

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

14th Legislative Day

February 9, 1995

Speaker Kubik: "The House will be in order. The House will be in order. Will the staff please retire to the rear of the chamber. The Members will be in their chairs. Representative Kubik in the Chair. The Chaplain for today is Reverend John Carlan of St. Peters Lutheran Church of Prairie Town, Illinois. Reverend Carlan is the guest of Representative Ron Stephens. Our guests in the gallery may wish to rise and join in the invocation. Reverend Carlan."

Reverend John Carlan: "Thank you. I would like to begin with reading the first seven verses of Romans Chapter 13, St. Paul's words to Christian people concerning the relationship of Christians to the Civil Law. Every Christian ought to obey the civil authorities. For all legitimate authority is derived from God's authority and the existing authority is a point of under God, to oppose authority then is to oppose God and such opposition is bound to be punished. The honest citizen has no need to fear the keepers of law and order but the dishonest man will always be nervous of them. If you want to avoid this anxiety just lead a law abiding life and all that can come your way is a word of approval. The officer is God's servant for your protection but if you are leading a wicked life you have reason to be alarmed. The power of the law which is vested in every legitimate officer, is no empty phrase. He is in fact divinely appointed to inflict God's punishment upon evil doers. You should therefore obey the authorities. Not simply because it is the safest but because it is the right thing to do. It is right too for you to pay taxes for the civil authorities are appointed by God, for the good purpose of public order and well being. Give everyone his legitimate due whether it be rates or taxes or reverence or respect and we pray. Lord God

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Heavenly Father you urge all people to be obedient to human government, to all civil authority. Not only because it is the safest but because it is the right thing to do. You say that we should render to Caesar the things that are Caesar's and to God the things that are God's. We ask that you would instill this attitude of obedience into every human heart. We thank you that it is so easy for us to render such obedience to our government, for it's a nation found on Christian principles of judgment, justice, truth and righteousness. You have given us a good nation and we acknowledge that you are the author and the founder of it. But Heavenly Father our nation and our world needs You. Sin and corruption, trouble and despair are prevalent everywhere. The wars and the fightings far off, the crime within our nation, the killing of the unborn, a staggering national debt from which our nation must recover. Continue to give good judgement and wisdom to all of our leaders in government, in the state and in the nation. That we be not a self seeking or a selfish person but that we rather seek the good of the people, for this is indeed a government of, by and for the people. Help us Heavenly Father that those who are truly in need might better be benefited and welfare reform and in every good purpose and in every good way. You state in Your Word that righteousness exultation but sin is a reproach to any people. And also Isaiah, the prophet, who says the nation that will not serve Thee will perish. Return our nation, help our nation to return to its true greatness by our return to You. That we are a nation that truly fears and trusts in the Almighty God. As You promised through Daniel the prophet concerning the church, that is a Kingdom that will never be destroyed. We ask that the United States of America, by returning to You,

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will never be destroyed. Hear our Prayer, Lord Jesus, and grant us Thy blessings. We pray in Jesus Name. Amen. Thank you."

Speaker Kubik: "We will be led in the Pledge today by Representative Novak."

Novak - 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 Kubik: "Roll Call for Attendance. Representative Currie is recognized for any excused absences on the Democratic Side."

Currie: "Thank you, Speaker. Please let the record show that Representative Martinez is excused today, as is Representative Laurino. And I want to report to the Members that Representative Laurino's eye surgery went well, he's recovering at home and we hope that he will be back with us next week."

Speaker Kubik: "Thank you, Representative Currie. The Journal shall so reflect. Representative Cross, for Republicans excused absences."

Cross: "Thank you, Mr. Speaker. I'm proud to announce that there are no absences on the Republican side today. Thank you."

Speaker Kubik: "Thank you. The Journal shall so reflect. Mr. Clerk, please take the record. There are 116 Members answering the roll and a quorum is present. The House will come to order. Committee Reports?"

Clerk McLennand: "Committee Reports. Committee Report, offered by Representative Wirsing, Chairman from the Committee on Higher Education, to which the following Bills were referred, action taken on February 8, 1995, reported the same back with the following recommendations: 'do pass'

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House Bill 660. Do pass as amended House Bill 444. Committee Report, offered by Representative Skinner, Chairman from the Committee on Privatization Deregulation Economic and Urban Development, to which the following Bills were referred, action taken on February 8, 1995, reported the same back with the following recommendations: 'do pass' House Bill 538. Committee Report, offered by Representative Tom Johnson, Chairman from the Committee on Judiciary for Criminal Law, to which the following Bills were referred, action taken on February 9, 1995, reported the same back with the following recommendations: 'do pass' House Bill 564. Committee Report, offered by Representative Hughes, Chairman from the Committee on Counties and Townships, to which the following Bills were referred, action taken on February 8, 1995, reported the same back with the following recommendations: 'do pass' House Bills 211 and House Bills 270. Table in Committee House Bill 450.

Speaker Kubik: "Mr. Clerk, Messages from the Senate?"

Clerk McLennand: "A Message from the Senate by Jim Harry, Secretary of the Senate. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles and the passage of which I am asked to ask concurrence of the House. Senate Bill 1 and Senate Bill 4.

Speaker Kubik: "Mr. Clerk, Senate Bills First Reading."

Clerk McLennand: "Senate Bills First Reading Introduction - First Reading of Bills. Senate Bill 1, offered by Representative Speaker Daniels, a Bill for an Act in relation to property taxation. Senate Bill 4, offered by Representative Tom Johnson, a Bill for an Act in relation to criminal and correctional matters. First Reading of these Senate Bills."

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Speaker Kubik: "Mr. Clerk, introductions."

Clerk McLennand: "House Joint Resolution #9 offered by Representative Churchill."

Speaker Kubik: "Supplemental Calendar announcements."

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

Speaker Kubik: "House Bill, Second Reading. Supplemental Calendar #1. House Bill, Second Reading. Mr. Clerk, please read House Bill 444."

Clerk McLennand: "House Bill 444, a Bill for an Act to amend the University of Illinois Trustees Act. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Kubik: "Third Reading. For what purpose does the Gentleman from Clinton, Mr. Granberg, arise?"

Granberg: "Thank you, Mr. Speaker. Apparently you didn't see my light. That we were going..."

Speaker Kubik: "Can we give...can we give Mr. Granberg our attention, please? Ladies and Gentlemen, can we please give Mr. Granberg our attention."

Granberg: "Apparently, you didn't see my light, Mr. Speaker. I was going to inquire on the status of House Bill 444. We were in the mode to file a Motion but actually my question is a point of order. The previous speaker had indicated Representative Lang's Motion to discharge committee on the Truth and Sentencing Amendments and the More Police on the Streets Amendments would be considered by this House. And I would like to know if the current Speaker, the Honorable Kubik, would certainly entertain these Motions because they are of vital importance to this state and the people of Illinois that we debate these very serious issues."

Speaker Kubik: "Representative, have you filed a Motion? Representative Granberg."

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Granberg: "These were on the previous Bills from yesterday, Mr. Speaker. The Motions have been on file. Mr. Black had indicated that they would be considered at some point. My question was whether you, as Speaker today, would consider these issues because I know you realize how important they are that this being a deliberative Body, the Motions of the Members should be considered and these issues should be debated in front of all the people of this state, in front of the Representatives here in this Body."

Speaker Kubik: "Representative Granberg, we are not on that Motion at this point in time, on that order. We are not on that order at this point in time. I will take your request under advisement. For what reason does the Lady from Cook arise, Representative Currie?"

Currie: "Thank you, Speaker. I rise with a Parliamentary Inquiry. Yesterday in the Health Care and Human Services Committee a subcommittee of three people on a vote of two to one decided to table a Bill. My question is, where in the rules is it written that subcommittee's, three Member subcommittees, can vote to table Bills. And the reason I ask the question is that because the practice in this House, in the good old days, was a practice wherein subcommittees made recommendations to full committees. Real action happened only in the full committee and of course, the subcommittees in those days tended to be larger, five people, not merely three. And it strikes me as bad policy to let three people, the votes of three people, in fact, the votes of two people. Two people of 118 elected to this chamber, determine to kill a Bill, to table it and make it impossible for the Bill to have any kind of hearing in any other forum in this assembly. So, two out of 118 voting to table a Bill doesn't seem like

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fair and open practice, doesn't seem like fair and open procedure, doesn't seem as if there is real opportunity for full participation. So could the Chair tell me how under your new less open rules it's possible for this action to have happened and could the Chair inform us as to whether that action in that committee yesterday tabling a Bill on a vote of two Representatives is, in fact, a legitimate interpretation of the rules you wrote."

Speaker Kubik: "Representative Currie, I think that the Chair would say to you that the proper...if you have a problem with that particular rule, the proper form for the discussion of that rule, is in the committee not on the House Floor. Representative Lang, the Gentleman from Cook, why do you arise?"

Lang: "Well, Mr. Speaker, before I proceed to my comments I wondering if I could yield back to Representative Currie, who did not complete her comments and then have you recognize me, Sir?"

Speaker Kubik: "Representative...Representative Lang, Representative Currie may ask a point of parliamentary procedure. I responded to her and answered her question. The correct place to direct her concerns is in the committee and the rules of the committee. Representative Granberg, I saw that your light is on and the Gentleman from Clinton, Mr. Granberg."

Lang: "You skip over me. I don't get to speak now?"

Granberg: "Thank you, Mr. Speaker, for coming back to me. I really don't think you are a replacement player, I think you're good enough to be a starter. But again, the question becomes, do we want this Body to hear truth and sentencing and more police on the street? You said you were going to consider that. We have Motions pending to

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consider these issues. Now if the Majority in the Chair is going to stifle that debate, I would strenuously object. I think the people here deserve this debate, it is an important issue. And I would like to make the Motion to change the order of business and consider Motions. And I'd ask for a Roll Call Vote, Mr. Speaker."

Speaker Kubik: "Mr. Granberg. I assume that you have the five Members necessary to support your Motion? I see a group of people waving out there and you will be granted your right. Ladies and Gentlemen, the Gentleman from Clinton, Mr. Granberg had made a Motion to change the Order of Business. So, we will have...and he has demanded a Roll Call Vote on this issue, he will be given that right. So, the question is, 'Shall the Order of Business be changed?' Those in favor will vote 'aye'; those opposed will vote 'no'. Is there any discussion on the Motion? The Gentleman from Cook, Mr. Lang."

Lang: "Thank you, Mr. Speaker. The purpose of the Motion that Mr. Granberg has made is to take us to the Order of Motions. On the Order of Motions there appear two Motions on Bills that have been moved along where the Motions have been ignored. One would provide for many more police on the streets of the State of Illinois, of course to protect our citizens from harm. These are important measures. The other one is about truth and sentencing. We all seem to be interested in crime but we seem to be skipping over...skipping over in this House, the issues of what to do about crime. Now if we're going to step to the plate and deal with these issues of truth and sentencing and putting police on the street to keep our citizens safe, it's appropriate that we step to the plate. If you don't wish to change the order, if you don't wish to vote on



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these Motions then feel free to vote 'no'. But when you do you're constituents will know that truth and sentencing is not important to you, that it's all right with you if violent criminals are out on the street and they'll know that you're not interested in putting more police officers on the streets of your cities and villages. So if you feel like voting 'no' on this Motion, just be aware that people in your districts will know what you're for. Thank you."

Speaker Kubik: "A Motion is on the floor to change the Order of Business. Those in favor of the Motion will vote 'aye'; those opposed will vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this Motion, there are 51 voting 'aye', 63 voting 'no' and none voting 'present'. The Motion fails. House Bill, Second Reading. Mr. Clerk, read House Bill 32."

Clerk McLennand: "House Bill 32, a Bill for an Act that amends the Illinois Plumbing License Law. Second Reading of this Bill. No Committee Amendments. A fiscal note has been requested."

Speaker Kubik: "What reason does the Gentleman from Vermilion, Representative Black, arise?"

Black: "Yes. Thank you very much, Mr. Speaker. Inquiry of the Clerk."

Speaker Kubik: "State your inquiry."

Black: "Yes. Mr. Clerk, did I hear you state there was a fiscal note request filed to this Bill?"

Clerk McLennand: "A fiscal note has been requested by Representative Granberg."

Black: "All right. Thank you very much. Mr. Speaker?"

Speaker Kubik: "Yes, Mr. Black."

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Black: "Yes. May I be recognized for purposes of a Motion?"

Speaker Kubik: "Mr. Black, you are recognized."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. In all due respect to my colleague on the other side of the aisle, if you will take a look at House Bill 32, it amends the Illinois Plumbing License Law and it simply excludes the definition of plumbing, the connection of a water and sewer system to a mobile home and a manufactured home to existing connections already in the ground. Now this would have absolutely no cost to the State of Illinois whatsoever. And as was often done to me, in the last five years, I now offer a Motion to rule the fiscal note does not apply."

Speaker Kubik: "The Gentleman from...the Gentleman from Vermilion, Mr. Black, has moved that this fiscal note on House Bill 32 is not applicable. The Gentleman from Clinton, Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. Could the Parliamentarian cite for me the rule which would allow the Gentleman from Vermilion to make that Motion?"

