broad exemptions?"

Mulligan: "You'd have to take a look at it if they're acting as minister, if they're acting as principal, if they're acting as cub scout leader, if they acting as..."

Weaver: "No, we talking about the... The Bill here deals with ministers and priests. It doesn't deal with all these other people."

Mulligan: "Right. But, the clergy act in those other capacities. It's professional or official along with their religious because of the nature of the job."

Weaver: "So, you're telling me that there are times when a minister is not a minister?"

Mulligan: "There is times when he's acting as part of his job in the capacity other than a religious advisor."

Weaver: "I was under the impression that a priest is a priest 24 hours a day. Is that not the case?"

Mulligan: "Certain communications would be religious and certain would be professional."

Weaver: "So, legally how would we establish that that priest is not a priest at the moment they're speaking to this parishioner about abuse?"

Mulligan: "I think that you would have to determine that by each conversation, and I think that a minister is well qualified to decide whether he's acting as a religious or a 'spiritual advisor' or a pastoral counselor, or whether he's acting in a capacity of someone that's on a field trip, a role model, a principal, a teacher. I think that that's individual. Just because you're a priest or a

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minister or a rabbi, doesn't relieve you from a responsibility when you're acting in other capacities is that...and you're not always acting as a religious counselor. I think that each conversation would determine that."

Weaver: "Well, Madam Speaker, Ladies and Gentleman of the House. I think the Sponsor's heart's in the right place and I think the intentions are in the right place, but I really think there's a problem of how this Bill would ever be enforced the way it's written. The exemptions are so broad and so wide open that all you would have to do as a minister is to claim that you were acting as a minister and you were acting in giving pastoral care, religious counsel, or spiritual advise. I think maybe we're attempting to do something here in the right direction, but in specifically the wrong way. Thank you."

Speaker Currie: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. Since Monroe Flinn is not here, I'll move the previous question for him."

Speaker Currie: "Representative...actually, Representative Wennlund, there are no...nobody else is seeking recognition. So, I think without your Motion we can just turn to Representative Mulligan to close."

Mulligan: "What we have here is a decision. The decision is are we going to protect abused children or are we going to have a discussion of clergy privilege? I think that we'd discussed this...the word 'solely' I think makes it very broad. If we eliminated 'solely' they would never have to report. I think there is a need for this Bill, we all know there is. I can see where various people may have certain pressures or feel that they have an obligation to protect possibly their minister or their pastor that may have a

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problem with this, but I think it does not speak well to worry about privilege, which they've been taught how to distinguish when they're talking about privilege and when they have...when they aren't to the neglect of children. I think we're going right to the issue here. Do we want to worry about children, or do we want to worry about the privilege? We could talk about this quite a bit. We've made it very, very broad. Broad enough so that they can only be prosecuted if they 'wanton or willfully' disregard this. We've tried to discover and talk about the fact that privilege is not geographic, it has a very broad nature, and the bottom line is; do we want to protect the abusers, or do we want to protect the abused? Do we want a law that will help them, or do we want to hinder them. I think this is a very well drawn Bill. It's been discussed ad infinitum. It's quite apparent that the minister and the clergy do not want any Bill, and there is a need for this Bill. I think once they have it, just make many other groups, they will learn that it is not there to do any harm, it is there to help, and I certainly urge an 'aye' vote on this Conference Committee Report. A lot of time and over a year has been spent in working with this, I think it's cuts right to the back of helping abused children. Thank you."

Speaker Currie: "Representative Mulligan moves the House 'do adopt' the First Conference Committee Report on Senate Bill 899. All in favor vote 'aye'; opposed vote 'no'. Voting is open. Representative Mulligan, one minute to explain her vote."

Mulligan: "Madam Speaker, I'd like to move it to a Second Conference Committee Report."

Speaker Currie: "Have all... Representative Mulligan, we can't

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do that until we take the record on this vote. Representative Black, for what reason do you rise? One minute to explain your vote. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 33 voting 'aye', 48 voting 'no', and the Motion falls. Representative Mulligan, you wish to ask for a Second Conference Committee Report?"

Mulligan: "Yes."

Speaker Currie: "On Senate Bill 899, all in favor say 'aye'; opposed, 'no'. The 'ayes' have it and a Second Conference Committee will be appointed. On the Calender, Supplemental Calender #1 on Senate Bills Second Reading, appears Senate Bill 947. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 947. The Bill has been read a second time previously. Amendment #1 has been adopted to the Bill. No Motions filed. Floor Amendment #2, offered by Representative Schakowsky."