Speaker Kubik: "Mr. Granberg. The Parliamentarian cites Act 50, Chapter 25 in the Illinois Revised Statutes on fiscal notes, 50-3, as the reason for ruling the note inapplicable. Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. If you could cite your rules which you authorized this Session and were voted on by the Members of this House, those are the Operational Rules of this Body and I would like to see the citation from the basis of the Motion, please."

Speaker Kubik: "Mr. Granberg. The Parliamentarian has informed us that the Fiscal Note Act is very clear and is a part of the Illinois Revised Statutes and so it applies. Your

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Motion is not in order. Representative Currie, the Lady from Cook, for what reason do you rise? Representative Lang, the Gentleman from Cook, for what reason do you arise?"

Lang: "Thank you, Mr. Speaker. On a Point of Order, if I may state it?"

Speaker Kubik: "State your point."

Lang: "Just simply citing the Fiscal Note Act as a reason to explain why this Motion can be made doesn't cut it, Sir. There is nothing in the Fiscal Note Act that allows for this Motion. In addition, under the rules of this House for the last several years, there was a provision in the rules to make such a Motion. But in your finely crafted rules Sir, that you have adopted for the smooth running of this Body, you have eliminated this Motion, it's not in your rules of procedure. And therefore unless you can cite to us either in a statute or in the constitution of the State of Illinois or in your House rules whereby such a Motion can be made, the Motion is clearly out of order, Sir. And I would ask for such a ruling now."

Speaker Kubik: "The Chair has stated its ruling. The Motion is in order. Those in favor of the Motion shall vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this Motion, there are 62 Members voting 'aye', 53 Members voting 'no'. The Motion is adopted. Third Reading. Mr. Clerk, please read House Bill 82."

Clerk McLennand: "House Bill 82, a Bill for an Act that amends the Child Labor Law. Second Reading of the Bill. No Committee Amendments. A fiscal note request has been filed."

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

Black: "Yes. Thank you very much, Mr. Speaker. Once again I rise to move that the fiscal note is clearly inapplicable in this case and would ask that we have a Roll Call Vote on whether or not the fiscal note, in fact, as I'm saying, the fiscal note on this Bill is clearly not applicable."

Speaker Kubik: "The Motion has been made by the Gentleman from Vermilion, Mr. Black, to move that the fiscal note is inapplicable. Those in favor of the Motion will vote 'aye'; those opposed will vote 'no'. You are going to have to yell louder, I can't hear you. Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I wanted to address the Motion. First of all, I wanted to thank you on the previous Bill because you voted on the merits and you did not vote in favor of your ruling so I knew the truth would come out and I appreciate that, Mr. Speaker. And secondly, on this I thought it was the intention of the Majority to open the governmental process up to see how fiscal notes apply, to see how these provisions apply to the state, what there costs are, to open the process up for all the people but apparently that is not the case and I've been misinformed."

Speaker Kubik: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this Motion, there are 64 voting 'aye', 51 voting 'no'. The Motion is adopted. Third Reading. Representative Lang, the Gentleman from Cook."

Lang: "Thank you, Mr. Speaker. Point of Inquiry."

Speaker Kubik: "State your inquiry."

Lang: "Thank you. Is it going to be your intention in the Chair

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to completely ignore us when we're making a Parliamentary Inquiry or a Point of Order before you call the matter for a vote?"

Speaker Kubik: "Representative Lang, as I stated to Representative Granberg this morning, we're going to try to be as fair as we possibly can and I'm doing...we're doing...I think we've been very fair. Representative Granberg was recognized, he did not ask for a ruling. Representative Lang."

Lang: "Thank you, Mr. Speaker. You recognized Representative Granberg after the vote. Both of us had our lights on and, in fact, were making a lot of noise because we both had a Parliamentary Inquiry on a Point of Order and a Point of Inquiry from the Chair. And I would request in the future that you would at least hesitate maybe a tenth of a second to check to see if you have some lights perhaps flashing on our side of the aisle. You have all the votes you need to pass every procedural vote we take in this House for the next two years. So there's no reason for you to run roughshot over the Members of this side of the aisle, there is no reason for you ignore us and you can just let us talk ad infinitum, eventually you will win the Motion. So it seems to me reasonable, Mr. Speaker, that you would just let us get our points out and defeat us and then go on with the business of the House. But to ignore us completely I think does yourself a disservice and is an embarrassment to your side of the aisle, Sir."

Speaker Kubik: "Representative Lang, it probably would have been a little easier for me to hear if your staff wasn't so loud. So maybe if we lower the level of discussion it might be a little bit easier for me to hear. The Gentleman from Champaign, Representative Johnson."

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Johnson, Tim: "I would simply make the point in response to Mr. Lang or at least a Point of Order that his own comments with respect to making arguments ad infinitum, I guess admit in and of themselves that the debate is dilatory. And I would certainly support the Chair in its statement that it has been fair. But if we have a fiscal note filed request on every Bill, were it is clearly inapplicable, and we have ad infinitum, as he describes it, debate on every Bill then Senator Watson's Bill, with respect to May 21 being...or May 31 being the deadline, will be so far beyond that, that we will have lost control of this process. So I would hope that both of us, both sides of the aisle, could join in failing to make dilatory Motions and trying to keep the level of debate at both civil and on a reasonable and controlled level. And I think the Speaker is handling it entirely appropriately."

Speaker Kubik: "Mr. Clerk, please read House Bill 115. Strike that. Mr. Clerk, please read House Bill 166."

Clerk McLennand: "House Bill 166, a Bill for an Act that amends the Early Intervention Services System Act. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Kubik: "Representative Lang. I waited a tenth of a second so that your light could come on."

Lang: "Question, Mr. Speaker. Could you repeat your question?"

Speaker Kubik: "I in..."

Lang: "The staff on our side apparently is making so much noise, Mr. Speaker, I just can't hear you. What was it you said to me, Sir?"

Speaker Kubik: "I said, Mr. Lang, that I waited a tenth of a second so that your light could come on. Mr. Lang, you are now recognized."

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Lang: "Well, it was just a point of inquiry. I was wondering if a fiscal note has been filed on this Bill?"

Speaker Kubik: "Mr. Clerk?"

Clerk McLennand: "None has been requested."

Speaker Kubik: "Third Reading. The Lady from Cook, Representative Currie, for what reason do you arise?"

Currie: "Thank you, Speaker. With another parliamentary inquiry. I did note that yesterday in the Health Care Committee one of the Members did question the Chair about the authority for the ruling that a subcommittee may table a Bill and there was no reference to a rule cited. In addition, this morning in the House Revenue Committee, the question was asked of the Chair whether Members of the full committee, who were not Members of a subcommittee, might nevertheless be entitled to ask questions and make comments during a subcommittee hearing. The Chair of the Revenue Committee said she didn't know the answer. So I thought perhaps the Chair would advise us what the rule is in committees with respect to that question. She said, she hoped that it would turn out that other Members would be able to ask questions and participate in the discussion but she needed to consult some other entity before she could make that determination. So perhaps you could enlighten us all on both the question, whether subcommittees may table Bills and on the question, whether Members of committees, standing committees, may participate even though they may not vote in subcommittee discussions."

Speaker Kubik: "Representative Currie, the Chair would say to you that we appreciate the fact that you have attended every committee Session so far. Your inquiries however, would best be directed in committee. Mr. Clerk, please read House Bill 231."

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Clerk McLennand: "House Bill 231, a Bill for an Act that amends the Comprehensive Health Insurance Plan Act. Second Reading of the Bill. No Committee Amendments. A state mandates note and a state debt impact note have been requested."

Speaker Kubik: "Mr. Clerk, has the note...have the notes been filed?"

Clerk McLennand: "They have been filed."

Speaker Kubik: "Third Reading. Representative Ryder, the Gentleman from Jersey, for what reason do you arise? He does not wish to speak. Second Reading. Mr. Clerk."

Clerk McLennand: "The state debt impact note has not been filed."

Speaker Kubik: "The Gentleman from Jersey, Representative Ryder, for what reason do you arise?"

Ryder: "Mr. Speaker, I rise for the purpose of a Motion."

Speaker Kubik: "State your Motion."

Ryder: "I would move that the state debt impact note is not applicable in this situation, on this Bill. Because that impact note only applies to long term debt authorization or the use of bond finance funds. Neither of which are part of the underlying Bill. For that reason I move and ask a Roll Call Vote, that the note is inapplicable."

Speaker Kubik: "The Gentleman from Jersey, Representative Ryder, has moved that the note is inapplicable. The Gentleman from Clinton, Mr. Granberg."

Granberg: "Thank you, Mr. Speaker. First of all, to the merits of the Gentleman's Motion. This deals with the chipboard which operates at a deficit every year. This effects the states bond rating, which has been lowered again for the third time in four years, which is unprecedented in this state. We need to know what the impact will be on state finances. Obviously, Moody and everyone else has great



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concerns over this state's finances and we should have that concern as well. I think the Representative should withdraw the Motion, I think we should be opposed to it. We should see what the impact is. This is a very serious program, our state's fiscal health is in jeopardy, it has been in jeopardy. We have an eight month budget for medicaid that has not been funded. We have \$2 billion in bills out there. Let's take a look at the state's fiscal condition and I would ask for a 'no' vote."

Speaker Kubik: "The Gentleman from Jersey, Representative Ryder, for what reason do you arise?"

Ryder: "Mr. Speaker, I rise simply to correct my good friend from Clinton County. To inform him that if he had been in committee he would have learned that the CHIP Program currently not a...has no waiting list, they are not serving as many folks as they are authorized to do, they have a \$22 million reserve. And, in fact, they came to committee just this past week asking for permission to use a sliding scale to accommodate others because they wanted to be able to use their funds rather than not spend their appropriation. So, I'm sorry to say that your mistaken on the facts, not the least of which is, there is nothing in this Bill that effects the bond fund program at all. But next time come on to committee and we'll listen to them together."

Speaker Kubik: "The Gentleman from Cook, Mr. Lang, for what reason do you arise?"

Lang: "Thank you, Mr. Speaker. I know of no authority in the statute or in the rules of the House that allows such a Motion..."

Speaker Kubik: "Let's give Mr. Lang a second."

Lang: "...in these circumstances. Accordingly..."

Speaker Kubik: "Can we have some order in the House so that Mr.

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Lang can make his point?"

Lang: "Thank you."

Speaker Kubik: "Mr. Lang."

Lang: "Since I find no authority in the statutes, in the constitution, or in the rules of this House to allow this Motion, I would ask that the Chair rule this Motion out of order. If the Chair...if the Chair denies my Motion, then I would move and I'm joined by the necessary number of people on our side of the aisle, to overrule the opinion of the Chair on my Motion."

Speaker Kubik: "Mr. Lang. The Motion is in order. Do you have a Motion? Mr. Lang."

Lang: "Well, I already made the Motion and I will proceed with it. However, Mr. Speaker, I'm entitled to know by what authority the Motion...Mr. Ryder's original Motion is in order."

Speaker Kubik: "The Motion is, 'Shall the ruling of the Chair be sustained?' Those in favor of the Motion, vote 'aye'; those opposed to the Motion will vote 'no'. Voting is now open. Mr. Clerk, please take the record. Mr. Clerk, would you please dump that roll call. The Motion, which was on the floor, was shall the ruling of the Chair be sustained? Mr. Lang, I cite to you Chapter 25, ILCS 65-7. Amended Bills request for debt impact notes. As the reason for my ruling and I understand you have a Motion to overrule the Chair. You wish to withdraw your Motion? Mr. Lang."

Lang: "Thank you, Mr. Speaker. I do have that Motion, however, the ruling you gave me was not a ruling. I can pick a page in a statute book. What does it say that gives Mr. Ryder the right to make such a Motion? Can you...if it says that it shouldn't be any big problem to read it to us, Sir. The Parliamentarian is standing next to you. Mr. Nimeroski is

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pointing to the section, maybe he would like to read the section?"

Speaker Kubik: "The Gentleman from Will, Mr. Wennlund. For what reason do you arise?"

Wennlund: "Thank you, Mr. Speaker. Representative Lang's very knowledgeable and perhaps there is enough money in the House budget that they can afford seven volumes of the Illinois compiled statutes but evidently they can't afford it, so I'm going to read it to you. It is in 25 ILCS Section 65-7. If the Sponsor is of the opinion that a long term debt note is not required the matter shall be decided by a majority vote of those present and voting in the House of which he is a Member. Now, if you want to...your last Motion, with respect to the impact note that Representative Black left, we can turn to 25 ILCS 50-3. Whenever the Sponsor of any measure is of the opinion that no fiscal note is necessary, any Member of either House may thereafter request that the note be obtained and in such case the matter shall be decided by a majority vote of those present and voting in the House of which he is a Member. So I'll be glad to loan you my statute book, I had it brought down here from my sixth floor office, Representative Lang. We can study the law together. Thank you."

Speaker Kubik: "The Gentleman from Madison, Representative Davis."

Davis, S.: "Speaker. Last Thursday Representative Deering asked the House Clerk whether we were going to get a copy of the rules in book form and I believe the response of the Clerk was that we would be getting the rules in book form this week. I have yet to receive my copy, Mr. Speaker. And I feel that I speak for all the new Freshman in the

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Legislature, who are not familiar with the rules and who would like to be able to have the book form, instead of carrying this copy of the rules around. To have a copy of the rules on our desk. Would you please ask the Clerk if we're going to get that copy this week?"

Speaker Kubik: "Mr. Clerk?"

Clerk McLennand: "Next week the printing unit will be typesetting the rules, so by the end of next week we hope to have it from the printing unit."

Speaker Kubik: "The Lady from Cook, Representative Davis."

Davis, M.: "I just...this is an inquiry of the Chair, Mr. Speaker."

Speaker Kubik: "State your inquiry."

Davis, M.: "We noticed that when we have two or more people with the same name, you either have the name, the first name of that Representative or you have the initial and I noticed that for Art Turner and myself, you don't have our first initials and I am requesting that you put M in front of my name or just put Monique."

Speaker Kubik: "The Motion is, 'Shall the Chair be overruled?' Again, the Motion is, 'Shall the Chair be overruled?' Those in favor of the Motion will vote 'aye'; those opposed will vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this Motion, there are 51 voting 'aye', 63 voting 'no'. The Motion failed. Ladies and Gentlemen, if I could have your attention please, just briefly. We would like to acknowledge the presence of the Attorney General of the State of Illinois who is with us this afternoon, Mr. Attorney General Jim Ryan. Mr. Clerk, the Motion on the floor at the present time is, whether or not the state debt impact note is

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inapplicable. Those in...those voting in favor of the Motion will vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. The Motion, received 63 voting 'aye', 51 voting 'no'. The Motion is adopted. Third Reading. Mr. Clerk, please read House Bill 544."

Clerk McLennand: "House Bill 544, a Bill for an Act that amends the Environmental Protection Act. Third Reading of the Bill. No Committee...Second Reading of the Bill. No Committee Amendments. No Floor Amendments. A balanced budget note and a state debt impact note have been requested."

Speaker Kubik: "Mr. Clerk, have those notes been filed?"

Clerk McLennand: "Only a fiscal note has been filed."

Speaker Kubik: "The Gentleman from Jersey, Representative Ryder."

Ryder: "Wait just a minute."

Speaker Kubik: "The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would move and request a Roll Call Vote to rule that the state debt impact note and the balanced budget note are not applicable to this Bill. The state debt impact note only applies to long term debt authorization or the use of bond finance funds, neither of which are contemplated or required under this Bill. The balanced budget note, which I have to admire as a rather creative note request at this point by those who...whoever it was that did it, only applied to supplemental appropriations. This is not a supplemental appropriation. I'll tell you guys when we're going to do that, you can file the note if you wish, this is not it. For those reasons I would ask that the Note Act be ruled inapplicable."

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Speaker Kubik: "The Motion is, 'Is the Note Act inapplicable?' Those in favor of the Motion will vote 'aye'; those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this Motion, there are 63 voting 'aye', 51 voting 'no'. The Motion is adopted. Third Reading. Mr. Clerk, I would...on behalf of Representative Kaszak, I would like to thank you for the Calendar today. Casmir Palaski is just stunning and we are very happy that you've decided to get that likeness of him. So, Mr. Clerk, thank you for..."

Speaker Daniels: "Order of Concurrence. Speaker Daniels in the Chair. The House will come to order. Order of Concurrence. The Gentleman from...or Mr. Clerk. Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. At this time I would move to concur with Senate Amendment #1 to House Bill 201. Basically what the Senate did was to put in statutory language, basically that language which I read as a matter of intent at the time that we discussed this Bill, basically saying that any right that accrued before the effective date of the Bill would still be under the Structural Work Act. But that after the effective date of the Bill that the right would not exist. And it also puts in an immediate effective date. So at this point I would move to concur with Senate Amendment #1 to House Bill 201."

Speaker Daniels: "The Gentleman from Lake, Representative Churchill, has moved for concurrence of Senate Amendment #1 to House Bill 201, is there any discussion? The Gentleman from Cook, Representative Lang."

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

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Speaker Daniels: "He indicates he will."

Lang: "Thank you. Representative, what does the Amendment do, Sir?"

Speaker Daniels: "Representative Churchill."

Churchill: "Yes. I think I just said this but I will say it again. You'll recall when we debated this Bill I read some language into the record which would set the date for the...at which point the right to make a claim under the Structural Work Act would terminate. I read that into the record as a matter of intent, the Senate felt that it would be better to put it in to the actual language of the Bill and so they have a two paragraph Amendment which basically says that, if you have right accruing under the Structural Work Act prior to the effective date that that right would continue in existence but after the effective date that it would terminate. Also, that the Act would become effective upon becoming law."

Speaker Daniels: "Representative Lang."

Lang: "So would it be your intent, Sir that if...presuming the Governor would sign this tomorrow, that any injuries that were sustained today would be actionable and would have the full four year statue of limitations under the current Act?"

Speaker Daniels: "Representative Churchill."

Churchill: "Yes."

Speaker Daniels: "Representative Lang, any further...further discussion? Representative Churchill to close. Excuse me, Sir. Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Daniels: "He indicates he will."

Granberg: "Representative Churchill, does this apply to road workers?"

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Speaker Daniels: "Representative Churchill."

Churchill: "There is a separate issue floating around this place that would be the repeal of the Road Safety Act or whatever it is called and that is not in this Bill. This deal solely with the Structural Work Act."

Speaker Daniels: "Representative Granberg."

Granberg: "Well, I understand your intent but why we not include road workers if this is such a meritorious idea and deal with the issue in whole instead of a follow up Bill or in partial form. If we are going to deal with the issue let's deal for all people. If it is going to be helpful for business, let's deal with all businesses. And if it's going to be dangerous for employees, then you make it dangerous for all employees."

Speaker Daniels: "Representative Churchill."

Churchill: "Would you like to go on that particular Bill as a Co-Sponsor with me?"

Speaker Daniels: "Representative Granberg."

Granberg: "My question, Mr. Churchill, is why we're not dealing with this in total?"

Speaker Daniels: "Representative Churchill."

Churchill: "I guess my response is that at some point along the line we will have a Bill that will deal with that particular Act and I'd love to have you join me as a Co-Sponsor. I noticed you had a lot of concern about this and I would love to have you as a Co-Sponsor."

Speaker Daniels: "Further questions, Representative Granberg?"

Granberg: "My only question, Representative, is why are we dealing with that in a separate Bill since the provisions would be identical?"

Speaker Daniels: "Representative Churchill."

Churchill: "That's a separate Act and this Bill applies to one



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Act and that Bill will apply to that Act."

Speaker Daniels: "Representative Granberg."

Granberg: "Are we going to have that separate Bill before this  
Body tomorrow or some other point next week?"

Speaker Daniels: "Representative Churchill."

Churchill: "What was that...I can't remember what that saying was  
that we had a former Member that always wanted to know if  
it was time yet. I don't think it's time yet but it will  
be at some point, I'm sure."

Speaker Daniels: "Representative Granberg."

Granberg: "Well, Mr. Churchill, I'm just curious is to when its  
time might be right. We're dealing with this issue today.  
Why would we not make it applicable to those folks? Why  
don't we deal with it today? You're talking about a Bill  
that may or may not be heard. Can you give us...your  
opinion that it will, in fact, be called?"

Speaker Daniels: "Representative Churchill."

Churchill: "Representative Granberg, the more I listen to you the  
more I realize the great concern you have about this and  
how you really need to be a Co-Sponsor. I think I'll wait  
a day or two and see if I can at least let you come over  
and we'll chat about it. Maybe I can put you on as a  
Co-Sponsor and then we can proceed to that Bill."

Speaker Daniels: "Further questions? Representative Granberg."

Granberg: "Thank you very much. Why don't we bring that Bill up  
next week? Is there...is there any other opposition to  
that provision that might be in addition to opposition on  
House Bill 201? Is there some other group out there or  
some other influence that might be adversely impacted by  
that legislation and that's the reason we don't want to  
bring it up today?"

Speaker Daniels: "Representative Churchill."

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Churchill: "I think that Bill will receive a favorable vote in this Body at some point. I really believe that and with your help I know it will."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Representative Churchill. I appreciate your frankness, I can't wait to see this Bill and see if you can bring the opponents in to reach an agreement with you. Because if this issue is debated it should be done today. It should affect all bodies, not those who might have more political influence. Thank you."

Speaker Daniels: "Further questions? Further discussion? Representative Churchill to close."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The issue is simple, I believe it's been explained. I would appreciate your affirmative vote. Thank you."

Speaker Daniels: "The question is, 'Shall the House concur with Senate in the adoption of Senate Amendment #1 to House Bill 201?' All those in favor vote 'aye'; opposed vote 'nay'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 62 voting 'aye', 54 voting 'nay', and none voting 'present'. The House does concur with Senate Amendment #1 to House Bill 201. And this Bill having received the Constitutional Majority, is hereby declared passed. We will now proceed to the Order of House Bills, Third Reading. Mr. Clerk, read House Bill 46."

Clerk McLennand: "House Bill 46, a Bill for an Act that amends the State Police Act. Third Reading of this House Bill."

Speaker Daniels: "The Chair recognizes Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 46 out of committee

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with 17 'aye' votes and only 2 'nay' votes. Let me tell you very briefly what it does. All of you are familiar with the fact that the federal government has deregulated the trucking industry. Regardless of what your thoughts may be on that, this makes it necessary that the Illinois Commerce Commission police officers, that force is no longer necessary. Now this gave the State of Illinois an opportunity that all of you said last fall we needed. And that is that we could take these sworn officers and with only 12 weeks of training, put them on the Illinois State Police force. I would be glad to answer any questions you have. I think the bottom line and what I would like you to remember, is regardless of what you think about deregulation, regardless of what you might think about this Bill, the net effect is that puts 22 new Illinois state troopers on the state police force and I, for one, think that that is a golden opportunity and one we should not let pass by. I'd urge your favorable consideration of this Bill and would glad to answer any questions you might have."

Speaker Daniels: "Is there any discussion? The Gentleman from Clinton, Representative Granberg."

Granberg: "Will the Gentleman yield?"

Speaker Daniels: "He indicates he will."

Granberg: "Representative Black, how many parties are going to be impacted by your Bill?"

Speaker Daniels: "Representative Black."

Black: "I'm sorry, I did not hear the question."

Speaker Daniels: "Representative Granberg."

Granberg: "How many individuals are impacted by your legislation?"

Speaker Daniels: "Excuse me. Ladies and Gentlemen, please."

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Please, we're on Third Reading. Would you please clear the aisles. Members please be in their seats. Can we break up the caucuses? Staff, on both sides, you belong in the back unless you're helping the Sponsor with the Bill or unless you're helping the Gentleman from Clinton. Thank you. Representative Black."

Black: "Thank you very much, Mr. Speaker. To the question. There were 39 sworn Illinois Commerce Commission police officers. All of them were, to the best of my knowledge, were told that they could make application to the state police merit board. Thirty made application, 22 were accepted. That 22 I'll break down for you. There are two females, one African-American and 19 white males."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Mr. Black. How many people in total though were impacted by this decision at the Commerce Commission? It's my understanding there were other layoffs. Is that correct?"

Speaker Daniels: "Representative Black."

Black: "Yes, absolutely. When the federal government, under the direction of President Clinton, decided to deregulate the trucking industry, approximately 100 people lost their jobs in the subsequent downsizing of the Illinois Commerce Commission as required by federal law."

Speaker Daniels: "Representative Granberg."

Granberg: "Well I think President Clinton was listening to Mr. Ryder yesterday on the need to downsize and balance the budget. So I think he took Representative Ryder's position to heart. So we are trying to downsize government. But with these people that applied, what was the determination that they would, in fact, go to the state police and receive training?"

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Speaker Daniels: "Representative Black."

Black: "Obviously, the only people who could apply where those who were already sworn police officers. They had had 400 hours of training, they already met all the minimum requirements, had gone through firearms training and this would mean that these people who had 400 hours of police training only needed 400 more, approximately I may have that number wrong the state police can correct me if I'm wrong, they would only need 12 weeks at the State Police Training Academy rather than 24. And these 12 weeks are being paid for by proceeds from riverboats. So I assume that it is a golden opportunity to add 22 sworn state police officers at no direct cost to the Illinois taxpayer."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, it is my understanding that the moneys owed by the riverboats had been owed previously and that was not done prior to this time. So why is, in fact, the action necessary at this point when those dollars were not paid at a prior moment in time?"

Speaker Daniels: "Representative Black."