Speaker Currie: "Representative Schakowsky."

Schakowsky: "Thank you, Speaker, and Ladies and Gentlemen of the House. Senate Bill 947, Amendment #2, allows us to pay our bills in a more timely way. It involves two transfers; one, a transfer in the Department of Public Aid's Medicaid funds from the physicians line to the long-term care line. I hasten to point out that the Illinois State Medical Society supports this transfer. The second would be to transfer from the House Committee fund, to the House Salary fund dollars that will go to the widow of Representative Bob LeFlore. So, I urge the adoption of these transfers encompassed in Floor Amendment #2."

Speaker Currie: "Representative Schakowsky moves 'do adopt' on House Amendment #2 to Senate Bill 947, and on that Motion, is there any discussion? Representative Ryder."

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Ryder: "Thank you, Speaker. The Amendment that has been indicated by Representative Schakowsky is one that has been brought to the attention of this side of the aisle. It is transfers, it is not any new funds, and we have found that the request of the Governor's office is reasonable; and, therefore, we would stand in support of the Amendment, and as a result the underlying Bill."

Speaker Currie: "Further discussion? Hearing none the question is, 'Shall the House adopt Amendment #2 to Senate Bill 947?' All in favor say 'aye'; opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. Clerk, read the Bill on Third."

Clerk Rossi: "Senate Bill 947, a Bill for an Act to provide for the ordinary and contingent expenses of the General Assembly. Third Reading of the Bill."

Speaker Currie: "Representative Schakowsky."

Schakowsky: "Thank you Speaker, Ladies and Gentlemen of the House. You've heard what this Bill now does. The Amendment is the Bill. It allows a transfer. It's a good government timely bill payment Bill, and I urge its adoption."

Speaker Currie: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 113 voting 'aye', 0 voting 'no', and this Bill having received the required Constitutional Majority, is hereby declared passed. Representative Flowers in the Chair."

Speaker Flowers: "Representative Dunn, for what purpose is your light on please?"

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Dunn: "Thank you, Madam Speaker and Members of the House. If everybody could give me their attention for just a moment, I'd like to give you an updated report on one of our Members. As some of you may know, Representative Monroe Flinn, my seatmate, underwent heart by-pass surgery a few days ago and the operation was undertaken at Jewish Hospital in St. Louis. He had a number of by-passes, and he has survived the operation, did well, is recovering well and is at home at the present moment listening on an open telephone line here, and I think it'd be very nice if we could all give our friend Monroe Flinn a nice round of applause to let him know we wish him well. Monroe. I think they want you back, Monroe, hurry back and get back we need you, and I need you to help me with my voting record. Thank you very much, Ladies and Gentlemen."

Speaker Flowers: "Representative Black, for what reason do you rise?"

Black: "Yes, thank you very much, Madam Speaker. I have an inquiry of the Chair. I'd like to know if there was an significance to the fact that the engineers recently took the hands off the clock that hangs with such pride in the back of the chamber. Now I don't know what time it is."

Speaker Flowers: "Representative Black, we're trying to get everything straight for Wednesday night so time will kinda stand still a little bit."

Black: "Time is definitely standing still."

Speaker Flowers: "Absolutely, Absolutely."

Black: "Perhaps we could pipe in the sounds of the Senators at work, so we would have an idea what they're doing."

Speaker Flowers: "That's not necessary."

Black: "Well, come to thing of it, they're probably not at work."

Speaker Flowers: "Right, that's my point. That's my point."

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Black: "Well, thank you very much, Madam Speaker."

Speaker Flowers: "Any time. Representative Davis, for what reason do you rise?"

Davis: "Thank you, Madam Speaker. I would just like to take this opportunity to commend our Chicago Bulls for bringing home the National NBA Championship, and I'd like to hear a loud rah, rah, for the Chicago Bulls."

Speaker Flowers: "Thank you, Representative Davis."

Davis: "They're located where we have our Chicago public schools. Thank you."

Speaker Flowers: "Representative Steczo, for what reason do you rise?"

Steczko: "Thank you, Madam Speaker. Just to a...just to...get Mr. Black's attention for a second. Yesterday, he asked the Chair about the heat in the chamber, and the Chair said that we would attempt to try to find out for him what the cause was. Mr. Black, has noticed that there's a problem with the clock today. So, Mr. Black, that's where the hot air was coming from yesterday. So, you'll notice how much more pleasantly cool it is in here today. So, we're just trying to take care of your problems."