Black: "Yes, Representative Granberg, I don't know the answer to that but I'll tell you where you and I both live, one of the old saying is, 'we don't look a gift horse in the mouth'. If somebody is going to offer to pay the cost of training for 22 state police officers and we want a quivle that maybe that money was due a year ago. Hey, a year ago or tomorrow morning, I'll take 22 state police officers."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, I think that's great but let me just ask you one question. Are there going to be state police officers who are going to be transferred to the boats, so

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is there going to be any net gain in state police on our highways?"

Speaker Daniels: "Representative Black."

Black: "That question came up in committee, it was disingenuous then as it is now. State troopers have been assigned to riverboats since people on your side of the aisle decided to create the licenses years ago. If you want to join me in taking them off, I'll be glad to do that, yet in this Session. But the bottom line Sir, and you know as well as I, if you add 22 people to an existing force you've got a net gain of 22."

Speaker Daniels: "Representative Granberg."

Granberg: "Yes. What state police are being transferred to the boats? Are these the most senior members of the state police, the ones who would have the most experience in our roadways, protecting our citizens. That are going to be put on gaming boats?"

Speaker Daniels: "Representative Black."

Black: "It is my understanding, from the state police, that this assignment to a riverboat is a bid item and would therefore accrue in all probability to the most senior members of the force."

Speaker Daniels: "Representative Granberg."

Granberg: "So the most senior members of the state police, that we desperately need particularly in downstate, will be on the riverboats using their skills to help those people who decide to wager? That's the first point. Now these people, when the ICC police officers go to the state police. Who makes the determination on seniority in status, when they transfer to the state police? Has that been determined?"

Speaker Daniels: "Representative Black."

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Black: "Yes. I don't know the exact answer, I know we talked to Mr. Finley and Director Ganner, I believe by contract or negotiation most of them will come in at new seniority but I believe are two that may gain additional seniority and I cannot in all honesty tell you how but I think it has been worked out within the department either by negotiation or by contract. I'm simply..."

Speaker Daniels: "Representative Granberg."

Granberg: "The reason I'm asking Representative, is we do not know that answer and I have not been informed as to how that would be determined. So that makes us wonder in the process, if it is going to be fair to all people, all members of the ICC police. How those determinations will be made, if they will be made on merits or seniority or others. So when this occurs, how in fact, what factors will be considered? And that will be the sole discretion of the director?"

Speaker Daniels: "Representative Black and Representative Granberg, your time has expired. So can you kinda bring your questions to a close? Representative Black in answer to that question."

Black: "Yes. Thank you very much, Mr. Speaker. To the best of my ability...to the question. I don't think anybody on this floor would want to argue that the state police is one of the agencies of state government that I think is probably as fairly run as any I'm aware of. And I think they have internal procedures and policies that will make sure that these people are treated fairly. And in all due respect to you Sir, I don't believe that 30 of the 39 ICC officers would have even bothered to make application, if they did not think their application and their result and assignment would be made in fairness by the state police

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merit board and not, thank heaven, by any of us on this floor."

Speaker Daniels: "Representative Granberg."

Granberg: "Speaker, a question. It has been indicated to me that the Representative Deering would like to allot his time to me, if that would be permissible with the Chair?"

Speaker Daniels: "Under the Parliamentarian advises me, under Roberts Rules that Representative Deering can do that, but we're suppose to call on him first. But I will recognize you under that magnanimous offer by Representative Deering to allot his time. I know that his time would have been utilized in a great sense, so we're going to miss his debate on it. But I know that you will take over for him. Representative Granberg."

Granberg: "Thank you very much. In fact I'm sure that I've heard that it would probably be an improvement."

Speaker Daniels: "I understand."

Granberg: "Representative Black, now when this occurs, now these people are receiving training at the current time, is that correct?"

Speaker Daniels: "Representative Black."

Black: "I believe the class is scheduled to graduate in March, that's correct."

Speaker Daniels: "Representative Granberg."

Granberg: "Do they have the legislative authorization prior to that time, to expend dollars for their training?"

Speaker Daniels: "Representative Black."

Black: "I have no idea."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, what the people on the list, I just want to ask a couple of questions. There certainly wouldn't be any political influence or political



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connections or people that know somebody or anything of that nature that would transcend the merits of the issues, would that be the case?"

Speaker Daniels: "Representative Black."

Black: "Yes, thank you very much. I'm glad you brought that question up and I truly am, I truly am. And I want to say this to you and I look you in the eye. The rumor has been spread that 11 of the 22 are Republican County Chairmen. All right? Now for all of your alligator tears and all of your merit commissions in Chicago, if you can show me one - one Republican County Chairman on that list, I'll withdraw my name as a Sponsor and I resent that implication, Sir."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative Black, I did not...I certainly did not state that there were 11 Republican County Chairman, I did not make that statement. If I had...if I had not, if I had I would certainly...if I had I would apologize. How about Republican Precinct Committeemen?"

Speaker Daniels: "Representative Black."

Black: "I specifically asked Mr. Jim Finley of the Department of the State Police if any of these 22 could be considered political appointees in any way, shape or form. He assured me that the answer was no and I place my complete confidence in Mr. Finley and Sir, in the State Police Merit Board."

Speaker Daniels: "Representative Granberg."

Granberg: "Mr. Black, the question was, Sir. Are there any Republican Precinct Committeemen on this list, to your knowledge?"

Speaker Daniels: "Representative Black."

Black: "Thank you, Mr. Speaker. I have no knowledge to that any way, shape or form. I will rely on my question to Mr.

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Finley. Where there any people on this list who could be considered political appointees and the answer was no."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, are you familiar with a Mr. Dave Weagand, with the Commerce Commission, and where his residence might be?"

Speaker Daniels: "Representative Black."

Black: "I'm sorry, Mr. Granberg, you said am I familiar with somebody who was arrested?"

Granberg: "I'm not talking about your social life. Mr...no, Representative Black, I would never, I would never infer about your social life. I did not mean it that way and you know that. Mr. David Weagand, are you familiar with that gentleman, Sir?"

Speaker Daniels: "Representative Black."

Black: "No, Mr. Granberg, I am not familiar with any name on the list. And I accept your apology and after Session you and I can get together. Maybe I can give you a hint or two about how you want to do this in the coming months."

Speaker Daniels: "Representative Granberg."

Granberg: "Mr. Black I would never infer about that and you know better than that, Sir. So let's not trivialize this thing when we're talking about serious issues."

Speaker Daniels: "All right. Representative Granberg, excuse me. Ladies and Gentlemen, excuse me. Do you have a question, Representative Granberg?"

Granberg: "I might reference you to Representative Parke but I would certainly not do that. Now, it is my understanding Mr. David Weagand is...his residence is in DuPage County and apparently you don't have any knowledge of that. But there are other people on the list, Sir and that's what I'm getting to. Is we should know whether this occurs or not

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and I respect Mr. Finley, as I respect you. But it always makes me wonder when I look on a list and I see certain names like Reinkey, when I see people from DuPage County. And I don't know why I would be so cynical but I have been and I'm learning in this process to be even more cynical, Sir. So with due respect to you, I am very concerned that we're not doing the appropriate thing. It should be based on the merit, we should agree state police and we should downsize government. That is the free market approach when advocated by your Congress, our Congress and I believe we should concur with that and I would ask for a 'no' vote."

Speaker Daniels: "Just a break for a second. The Chair would like to introduce the Lieutenant Governor of the State of Illinois, Robert Kusta. Is there further discussion? The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker. Would the Gentleman yield for some questions?"

Speaker Daniels: "He indicates he will."

Hannig: "Yes. Mr. Black...Mr. Black, on the legislation I understand that we're authorizing the transfer of 25 people. But it's my understanding that there's really only 22 that are being considered. Why would that be?"

Speaker Daniels: "Representative Black."

Black: "I think, Sir you would have to ask the State Police Merit Board why they felt that only 22 qualified. I would have like to of seen 33 or all 39, that is not my decision."

Speaker Daniels: "Further questions? Representative Hannig."

Hannig: "Yes. Thank you. So, what is the current status of those people that formerly I guess were with the Illinois Commerce Commission and the officers since the deregulation on January 1? Other words, what is their status?"

Speaker Daniels: "Representative Black."

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Black: "To the best of my knowledge some of them have left state employment and perhaps as many as 14 are still with the department in another category."

Speaker Daniels: "Further questions? Representative Hannig."

Hannig: "Yes. The three positions that apparently are unaccounted for, do you anticipate that this language in this legislation would allow some additional people to fill that at some later time?"

Speaker Daniels: "Representative Black."

Black: "No, Sir, I do not believe this legislation would allow that at all. I think it's simply clarifies what we had authorized, what are now in training and I wouldn't think that this Bill, if the Governor chooses to sign it, could be used to add anybody at a later date."

Speaker Daniels: "Representative Hannig."

Hannig: "What about the officers that were at the ICC, are there any of those that are still left on the ICC payroll or have they all left?"

Speaker Daniels: "Representative Black."

Black: "Of the 39, it's my understanding, that 12 are still on the payroll of the Illinois Commerce Commission."

Speaker Daniels: "Representative Hannig."

Hannig: "And in what capacity are they serving, do you know?"

Speaker Daniels: "Representative Black."

Black: "Thank you. It is my understanding from staff and the commerce commission, some have been moved over to railroad enforcement. Let me check for just a second, Representative. The Illinois Commerce Commission informs me that some will be moved to the area of railroad enforcement, crossing safety and et cereta. Others will take care of what few responsibilities, for example, moving companies across the road, moving companies and what few

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items the Commerce Commission are still authorized and delegated to enforce."

Speaker Daniels: "Representative Hannig."

Hannig: "Did you say earlier and I'm not sure I heard this correctly but if you could help me. That these people that are training to be state troopers, under this proposal, are being paid currently from the gaming fund?"

Speaker Daniels: "Representative Black."

Black: "Yes. The Commerce Commission ran out of funding for them, they are not paying them. The state police are paying them the cost...excuse me...the cost of training is being covered by proceeds from the Illinois Gaming Board."

Speaker Daniels: "Representative Hannig."

Hannig: "Got to get used to this new system. Representative, isn't the money in the Illinois Gaming Fund that's not spent, doesn't that ordinarily end up in the Education Fund?"

Speaker Daniels: "Representative Black."

Black: "To the best of my knowledge there's a breakout of funds and a goodly part of the funds do go to the Educational Assistance Fund. I would think that there would be a way, since troopers are required on the boats, I really would have to rely on an appropriations person and I know that's where you serve, as to just what that breakout is. But I would very surprised if the state police would get themselves in a pinch without checking on their authority to use those kinds of funds in the first place."

Speaker Daniels: "Representative Hannig."

Hannig: "Yes. I guess...it seems unusual to me that we would be paying these people out of the gaming fund for their training. Especially, as you said earlier, they would probably be put out on the highway. Can you maybe

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elaborate on that for me please?"

Speaker Daniels: "Representative Black."

Black: "Yes. I...to the best of my knowledge, they...I don't know how often the state police are rotated to riverboat duty. We don't know, we could probably ask the state police at some point. I don't know whether they're rotated quarterly, bi-annually, I have no idea. Obviously at some point 22 troopers will be rotated to riverboat duty and I think the state police's intent was since 22 troopers will someday end up on boats that they could just use these funds to train the 22 that they have the opportunity to train."

Speaker Daniels: "Representative Hannig, your time is coming to a close. Can you wrap up your questions in your comments? Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker. I appreciate your patience but I would like to get some of these questions answered. I guess really, to the Bill. It seems to me that what this proposal is about is special legislation. Now we have a process whereby we can have academy classes and we can take applications from all around the State of Illinois and we can allow people who we feel that are qualified to become state troopers. And I think we would all applaud the Governor's effort if he would come forward and want to do that. But in this case we're specializing or we're singling out some special people and telling them that we're going to give them some special consideration. And to me that doesn't seem to be fair and it doesn't seem the way that we ought to be running the State of Illinois. I don't think that the people of this state that elected us sent us down here to make...to give special favors and special consideration to people in this state for jobs. It

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also seems to me unusual that money that is in the gaming fund that normally would fall through if its not spent into the education fund should be used for training purposes. I don't believe that that's the normal way that we train police officers for the state police. I think that money belongs to the kids of the State of Illinois and that we should not authorize any legislation that somehow diverts school money to some other purposes. So for those reasons, Ladies and Gentlemen of this House, I would urge all Members to vote 'no'."

Speaker Daniels: "Further discussion? The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you. Thank you, Mr. Speaker. I find it somewhat surprising that colleagues are suggesting that there's somehow an evil intent and a Bill that is the fastest, quickest, surest way to put police on the streets. Is there a problem here? Am I not understanding that you somehow don't want police on the streets? The folks that want a cop on every block, don't want police on the streets? So you're raising these red herrings. Talking about people that aren't on the list. It's a simple, straight forward vote. You want police protection? You want our roads to be safe? Those of my colleagues who are from downstate who want some coverage and those hours when we don't have coverage to put some of these folks on the street, on the roads after midnight when your car breaks down, when you want some assistance, when you're in a life and death situation. If you're saying no to your constituents then. I don't think that's what we want. We want police protection, that's why we have the State of Illinois. That's why we have this Bill and that's why we want police on our roads."