Speaker Flowers: "Ladies and Gentlemen, I would like to make this announcement please. We are not about to adjourn, but I would like for the...I would like to read the House Resolution and the Adjournment Resolution, but we are not going to adjourn. We are not going to adjourn. Never, never, never. Mr. Clerk, would you please read the Adjournment Resolution."

Clerk Rossi: "House Joint Resolution 56, offered by Representative McPike. Resolved by the House of Representative of the 88th General Assembly of the State of Illinois, the Senate concurring herein; that when the House

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of Representative adjourns on Thursday, June 24, 1993, they stand adjourned until Monday, June 28, 1993 at 3:00 p.m. And when the Senate adjourns on Thursday, June 24, 1993, they stand adjourned until Monday, June 28, 1993 at 12:00 noon."

Speaker Flowers: "Representative Granberg moves for the adoption of the Resolution. All those in favor 'aye'; opposed, 'no'. The 'ayes' have it. Resolution is adopted."

Speaker Giglio: "Giglio in the Chair. The Chair would like to make an announcement that the Democrats will caucus immediately in room 114, and the Republicans will caucus in room 118 immediately, and return back to the chambers at 4:45. So, the House will stand in recess until the caucuses are finished."

Speaker Flowers: "Representative Turner, for what reason do you rise?"

Turner: "Thank you, Madam Speaker. Just out of curiosity, I'm looking up at that board, and it says the House of Representative is recessed until 4:45 p.m. What day is that, because it's 6:22 right now and I'm just curious as to when are we...Is that Monday?"

Speaker Flowers: "Representative Turner, when I find out the answer to that I'll let you know. Thank you."

Speaker McPike: "The House will come to order. Representative McPike in the Chair. Agreed Resolutions."

Clerk Rossi: "House Resolution 1102, offered by Representative Weller; House Resolution 1103, offered by Representative Black; House Resolution 1104, offered by Representative Noland; House Resolution 1105, offered by Representative Hartke; House Resolution 1106, offered by Representative DeJaegher; House Resolution 1107, offered by Representative DeJaegher; House Resolution 1108, offered by Representative

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by Representative Daniels."

Speaker McPike: "Agreed Resolutions. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. General Resolutions."

Clerk Rossi: "House Resolution 1164, offered by Speaker Madigan; House 1018, offered by Representative Erwin; House Resolution 1103, offered by Representative Black; House Resolution 1104, offered by Representative Noland; House Resolution 1105, offered by Representative Hartke."

Speaker McPike: "Committee on Assignment. Representative Black, for what reason do you rise? Death Resolutions."

Clerk Rossi: "House Resolution 1125, offered by Representative Granberg, with respect to the memory of Dean Newkirk."

Speaker McPike: "Representative Granberg moves for the adoption of the Death Resolutions. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Death Resolutions are adopted. House Resolutions. Pursuant to Rule 77(a), Speaker Madigan moves to discharge the Committee on Revenue from further consideration of House Resolution 1164 and advance to the Order of the Speaker's Table for immediate consideration. All in favor of the Motion say 'aye'; opposed, 'no'. Hearing no objections... Hearing no objections, by use of the Attendance Roll Call. Speaker Madigan."

Madigan: "Mr. Speaker, if I could take a few moments just to explain what we'd like to do. I think everyone knows that the Senate has passed two Bills which deal with the revenue enhancements for the state and also a spending plan. We, on this side of the aisle, find both of those Bills to be objectionable. As a result of our caucus, our plan was to call the Motions to concur with those Bills, and our expectation was that the Motions would fail and our..."

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Speaker McPike: "Mr. Black, the Motion to discharge did not prevail because there are objections. I recognized the Speaker because he wants to address this Body. If you don't want to give him your attention and you want to interrupt him, that is...I guess that...is your privilege. But usually we give individuals on this House floor a little bit of respect and allow them to address this Body. Thank you very much. Mr. Speaker. Mr. Speaker. There is no rules to violate. It's not before the Body; I just told you that. On a point of personal privilege, he's addressing the Body. Well, the Chair granted him one. It was properly...wasn't that loud, but I did grant him a point of privilege. Proceed, Mr. Speaker. Well, on a point of personal...on a point of personal privilege, the Speaker rises, and the Chair recognizes him on that. So, please, Mr. Black, let's proceed so we can adjourn for the weekend. Mr. Speaker. There is no Motion before the Body. Proceed, Mr. Speaker."