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Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. You know, I've been very impressed with the level of debate here and the concern for the citizens of the State of Illinois relative to adding 22 state policemen. Since I have several Amendments dealing with the issue of police for all the state, I would hereby move and I'm joined under Rule 8.5 by 25 of my colleagues, that we immediately go to the Order of Motions and I ask that we change the order...Rule 5.8. I'm sorry, I specified the rule wrong. So I move that we immediately go the Order of Motion, Sir."

Speaker Daniels: "Well, aren't we surprised? Representative Lang, you know from reading the rules, that House Rule 7.5 on precedents Motions, says that when a question is under debate no Motion may be entertained and this is not one of the Motions that will be entertained. So your ruling, your Motion, is out of order. Your remedy Sir, is to appeal the ruling of the Chair, if you so desire. There will be no debate on it. You...Representative Lang."

Lang: "Before I make a Motion to appeal the ruling of the Chair. My Point of Order, Mr. Speaker, if I may state my point of order, Sir?"

Speaker Daniels: "You may state it."

Lang: "My point of order is, that a Motion to change the order of debate or the order of business is in order at any time, Sir."

Speaker Daniels: "Go ahead. Representative Lang."

Lang: "On page 38 of the unprinted rules, the original copy because we don't have the hardbound yet, Rule 5.8 entitled changing order of business, Sub-Section B. Any order of business may be changed at any time, any time, upon the



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Motion of any Member, I am one of those supported by five additional Members, there's 20 hands up, Sir. If the Motion is adopted by an affirmative vote of 60 Members. And I would ask for a Roll Call Vote on my Motion to change the Order of Business. So that we can continue to talk about the important issue of police on the streets, Sir."

Speaker Daniels: "Bring your remarks on a close, Sir. Bring your remarks to a close."

Lang: "Well, I have, Sir."

Speaker Daniels: "Okay. Your point has been made, your point is out of order. If that Motion was in order that would be appropriate. It is out of order according to House Rule 7-5. You may, if you so choose, appeal the ruling of the Chair. Is that your desire, Sir? Representative Lang."

Lang: "Would...before I proceed with my Motion to appeal the ruling of the Chair."

Speaker Daniels: "No. Sir."

Lang: "I have a point of order."

Speaker Daniels: "Excuse me, Sir."

Lang: "May I state it, Sir?"

Speaker Daniels: "You will not have a dialog with the Chair. You've heard the Chair's ruling. You may make that Motion to appeal the ruling of the Chair, if you so desire. State your point."

Lang: "The point is that you've cited another rule. Can you explain to the Body how that rule supersedes the one I've read? Because the rule I've read, Sir, indicates that we can discuss the state police at anytime and so I move that we do that. It says, at anytime. It doesn't say at anytime other than when you say, Sir."

Speaker Daniels: "Do you wish to appeal the ruling of the Chair, Sir? Representative Lang."

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Lang: "First, I want an explanation and you have indicated that you would give me one, Mr. Speaker."

Speaker Daniels: "I did. Your remedy is to appeal the ruling of the Chair. Is that you wish to do? Representative Lang."

Lang: "Mr. Speaker, I guess we're not communicating properly."

Speaker Daniels: "Perhaps not."

Lang: "And I..."

Speaker Daniels: "I was surprised."

Lang: "And I sense that this is going to be a continuing problem throughout the next two years. But at least you're recognizing our lights which is more than some of the previous fake Speaker's have done. At any rate, Mr. Speaker, just stating a rule you can pick any number you like."

Speaker Daniels: "Excuse me."

Lang: "But unless the Body understands..."

Speaker Daniels: "Representative Lang. Representative Lang, you may appeal the ruling of the Chair. Is that your desire? That is a simple yes or a no. Representative Lang."

Lang: "I'm sure you can't hear me without...Thank you, Sir."

Speaker Daniels: "I can hear you."

Lang: "Sir, if you're citing Rule 7.5 I think the Body has a right to know what that rule says, and after you tell us what that rule says I'll be happy to make my Motion. But I think we're entitled to know the basis on which the Chair is making it's ruling."

Speaker Daniels: "Your desire, Sir. Representative Lang."

Lang: "Well, I have two desires. My first desire is to have a ruling on my, on...on...on, or an explanation of your ruling because the Body cannot vote on a Motion to overrule the Chair, if they don't understand the Chairs ruling, Sir."

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Speaker Daniels: "What's your, try your second request."

Lang: "I would move to appeal the ruling of the Chair."

Speaker Daniels: "You've heard the Gentleman's Motion. The question is, 'Shall the Chair be overruled?' All those in favor signify by saying 'aye'; opposed, 'nay'. 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 question there are 44 'aye', and 64 'nay' and the Chair is sustained. Further discussion? Representative Johnson, the Gentleman from Champaign."

Johnson, Tim: "On the...on the Bill, with all do respect to my good friend, Representative Granberg whose comport on the House Floor and throughout his history in the chamber has been one of great respect. I think that we have approached new territory today that we ought to reconsider. When we go to the point that Representative Granberg did of inquiring as to specific individuals and making specific inquiries in those areas, I think everybody would agree that that's inappropriate. We have had over the years and I'm sure we'll have this year a number of Bills that deal with the City of Chicago and the County of Cook and that deal with the hiring practices and otherwise of that city and deal directly or indirectly with the City of Chicago. No one on this side of the aisle ever has or intends to conduct, add homonym attacks on specific individuals, and I think that to have done that, sets the bad precedent and it's something that Representative Black and I, and I think most Members of this chamber would agree that we ought to steer away from. If you want to deal with that issue, you can deal with it in a better way than trying to bring things before this Body that both sides of the aisle agree, at lease have always agreed in the past is the kind of

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conduct and the kind of commentary that's not appropriate. If you want to do it we have an endless list of people that I'm sure with respect to the City of Chicago that we could read into the record to deal with alleged and in this case not political hiring practices. We've chosen not to do that and I think we'll choose not to do that in the future, but I would sure hope that this is not a precedent we're going to establish."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Morrow."

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

Speaker Daniels: "Excuse me Ladies and Gentlemen, can the Gentleman please have your attention, please? Thank you."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Gentleman yield?"

Speaker Daniels: "He indicates he will."

Morrow: "Representative Black of the 39 ICC police officers, how many of those were minorities or female?"

Speaker Daniels: "Representative Black."

Black: "Yes, I have the whole list of 39 here. Could you give me just a second to have staff run over it and we can break it out for you, or I could be glad to let you look at the list."

Speaker Daniels: "While he's looking do you have any further questions? Further questions, Representative Morrow."

Morrow: "Of those 39, 22 were selected. Of the 22 that were selected how many of those were minorities and female?"

Speaker Daniels: "Representative Black."

Black: "Yes, Representative I think I, I pointed that out early in my remarks. Of the 22 accepted, there are 19 white males, 1 African-American, and 2 females."

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Speaker Daniels: "Representative Morrow."

Morrow: "Okay, how many other of those were denied were minorities or females?"

Speaker Daniels: "Representative Black."

Black: "Yes, Representative I assume you mean of the 30 who applied? How many, let me, let me back up, let me give you the entire 39, okay of the Commerce Commission Police Force prior to deregulation, this doesn't add up right. But I've got, okay 33 white males, 4 white females, is that correct? Two African-American females, I'm sorry 2 African-American males and would it be one, that's it, that's the break up."

Speaker Daniels: "Further questions? Representative Morrow."

Morrow: "All right, 33 white males, white males, four white females and two Black males. I thought that the state government was pursuing an affirmative action program, if this is an affirmative action I'd, wow we're in trouble, yes no action. But out of these 39 people, why...is there some reason as to why those were denied, were they denied on merit or lack of merit or what?"

Speaker Daniels: "Representative Black."

Black: "Yes, thank you, Mr. Speaker. It's my understanding from staff that the State Police Merit Board has an outstanding history and reputation of making appointments to the State Police Academy, based simply on merit. I believe there are extreme, extremely high requirements something that you and I may want to look at later on in the Session, but I believe there are educational requirements, passed history, et cetera. But I...my nine years here nobody has ever told me or even insinuated that there was any problems with the State Police Merit Board. Your point on other agencies however, may certainly be well taken."

Speaker Daniels: "Representative Morrow. Further discussion?"

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The Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Would the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Hoffman: "Representative Black with regard to the pension system. Will they, will these individuals be changed from their current pension system to the State Police pension system?"

Speaker Daniels: "Representative Black."

Black: "Our assumption is that they would be changed and then go under the state police retirement formula and I'm not real sure what system their in."

Speaker Daniels: "Further discussion? Representative Hoffman."

Hoffman: "Yes, if there is a cost, and I believe there is a cost because they are under a lesser system. Who will pick up that cost of the pension system?"

Speaker Daniels: "Representative Black."

Black: "Well, obviously you and I know that any time that we put anyone on any of our five pension systems, we certainly incur cost. I have been pointed out, and I'll tell you right now I'm not sure I understand this but in the detail of the law, appointee certified by the Illinois State Police merit board must of been from a pool of individuals employed by the State of Illinois under the alternate retirement formula as of November 30, '94. I know that has something to do with their transfer, I've got to be honest with you and tell you I'm not sure what it exactly it does."

Speaker Daniels: "Representative Hoffman."

Hoffman: "So, at this point were not exactly sure of the costs, number one the cost to the pension system if there will be one, and number two whose going to pay that cost."

Speaker Daniels: "Representative Black."

Black: "Yes as...as a member of many years standing in the

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teachers retirement system, I share the concern you have about our pension system. Staff just informed me that these people going in are in the same pension system, the alternate pension system and that there is no change in their pension status or, nor any enhancement by going to the state police. That their already in that pension system and that's where they will stay along with all of the other troopers."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Just a general question, over the last four years do you have any idea how many...how much of a reduction in the state police that we have had in the State of Illinois?"

Speaker Daniels: "Representative Black."

Black: "Yes, and I certainly share your concern about that. I think all of us on this floor are aware because of an early retirement system that we passed trying to save money, did we do the right thing, I don't know. But I believe that approximately 500 state troopers took advantage of the early retirement system. Whether we can replace all or some of them in the near future will depend upon how astute all of us will be when putting together budgets in the coming fiscal years."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Yes, Representative I understand that you previously answered that, that you didn't know and, and I'm not trying to delve into this or make anything more of this but you had indicated that you didn't know at this point what political party affiliation these individuals were from. Do you have the information as to of these 22 people how many would of been hired prior to the routane decision?"

Speaker Daniels: "Representative Black."

Black: "Yes, I'm sorry you asked me a question hiring prior to

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and I didn't hear the rest of it."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Prior to the routane decision."

Speaker Daniels: "Representative Black."

Black: "According to the Commerce Commission Liason and she does not have an exact break out, there is no question some of the 39 were hired prior to routane she also tells me some were hired after routane. I apologize I can't give you a more precise figure."

Speaker Daniels: "Representative Hoffman."

Hoffman: "To the Bill. Mr. Speaker, Ladies and Gentleman of the House, I guess the concern really is here. Over the last four years, it's my understanding we've had a 23% reduction in number of State Police on the road. We want to put more police on the road. We want our families and our neighbors to be safe. We want to ensure that we have good qualified individuals on the road. We've only had one State Police class in the last four years that put 50 new people onto the streets. We are unsure at this point when these people were hired, when they were brought on, if they were hired prior to the routane decision. Whether Supreme Court rules and the rulings of the United States Supreme Court were followed. We have Bills in this legislative chamber that would put 6,000 new cops on the streets. Six thousand new cops on the streets. If we're going to address the issue of putting police on the streets, putting police in our neighborhoods, let's really address the issue. Let's not do it in a hodge podge patronage type fashion."

Speaker Daniels: "Further discussion? The Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker. I want to let, to rise in support of this Bill. The Bill is very clearly an opportunity to



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put more police on the street, not only fresh out of school but with experience. I think this is an important Bill, and I think it should be passed."

Speaker Daniels: "Further discussion? The Gentleman from Effingham, Representative Hartke."

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

Speaker Daniels: "He indicates he will."

Hartke: "Representative Black, this past summer as we went about our business here during our off time. As former chairman of the Transportation Committee I met on several occasions with the Illinois Commerce Commission and we had several hearings dealing with this issue. Memory, if it serves me correctly, we were talking about 46 members of the Illinois Commerce Commission Police and not 39, am I incorrect or..."

Speaker Daniels: "Representative Black."

Black: "Thank you, Mr. Speaker. The Liason informs me that the 39 are sworn police officers with other administrative personnel et cetera, your number is correct."

Speaker Daniels: "Representative Hartke."

Hartke: "So we had, we had several of the administration people what happened to them?"

Speaker Daniels: "Representative Black."

Black: "I don't have an exact number for you. Some of those administrative investigators and clerical people will be kept on the Commerce Commission if jobs are there, some may very well not be."

Speaker Daniels: "Representative Hartke."

Hartke: "What, what is the average age can you tell me of the Commerce Commission Police officers that we retain the 22 that are now in training?"

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Speaker Daniels: "Representative Black."

Black: "Somewhat younger I think than either one of us, but no, I don't know the exact age."

Speaker Daniels: "Representative Hartke."

Hartke: "Yes, I do know that in our Police Academy in applying for the state police academy we had about four years of back log of people who wanted to try out for state police. You know young deputy sheriffs and young men out of junior college and college who had the necessary law enforcement training and so forth, their college background. What do I tell those individuals now that we're going to put them on hold and we're going to hire 22 of the individuals?"

Speaker Daniels: "Excuse me. Ladies and Gentlemen of the House. Ladies and Gentlemen. Thank you. Representative Black."

Black: "Yes, thank you very much, excuse me, Representative Hartke. I have people in my district as do you who would very much like to be on the Illinois State Police Force. If memory serves me correctly, in this fiscal years budget we did not budget for a class of troopers and those are some of the hard fiscal decisions that we all have to make. What we have here is a very unique opportunity at no cost to the Illinois taxpayers to add 22 sworn state troopers. So, I don't think we are denying anyone access, hopefully, in our budget discussions later this year we will have a full class next year and some of those people around the state who have made application and definitely want to be state troopers. I hope we do have a class in fiscal, in the next fiscal year."

Speaker Daniels: "Representative Hartke."

Hartke: "Well, I was getting to that point. Right now, we have a state police on the riverboats, is that correct?"

Speaker Daniels: "Representative Black."

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Black: "Yes, yes Mr. Hartke, Representative Hartke. Some of the...some of these troopers in the current academy class will probably take the place of a trooper who will rotate to riverboat duty."

Speaker Daniels: "Representative Hartke."

Hartke: "Okay, isn't it a fact that the riverboat owners pay for the state police, and that is part of the program that they would pay for the state police during their time on. Now, am I to understand that the riverboat owners are behind in their payments to the State of Illinois for that, for that use of the state police?"

Speaker Daniels: "Representative Black."

Black: "Yes, Representative Hartke, I really don't know if the, if there's anybody within ere shot of the Speaker on the gaming board who could come down and give us a answer, I'd like to have that too. I don't know if the gaming boat people are behind in any of their payments to the state police. The other question you answered, while that trooper is assigned to patrol that riverboat while it is out on it's cruise, their salaries are paid by the gaming commission. The revenues from the boat."

Speaker Daniels: "Representative Hartke, you have about 38 seconds left. Could you bring your question to a close."

Hartke: "Oh, well I would..."

Speaker Daniels: "Representative Hartke."

Hartke: "...appreciate it if somebody would yield me a little more time because I got a few more questions. I guess that your indicating that with this free money now coming, that it's not going to cost us any money. Have the riverboat owners voluntarily granted to the State of Illinois enough funds to, to train these extra 22 officers for the extra 12 weeks?"

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Speaker Daniels: "Representative Black, and Representative Giles do you want to yield your time to Representative Hartke. Is that why you...Okay, we'll, we'll do that. Thank you. Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. Obviously there is no such thing in our society as free money. The money from riverboats is deposited there by the good citizens of our state. I prefer to see the money being deposited there by the good citizens of Indiana, but that's a whole other point. I don't know if they voluntarily decided to pick up the training costs of this class. I know that we don't have any money in the budget to do it. It could be a gesture of good will on their part, because I think maybe the owners know that some of us aren't real happy with this arrangement to begin with. So, I don't know what motivates people, gee if I did, I'd thought I would of been out of here 45 minutes ago on this Bill."

Speaker Daniels: "Representative Hartke."

Hartke: "You talk about that...I want to talk about that money just a little bit. Last year as I recall we passed a full budget year for the Illinois Commerce Commission and that included salaries for not, not 22 but 39 State Illinois Commerce Commission Police. Plus, six or seven administrative officers. Now, I know that we've paid some extra dollars for maybe some early retirement and so forth, but it would seem to me we got a double dip here somewhere other than...that we're not having enough money to, to train these police officers, yet the Commerce Commission seems to have some time left in the budget. I know that was part of the discussion as we, we went through committee here, but could you review that with my colleagues here just a little bit so that they may be able to explain or

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understand a little bit better why we're paying for now training on officers that we've had that need more training, and we...we're looking for some free money or somebody else to pay that Bill when maybe we had that money there anyway."

Speaker Daniels: "Representative Black."

Black: "Yes, thank you, Mr. Speaker. Yes, that's a very good question Representative. I've just been informed that the Commerce Commission does not run on the state fiscal year, it runs on the calendar year. And the federal law kicked in January 1st. So, there is not an excess pot of money that they could carry these people. Plus, the fact I think we have to keep in mind that our friends in Washington by deregulating the trucking industry, the fee income which is a part of the ICC budget structure has been drastically reduced by the trucking companies no longer have to apply and carry on some of the permit procedures at a fee cost that they did in the past. So, I hope that answers your question."

Speaker Daniels: "Representative Hartke."

Hartke: "Yes, of course that was reduced by the Illinois Commerce Commission and I, and I think I understand that. How many squad cars do we have with the Illinois Commerce Commission Police?"

Speaker Daniels: "Representative Black."

Black: "Yes, thank you, Mr. Speaker. The Commerce Commission Liason informs me that the squad cars will follow the sworn officers to the State Police Force, she thinks they have 40 squad cars. Will all of them, let me check with her...The 22 officers upon graduation their cars will be assigned to the Illinois State Police force. The other cars are still with the agency, she cannot tell me at this time what the

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disposition of those cars will be. And, I need to correct something Representative. I made a mistake. I misunderstood, it was my mistake, not staff. Commerce Commission is on our fiscal budget year, but the revenues on the calendar year and I apologize for that error."

Speaker Daniels: "Representative Hartke."

Hartke: "Yes, I understood that and I realize that, and I realize that their incomes were down. But...I'm...and I'm glad you didn't indicate that the Commerce Commission squad cars were going to follow the new officers to the riverboat. I, you know I thought maybe that, that something would take place there. Does that...I still have some real problems with this. I think in the selection process and so forth, I don't understand...we're still missing some officers. Is that right?"

Speaker Daniels: "Representative Black."

Black: "I'm sorry, missing officers from where? I mean, in the transfer or..."

Speaker Daniels: "Representative Hartke, your almost out of time, Sir."

Hartke: "Well, it's my understanding that, what we had 14 officers that stayed on, stayed with the Illinois Commerce Commission Police and we had 22 that were trying to reeducate and retrain, that's 36. You said there were 39, what happened to the other three?"

Speaker Daniels: "Representative Black."

Black: "Yes, if staff is giving me the correct figures here. Three of them are no longer in the employee of the State of Illinois. fourteen currently remain at the Commerce Commission in a different capacity and I don't think there is any guarantee that that will hold. Twenty-two of them will..."

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Speaker Daniels: "Representative Black. Representative Hartke, you are out of time. We're you...The Lady from Cook, Representative Davis."

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

Speaker Daniels: "He indicates he will."

Davis, M.: "Representative, how many state policemen are assigned to the riverboats?"

Speaker Daniels: "Representative Black."

Black: "I'm not sure, and I'm, I'm hoping that the gaming commission is listening to their speaker. We'll try to get that answer. We think it's one per cruise, but I really don't know and maybe, Mr. Finley from the state police can call us, or somebody from gaming commission. We'll get you that answer before we're done here."

Speaker Daniels: "Representative Davis."

Davis, M.: "Thank you. Along with that I'd like to know, do you know about how many state policemen there are currently?"

Speaker Daniels: "Representative Black. Ladies and Gentlemen, please. We've got some very important questions here. Try and give the Lady your attention. Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. The best estimate the staff is about 3900 in the Department of State Police and approximately half of those are sworn officers."

Speaker Daniels: "Representative Davis."

Davis, M.: "Thank you. Of those sworn officers, how many of those are African-American?"

Speaker Daniels: "Representative Black."

Black: "Representative, I have no idea. I...I'm sure that you being here for a number of years perhaps know even, maybe better than I. But I, but I, you know I've never really heard a complaint about the efforts of minority hiring by the Department of State Police. Perhaps you have better

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information than I do, but I can't, I just don't know that number."

Speaker Daniels: "Representative Davis."

Davis, M.: "There, there may not have been that many complaints about hiring. However, the number who are promoted even based upon the number that you have leaves a great deal to be desired. But, based upon the questions Mr. Chairman, I'm sorry, Mr. Speaker...that I've heard in this Body today I'm moving to recommend to recommit House Bill 46 to the Election and State Government Committee and in that way we can have questions, we could have questions answered. We could have people testify and perhaps even put an Amendment on the Bill, but I think that it's just that important Mr. Speaker, that we do allow our Members from both sides of the aisle to ask these very significant questions. It's important how many state police are working on riverboats. It's important on how many African-Americans are being promoted from the state police department. It's important how many African-Americans are being hired by the state police. So we, we make this Motion Mr. Chairman seeking Verified Roll Call."

Speaker Daniels: "The Lady has moved to recommit House Bill 46 to...which Committee? Elections and State Government. All those in favor signify by saying 'aye'; opposed, 'no'. All those in favor signify by voting 'aye'; opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this issue there are 49 'yes', and 61 'nay'. And the Lady's Motion fails. Further discussion? Representative Balthis, the Gentleman from Cook."

Balthis: "Thank you, Mr. Speaker. Last Session I voted about 22 times on a Bill sponsored by the other side to add 2,000



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police officers to the roles in the State of Illinois and they thought it was very important. I'm puzzled that they think it's not important to add 22 at this point and I would call for the previous question."

Speaker Daniels: "Well, we have one more person we'll recognize, Representative Dart, the Gentleman from Cook."

Dart: "Thank you, Mr. Speaker. I appreciate you recognizing me. I was starting to worry about my button because the previous Speaker chose to ignore me for a couple of hours."

Speaker Daniels: "I would never ignore you, Sir."

Dart: "I know you wouldn't. This openness is killing me though. Would the Sponsor yield, please."

Speaker Daniels: "I wonder if we could have the Gentleman's attention, please. Will the Gentleman yield? He indicates he will. Representative Dart."

Dart: "Thank you. Representative, just a couple quick questions. One question I want to follow up that Representative Hannig was talking about was the fact that this money that was going to be used to train is not, in fact, free because the money left over from the gaming fund would otherwise be going to our children's education. Is that not true?"

Speaker Daniels: "Representative Black."

Black: "As I've already answered, I don't know. I'm...I'm going to assume in the breakout of the revenue fund that the state police, if I'm wrong I will apologize publicly, are smart enough to work this out however the state law requires those moneys to be broken out. And since the state police have to have a presence on the boat, I am assuming that revenues for that cost are in there and I, and I may if I would, let me try to answer your question this way. I need to answer a question that Representative Davis posed and last year three new riverboats came on

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line, no increase in the number of troopers assigned to boats has been made. There are 89 state troopers currently assigned to boats. Of the 89 troopers 20 do background checks and 69 are for enforcement. So, I would assume that this class of 22 is being paid for out of enforcement moneys in a formula from riverboats. I really don't think that it would be anyone's intent on either side of the aisle or certainly within the Department of State Police to transfer a few thousand dollars from the education of our children to the state police academy. I just simply cannot believe that they would even consider that."

Speaker Daniels: "Representative Dart."

Dart: "Thank you. But, we normally don't train them out of that fund, we train them on a GRF. So, that is where were taking the money from. What type of offenses do, did the ICC police handle?"

Speaker Daniels: "Representative Black."

Black: "I think they pretty much did all that they were manded, mandated to do by federal law. Trucking regulations, permits, they did some safety inspections. I think many of us on our way home would see them crawling around under trucks in their coveralls, they would check the brake calipers, they would check the tred on the tires. I don't know what all, you how much, you know how the federal government is. Gosh there were probably 150 pages of things these poor officers had to do."

Speaker Daniels: "Representative Black. Representative Dart."

Dart: "Thank you, Mr. Speaker. To the Bill. The comments made earlier that this free is not accurate. I understand the Representative who Sponsor this Bill in all sincerity does not, is not sure of where the money is coming from, but it is coming from it. It's coming from the gaming fund which

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would otherwise be going to our children for education. In addition to that, one of the previous Speakers talked about how we're not serious about crime and about getting police on the streets. We've tried a dozen times in committees, we've tried about five or six times a day to get a hearing on getting more police on the streets. So, that does not ring true. It does not ring true at all, and it is someone who obviously wasn't listening to what we've been trying to do here today. In addition to that, I find it rather perplexing about how we could sit here and talk about how tough we're getting on crime and we want to get these extra police out here where we have...instead of trying to put the best out there, instead of putting people through the academy in the normal way that we operate around here. We are taking officers who admittedly climb under trucks, wear overalls, inspect tires. These are the new ones that we are going to unleash on those gang bangers out there, the guys in the overalls. I don't think that that is exactly the best message we should be sending out today. We have the opportunity to properly fund the proper police to put out there and do it in such a fashion so that our children will not be paying for it by taking money away from education. As opposed to that, we are going to be unleashing on the gang bangers of Chicago, police officers in overalls, police officers with no experience with gang crime, police officers with no experience with any type of crime. Those are the type of people we need on our streets, not people that are going to pull over gang bangers and ask them to check their tires. This is ridiculous. We know what it is, it's special legislation, it's not what we should be doing here and we should really get on with the real matters of the business here and go

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after real police officers."