Madigan: "Mr. Speaker, Mr. Black and Mr. Wennlund, two fine spear carriers, that they are. First thing I want to say is that I don't think that the two of you get the proper recognition that you should get...I don't think that you get the proper recognition that you deserve from your own people, and I just wanted to make that point of order on a point of personal privilege. And going beyond that. Mr. Speaker, the Senate passed two Bills, which this side of the aisle finds objectionable. We have met in our conference on that. Our plan would be to vote against Motions to concur with the Senate Amendments on those Bills. Procedurally, it would take a great deal of time for the Amendments to be printed: One is 55 pages; the other, I believe, is 900 pages. And so, for us to consider

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those Motions before we would leave tonight, especially in the case of the Bill which is 900 pages, would require that we would probably still be in Session at 10:00 or 11:00 tonight. Our desire is to leave, now, and return on Monday at 3:00. However, it is our desire on this side of the aisle to express our displeasure with the Senate action. In large part, because the Senate action was done by just one of the four elements of the legislative process. It was prepared by 32 Members of the Legislature; there are significantly more Members than the 32 that prepared that plan. Personally, I told Governor Edgar many months ago that I wanted to work cooperatively with him in preparing a budget and an end of Session Resolution for this particular Session. As the Governor and I have discussed these matters, the Governor has consistently advised me and requested that I not engage in any actions that might be taken by others in the Legislature as requiring a counter action. What he meant was that we not attempt a preempted strike from this side of the aisle. I took his advice to heart. I have followed his advice. Apparently, as it will happen here, he's been unable to convince his own people. I presume he was offering the same advice to Senator Philip. If he did, Senator Philip didn't take it. Anyhow, our plan would be to express our disapproval of those Bills, and that's why we attempted to consider this Resolution. If it's the desire of the other side of the aisle not to consider the Resolution, so be it. I'll express right now, what I would have said in speaking to the Resolution and in my message is real simple. The Senate action is not to be construed as being conclusive to the negotiations on the budget. I have said from the beginning that I am prepared to be at the table and to

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negotiate. I'll continue to do that. I will consider what the Senate did. I have severe problems with what the Senate did. There are some elements of the Senate plan that I can agree to, but only in the context of a negotiated settlement of this particular Session. So, Mr. Speaker, with your...your permission, I would conclude these remarks; and, at the appropriate time, move to adjourn the House until Monday at 3:00 p.m."

Speaker McPike: "Representative...Speaker Madigan moves the House now stands adjourned until Monday at the hour of 3:00 p.m. And before we put that Motion to a vote, Representative Daniels."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, agree that we must have a negotiated settlement of this. I am very pleased with many of the provisions in the Senate action; and, frankly, I want the opportunity to read the 806 page Bill along with the 55 page Bill that has been...or will soon, I guess, Monday be sent over to us, and that we will have an opportunity to look at so we can study. I've had a caucus on the basic understanding of what is in the Bill and frankly some of my Members are very interested in the provisions in it and some of my Members have some concerns about it. But over all, I think it shows a tremendous leadership on the part of the Senate in bringing this to our attention. And I would like to point out to Members of the other side of the aisle: There was no trip to Effingham. There was no trip that all of sudden saw some revelation on passing a surcharge extension or a surcharge in 1989 without a single Republican vote, without any kind of negotiation, any kind of action whatsoever; that was the largest tax increase in the history of this state. So the precedent on doing this

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is on your side of the aisle. Now what we have now, what we're dealing with now, is hopefully a conclusion of the issues of this Session; conclusion of the budget, a conclusion of the Medicaid tax assessment for the poor and for the indigent of this state, as well as the issue of the surcharge with some of the moneys going into education for local units of government. I'm excited about the possibility of bringing these issues to a close. So I, too, join in the fact that we ought to develop a consensus on this side. But, Ladies and Gentlemen of the House, let's not be confused. We know that the Majority Party is your side of the aisle with 67 votes. We are keenly aware that nothing can happen without your input, without your effort. The ball is in your court. We are willing to work with you to resolve the issues of the day to make sure that our poor and our indigent are covered on the Medicaid tax assessment program, that the surcharge extension is an issue that's properly debated and brought before us and that the budget is, in fact, balanced in this state. With your assistance, with your good faith, we're sure that we can adjourn our business by the 30th of June and allow the people of Illinois to move forward with the vision and the leadership that our Governor and the President of the Senate has shown to us. We're looking forward to working with you. Thank you."

Speaker McPike: "Speaker Madigan now moves that the House stands adjourned until Monday at the hour of 3:00 p.m. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, and the House stands adjourned."

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