Speaker Daniels: "The Gentleman from Vermilion, Representative Black to close."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentleman of the House. The previous Speaker put this in perfect context. He insulted 39 sworn police officers who work for the Illinois Commerce Commission. Sworn police officers with 400 hours of training, and when they graduate from the state police academy, the very people he's insulted will have the exact same training as any Illinois State Trooper currently serving in that department and I've never heard anybody denigrate the Department of the State Police. So, because their job, because their job required them on occasion to crawl underneath in the engine compartment, inside semi-trailer trucks, and so as not ruin their uniforms they often had to down on coveralls. I guess that makes them less of a police officer, how elitist, Sir. How elitist. And may I further say, if I had my way, there wouldn't be any state police doing anything in the City of Chicago. The last time I checked, the state police were to serve the State of Illinois, the entire State of Illinois, not just gang bangers in the City of Chicago. Now let me just, let me just say what we have seen in this lengthy debate, let me frame it for you. What we have here today is a classic case, a classic case of the old grade school play ground taunt, my Bill is tougher than your Bill. My Bills' going to put 6,000 police on the street and your only going to put 22. Well, let me tell you something, that's really what your all about here. Your trying to protect your police on every street corner Bill, and that's okay, but you know if those 6,000 police officers and the downstate Gentleman who just raised his

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hand, 3,000 of them are in Cook County. Three thousand of the six go to Cook County. So, we have framed this issue quite nicely today. By the way, let me get back to my colleague. The name of David T. Weagand from Tinley Park was brought up. He might be politically connected. Well, he might be but he didn't make the cut. He's not in the state police training class, so much for David Weagand, maybe he new a Democrat Precinct Committeeman, I don't know. Another person said, let's send this back to committee. Well, you know she wasn't at the committee. The state police were there. We offered testimony, it got 17 'aye' votes. That means some Democrats voted for this Bill in a public hearing, in a publicly posted committee meeting where anybody could of come to testify on any given issue had they just wanted to really take the time to do it. Special legislation. Yes it is special legislation. It's very special for the State of Illinois to have 22 more state police officers on the streets and roadways and yes riverboats, whatever, in the State of Illinois. The troopers lodge signed off on this. So, any attempt to say that there is some problem with labor, we say in Vermilion County folks, that dog won't hunt. The exact same training as every state trooper has received in this state and will continue to receive. My gosh, some of them might of had to wear coveralls at one time or another in their job, gee wiz. Boy, that...that...anybody that ever wears coveralls, I guess we should exclude from ever serving on the state police. Now comes the time Ladies and Gentlemen of the House, now comes the time. We're all tough on crime, we all want police on the street. I'm giving you an opportunity to put 22 sworn state troopers on the roads of Illinois in March of this year. Not pie in the sky, not

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send me the Bill later, not anything but what the Bill will do. You want to help fight crime, you want more state police on the road, which many of you said in November, put your vote where your literature was. Vote 'aye'."

Speaker Daniels: "You've heard the Gentleman's request, request. The question is 'Shall House Bill 46 pass?' All those in favor vote 'aye'; opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 71 'ayes', and 45 'nays' and none voting present. And this Bill having received a Constitutional Majority, is hereby declared passed. Mr. Clerk read House Bill 186."

Clerk Rossi: "House Bill 186, offered by Representative Biggert, a Bill for an Act to amend the Counties Code. Third Reading of this House Bill."

Speaker Daniels: "The Chair recognizes Representative Biggert."

Biggert: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 186 is a Bill to amend the Counties Code and to permit the sheriff in a county of 3,000,000 or less inhabits with the approval of the county board to operate an impact incarceration program which is better known as a boot camp. And this would provide for a boot camp for first time offenders and non...nonviolent crimes to, to, as an alternative sentence to jail to go to a boot camp and the...the program is designed to include physical training, labor, military formation and drills, uniformity and dress in appearance and drug or other counseling. For those of you that were in the 88th General Assembly, this was presented last year and passed out of the Judiciary Criminal Law on a vote of 15 to nothing, and then was held on Second Reading in the House although it

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was amended to several Bills. So, I know that you've heard this before. It did pass out of the Counties and Township Government Committee on a vote of nine to nothing and I present it to you now and ask for your favorable consideration. If you have questions, I'd be happy to answer them."

Speaker Daniels: "Is there any discussion on the Bill? The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. We're on Third Reading on House Bill 186, but as you know I have Motions on House Bill 186 relative to Floor Amendment 2, and Floor Amendment 3. I hereby, therefore move to go to the Order of Business of Motions and I'm joined by a sufficient number of my colleagues to do that. And I would ask for a Roll Call Vote on that Motion."

Speaker Daniels: "No, Sir, you're out of order. We don't recognize that. Is there any further debate on the Bill? The Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Daniels: "She indicates she will."

Hoffman: "Yes, Representative this would be a dispositional alternative?"

Speaker Daniels: "Representative Biggert."

Biggert: "I believe so. This would be a sentencing option which the judge would make that determination."

Speaker Daniels: "Representative Hoffman."

Hoffman: "So, instead of going to the Department of Corrections, the judge would send these individuals to the local county boot camp."

Speaker Daniels: "Representative Biggert."

Biggert: "Well, it would have to be with the approval of the sheriff. The sheriff would...would have to okay it and

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there would have to be a written commitment signed by the person, the offender who is going."

Speaker Daniels: "Representative Hoffman."

Hoffman: "These would be felony offenders, nonviolent felony offenders that were convicted and then instead of going to a Department of Corrections institution, they would go to a local county institution, a local county run boot camp? Is that my understanding? I'm trying to understand exactly where this fits into the system or the alternative of dispositions?"

Speaker Daniels: "Representative Biggert."

Biggert: "Yes, this is a request from the counties. So, these are criminals who have come...are in the county rather than in the...in the state system."

Speaker Daniels: "Representative Hoffman."

Hoffman: "So, what would happen is a person convicted of a crime, a felony, they would then be sentenced to the county jail disposition, or to the county boot camp disposition as opposed to the Department of Corrections?"

Speaker Daniels: "Representative Biggert."

Biggert: "That's correct, except that the Department of Correction could also request that...that some of their potential inmates be, go to the county as well."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Who will make the determination as to what Department of Corrections individuals go to this county run boot camp?"

Speaker Daniels: "Representative Biggert."

Biggert: "The Department of Corrections."

Speaker Daniels: "Representative Hoffman."

Hoffman: "The Bill doesn't really address though, what the Department of Corrections will utilize in making



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determinations as to who goes to these boot camps. Is that right or is there something in the Bill that specifically indicates that only certain offenders with drug problems, et cetera goes, are eligible to go to this boot camp."

Speaker Daniels: "Representative Biggert."

Biggert: "The Bill refers back to the statutes under the Department of Corrections and specifies that in order to be eligible to...to participate in this, the person has to be not less than 17 years of age, no more than 29 years of age. The person has never served a sentence of imprisonment for a felony in an adult correction facility. The person has not been convicted of a Class X felony, first or second degree murder, armed violence, aggravated kidnapping, et cetera. I won't read all of that. The person has not been sentenced to a term of imprisonment of...or has been sentenced to a term of imprisonment in five years or less. The person must be physically able to perform strenuous physical activities. They don't...they must not have any mental disorder or disability that would prevent participation. The incarceration program, the person has consented in writing to participation in the program and the person was recommended and approved for placement in the impact and carceration program in the courts sentencing order."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Those are the same criteria that are utilized in order to determine whether an individual will be sent to the Department of Corrections boot camp. What we're doing, or what your Bill would like to do is essentially just expand that option more by having more boot camps available, is that right?"

Speaker Daniels: "Representative Biggert."

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Biggart: "Right now, there...it has been expanded to Cook County, and Cook County has their own boot camp and the other counties would like to have the authority to do that. Whether, this is permissive so it does not...it authorizes them to do it, but whether they do it or not is entirely up to that county."

Speaker Daniels: "Representative Hoffman."

Hoffman: "To the Bill, Mr. Speaker."

Speaker Daniels: "To the Bill."

Hoffman: "I have been a supporter of the boot camp concept and will support this Bill. My only concern is I believe that this is the first criminal piece of legis...criminal law piece of legislation coming out of this House. We on this side of the aisle believe it is violently important that we have truth and sentencing in Illinois. We on this side of the aisle believe when the Cook County voters spoke, when a St. Clair - Madison County voters spoke that we would have truth and sentencing. We should put that first in our agenda. We on this side of the aisle have put forward Amendments regarding truth and sentencing saying that we're going to be honest with victims of crime in this state, and we on this side of the aisle are going to continue at every opportunity to try and get more cops on the street, 6,000 more cops on the street and truth and sentencing in Illinois. I'm going to support this Bill. I just wish we had truth and sentencing, to be honest of victims of crime in this state."

Speaker Daniels: "Further discussion on the Bill? The Gentleman from Effingham, Representative Hartke."

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

Speaker Daniels: "She indicates she will."

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Hartke: "Representative Biggert, we talked in committee and what you just read out of the statutes somewhat confused me a little bit, because within the past month I've had an opportunity to...to visit the boot camp in Dixon Springs Illinois and I think it's a wonderful idea and I'm going to...I'm going to support this Bill because I think it's good. But at that boot camp, I recall we asked what was the maximum age limit, and there I thought it was indicated to me to be 35 years of age, but yet you read out of the statute where they had to be under 29. Is that correct?"

Speaker Daniels: "Representative Biggert."

Biggert: "That's correct. When I went back to it I was in error when I said 35. It is 29."

Speaker Daniels: "Representative Hartke."

Hartke: "Then the Department of Corrections told me that they had individuals that were up to 35 years old, at the...at the facility at that time. So, I bet we might want to check into that, that's one. Number two, I got a question. A felony, what is the penalty for a felony?"

Speaker Daniels: "Representative Biggert."

Biggert: "This, this is a nonviolent felony, and I think that probably is a Class IV which is...three to five years I believe."

Speaker Daniels: "Representative Hartke."

Hartke: "Well, right now when a...a person is convicted of a felony and it is my understanding that if their sentenced to more than 365 days, they go under the auspices then of a State Department of Corrections. What your telling me, this will be an alternative for those judges then to either sentence those individuals to a, a correctional facility in the State of Illinois, paid for by the State of Illinois or they will keep them at the county. Now, who is going to

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pay for this incarceration even at the boot camp. Will that be borne by the county, such as DuPage or whoever is building the boot camp, or will it be the State of Illinois. Will they be sentenced to the State of Illinois in that court system and then the State of Illinois pays for that boot camp to the county?"

Speaker Daniels: "Excuse me, I wonder if the Gentleman and the Lady can have your attention, please. Representative Biggert."

Biggert: "I believe that, that this ties into the Cook County boot camp, and the way that that was set up, there is no mention in here of the cost or how it is to be paid. There is in Cook County they raised the money by federal funds, state funds and local funds and I would presume that any county that wanted to do this would the same. Now if it is someone that is, is in the county and goes to the county boot camp that would be paid for by the county. But the way that it would set up would be to try and get the funds from those three areas. I must say that I know the other question that you had asked, I believe was how much it cost to house someone in...in jail, and so I went back and checked for the county jail in DuPage it costs \$73.00 a day for somebody to be in the DuPage jail. In comparison to the work release program, which we do have in DuPage County, which costs \$28.00 a day. So, the...the boot camp would be probably more like the release program, because that is a dorm based so called jail. So, if we were to say it was \$28.00 a day, that would be big savings from \$73.00 a day in the jail."

Speaker Daniels: "Representative Hartke."

Hartke: "I think in our tour, this tour of 120 days, which I believe is what your talking about in the facility it is a

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volunteer, I mean the...the inmate has to agree to the program. Is that correct?"

Speaker Daniels: "Representative Biggert."

Biggert: "I'm sorry, I couldn't hear you. I was distracted."

Hartke: "The inmate has to or the convicted individual must agree to, to go to the boot camp and to try his best and so forth. Is that right?"

Speaker Daniels: "Representative Biggert."

Biggert: "That's correct. He must sign a written agreement."

Speaker Daniels: "Representative Hartke, you have a minute left, Sir."

Hartke: "And if he is in violation of that, he is then sent back to the county jail or to the State Department of Corrections."

Speaker Daniels: "Representative Biggert."

Biggert: "That's correct. He would go back and then would go back to the judge for...for sentencing or to carry out the sentence that, that was originally given him."

Speaker Daniels: "Representative Hartke."

Hartke: "If this individual then violates then sometime in those 120 days, swings at a drill instructory, so forth. He goes back to his original sentence of three years or whatever it was. Is that correct?"

Speaker Daniels: "Representative Biggert."

Biggert: "That's correct."

Speaker Daniels: "Representative Hartke."

Hartke: "To the Bill. I...I agree with this concept. I'm not sure...I'm going to vote for this Bill, I know that, but I'm concerned about some of the financing and so forth. I think maybe the states getting off the hook here just a little bit, if the county is going to keep those individuals at the cost of the county. I would think that

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if they were sentenced to the Department of Corrections, maybe the Department of Corrections ought to be putting them through the system in DuPage County or any other county that would use the facility. But, I stand in support of this legislation."

Speaker Daniels: "Further discussion? The Lady from Cook, Representative Flowers."

Flowers: "Mr. Speaker, will the Lady yield?"

Speaker Daniels: "She indicates she will."

Flowers: "Representative Biggert, how many jobs will this create for someone."

Speaker Daniels: "Representative Biggert."

Biggert: "Representative Flowers, this is permissive and I don't know how many counties would choose to do this or what the staff would be for each of the...of the counties."

Speaker Daniels: "Representative Flowers."

Flowers: "How much would it cost each county to put such a program into place?"

Speaker Daniels: "Representative Biggert."

Biggert: "The proposed budget for Cook County was between \$6 and 10 million."

Speaker Daniels: "Representative Flowers."

Flowers: "It will cost the county between \$6 and 10 million to put this program in place for nonviolent offenders?"

Speaker Daniels: "Representative Biggert."

Biggert: "Representative Flowers, that was Cook County which I think probably would, was a larger program. This would be in counties that are much smaller, that probably have less need for it than Cook County. The other thing is that it also provides for an inner government agreement which would allow counties to combine with each other and enter into a regional boot camp which would cut down the costs

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considerably if the county would choose to go in with another county."

Speaker Daniels: "Representative Flowers."

Flowers: "Representative Biggert, earlier today I tried to introduce legislation that will call for the home detention of nonviolent offenders because it appears to me that we could save the State of Illinois and the counties within this state lots of money, if we were to maintain home detention. I notice in Section (b) here you talk about the impact and incarceration program shall include among other matters, mandatory physical training, labor and drills and regiment, but it doesn't talk about anything in regards to education or job training. Would you please tell me what these young people are supposed to do and if they are incarcerated for this nonviolent crime, what will happen to their education? And after they are out of this particular program, then what? Are you placing them in a job, or are you preparing them for a bigger prison?"

Speaker Daniels: "Representative Biggert."

Biggert: "Representative Flowers, there's all kinds of, of means to try and.. and not have people in jail and certainly your type of program is one, just as this is. This is really a rehabilitative program also and it is for first time offenders or those that...nonviolent crimes. And it has been shown that there is less recidivism when people attend such as a boot camp and certainly with your type of program there would be too. But, I think there are many different ways to approach prisons, and this is one way that we would hope to cut down and prevent an increase in those in prison."

Speaker Daniels: "Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, to the

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Bill. I think it's unfortunate that we in this Body, every time we turn around we are constantly talking about building bigger and better prisons and not bigger schools or better schools. And until such time that we commit the dollars for prevention I think we're making an awesome mistake here and we may as well go forth and prepare a place for these young men to become better criminals because that's exactly what's going to happen. There is no job training here, there is no education here, there's nothing to make there for a first time offender, there's nothing here to make their lives any better."

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

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

Speaker Daniels: "She indicates she will."

Davis, M.: "Representative, did I hear you say the offender to be placed in this boot camp have to be 17 years old or above?"

Speaker Daniels: "Representative Biggert."

Biggert: "That's correct. That's according to this statute."

Speaker Daniels: "Representative Davis."

Davis, M.: "What kind of crimes would this individual have to commit in order to be assigned to a boot camp, your boot camp?"

Speaker Daniels: "Representative Biggert."

Biggert: "Well, that would be up to the judge and with the concurrence of the sheriff, but it would be for misdemeanors, or nonviolent crimes."

Speaker Daniels: "Representative Davis."

Davis, M.: "It appears to me a few years ago, misdemeanor crimes did not require incarceration?"

Speaker Daniels: "Representative Biggert."

Biggert: "The...the statute in...in talking about the



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misdemeanors it's a very short period of time, which would be at some point...a misdemeanor shall be a committed person for a period of at least seven days for each 30 days of his term of imprisonment. Or if it's less than 30 days, it would be determined by the court. So, when we're talking about a misdemeanor, we're not talking about a long sentence. But, I think that the value of this, even with a misdemeanor is that the program is to..."

Speaker Daniels: "Representative Biggert."

Biggert: "...build up the self-esteem of those that are in this program and this program has, has shown to work. So, when your talking about education, or your talking about this type of program, if we could build up the self-esteem so that these...even though a misdemeanor that they won't commit a felony in the future."

Speaker Daniels: "Representative Davis."

Davis, M.: "Collar, what county are you speaking of? What county is this?"

Speaker Daniels: "Representative Biggert."

Biggert: "This would be for all counties other than Cook County, because it's for 3,000,000 or less, inhabitants of a county."

Speaker Daniels: "Representative Davis."

Davis, M.: "The population has to be 3,000,000 or less. Are you going to limit your incarcerated individuals to be coming from those counties?"

Speaker Daniels: "Representative Biggert."

Biggert: "The Department of Corrections could send other people if, if it was agreed upon, but this is for those counties. Cook County already has one for...so that includes counties of over 3,000,000, as also the state has boot camps."

Speaker Daniels: "Representative. Davis."

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Davis, M.: "To the Bill."

Speaker Daniels: "To the Bill."

Davis, M.: "To the Bill. First of all, I attended a National State Legislators conference and I went to the judicial workshops and one of the things they ask Legislators to look at very carefully was, why need the net for those who will be imprisoned. They felt that with this large move toward boot camp after boot camp after boot camp, we're starting to put people in prison who would never go. A judge would dismiss them under the guardianship of their parent or the guardianship of some other agency for monitoring but not have them incarcerated. Now let me share with the new Members what this Body has done. In 1989, there's the Western Illinois Correction Center in Brown County. In 1990, there's an Illinois River Correctional Center in Fulton County. Taylorville Correctional Center in Christian County in '91. Robinson Correctional Center in Crawford in '91. Kankakee Minimum Security in Kankakee in 1992. Muddy River Correctional Center, Jefferson County in '93. Green County Boot Camp in 1993. Clayton Workshop in Adam County in 1993. There's another one in Perry County, 1993. Paris Work Camp in Edgar County in 1993. The Westside Congressional, I'm sorry, Correctional Center in '94. The Kankakee Correctional Center in '95. The Tams Workshop in Alexander County in '95. And the list goes on. Now, I could not read such a long list of schools opening anywhere in Illinois. There is a major problem here. When we feel the opening of boot camps and prisons takes precedent over the opening and funding of schools. Crime has not increased, we don't...we're not safer because these places continue to open. We're spending billions, and billions of dollars to

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incorp...to, to incarcerate people and very few dollars to educate people. Now, I listen to Representative Black talk about the fact that most state troopers are in Cook County. That's where most of the people are, and most of the people who are in Cook County suffer from a deprivation of educational dollars. But, it seems that all, many people down here want to do is open up a boot camp to incarcerate somebody who stole a loaf of bread. I believe it's a waste of taxpayers money. What happened to the day that first time offenders were not given a record. What happened to the day that first time offenders were counseled or given probation. We know longer want to do that in Illinois, we want to go into the taxpayers pocket and pick millions of dollars to incarcerate nonviolent first time offenders, 17 years old or older. I think it's time for us to say no. I think it's time for us to stop it. I think it's time for us to make school openings equal the list of prison openings. We've got this major list of prisons that have opened in this state, none of us could stand here and say that we have that many schools to open. What kind of people are we? Let me give you one last fact on prisons. In every one of these counties that open these prisons, the rate..."

Speaker Daniels: "Could you bring your remarks to a close, please?"

Davis, M.: "Thank you. Your citizens start to leave, it is documented that your employment rate starts to decrease. I have the facts and you can get them from me. You're not helping your county by opening this incarceration plants."

Speaker Daniels: "Further discussion? The Gentleman from Cook, Representative Dart."

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

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yield?"

Speaker Daniels: "She indicates she will."

Dart: "Representative, how much are we reducing the sentences here?"

Speaker Daniels: "Representative Biggert."

Biggert: "For a misdemeanor it would be seven days for each 30 days, and for a felony would be 120 to 180 days."

Speaker Daniels: "Representative Dart."

Dart: "Thank you. And the maximum penalty for a misdemeanor is 364 days in a prison so, we're cutting it over and half, so we're reducing the sentence in that regards half. Now in regards to felonies. How much are we reducing the penalties for felonies with this Bill?"

Speaker Daniels: "Representative Biggert."

Biggert: "If I understand you, it would be from what ever the judge has...has set the sentence at for the felony, based on the crime and then it would be reduced to 120 to 180 days if there's a successful completion of the program and upon return to the judge they are then released."

Speaker Daniels: "Representative Dart."

Dart: "What's the maximum felony if...that can be given this program?"

Speaker Daniels: "Representative Biggert."

Biggert: "I think the direction is according to this statute would be for first time offenders or nonviolent crimes, so that's at the discretion of the sentencing judge."

Speaker Daniels: "Representative Dart."

Dart: "Thank you. My reading of the statute shows that there can be and has been up to Class I felonies which are given boot camp. So, you're talking about individuals that can be sentenced from up...from four to 15 years in prison. Who will now serve 180 days. I find that a little troubling.

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Secondly, how do we harmonize the fact that someone who can be convicted, is convicted of a residential burglary, a Class I felony which they can't get probation for but we're going to give them boot camp. How does that, how do we harmonize that?"

Speaker Daniels: "Representative Biggert."

Biggert: "Again Representative Dart, I don't think that, that the judge who is doing the sentencing would allow somebody who had committed that crime to go to the boot camp and that would be at the, at their...their the ones that are, are seen the demeanor of the perpetrator, what the crime was and they would make that determination. But, it does and I don't know that a...burglary would necessarily be a nonviolent crime."

Speaker Daniels: "Representative Dart."

Dart: "Thank you. In...you commented earlier about the recidivism rate going down. Can you give me some information, detail, anything to me in regards to the study that shows the recidivism rate going down and by how much it is going down?"

Speaker Daniels: "Representative Biggert."

Biggert: "I don't...I don't know that I can pull that out right now, if you want to give me a minute."

Speaker Daniels: "Representative Dart."

Dart: "Thank you. In a minute I will be out of time. Can you...I miss a point. With, the liability question that's been posed to me as well, with these inner governmental agreements, who is liable for any type of tort that occurs, any type of injury. The county or the state of a prisoners transfer from the state to the county."

Speaker Daniels: "Representative Biggert."

Biggert: "I suppose you would have to go back and check as far as

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the state boot camps right now that are operating. What's happened in Cook County, or you would have to fight that out in court. I can't answer that."

Speaker Daniels: "Representative Dart."

Dart: "Then that's the problem, we are going to be fighting this out in the court. There's going to be more litigation because right now that's exactly what their fighting over, whether or not the counties are going to get stuck with the expense of defending these actions and are going to get stuck with the costs of these actions when these injuries occur. And these problems occur in the prison. There has been some misinformation about the boot camp system, it has not been as affective as people thought it is. What you have done and are doing with Bills such as this, is you're reducing the sentence of offenders. It is not just for harmless Class IV, we're talking some serious Class I felonies, a four to fifteen years in prison that we are reducing the penalty for here. We have now expanded the age up to 35 years of age and by doing that we have philosolpically broken the whole reason for having boot camps when you try to get people when their young. So, we have destroyed the whole theory underlying boot camps already. With this that we are further undercutting this and this is something that could be perceived rather easily as a, let them out early Bill. You have to be careful with measures such as this and with a liability question like this, you have to have a great deal of concern."

Speaker Daniels: "The Lady from DuPage, Representative Biggert to close."

Biggert: "Thank you very much, Mr. Speaker, Ladies and Gentlemen. I think that that this is the time that for boot camps. We discussed this last year and it seemed a good idea then,

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and it's a good idea now. I think with...if we can raise the self-esteem of those who are committed to the boot camps that we will be doing a lot to, to reduce those in prisons and reduce the numbers that will go to prison, and I would urge an 'aye' vote. Thank you."

Speaker Daniels: "The Lady has moved that House Bill 186 pass. The question is, 'Shall House Bill 186 pass?' All those in favor vote 'aye'; opposed, vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 101 'ayes', 9 'noes', 4 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Representative Churchill for purpose do you arise, Sir?"

Churchill: "Thank you, Mr. Speaker. Just for the purpose of an announcement. We had posted for a Rules Committee meeting at 4:00, and that was right during the middle of the debate on the last Bill. We will delay the Rules Committee until immediately upon adjournment. So, upon adjournment the Rules Committee will meet at that time. Thank you."

Speaker Daniels: "Mr. Clerk, read House Bill 204."

Clerk Rossi: "House Bill 204, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Daniels: "The Chair recognizes Representative Tom Johnson."

Johnson, Tom: "Mr. Speaker, Members of the House. This Bill involves a number of different issues and clean-up issues as it relates to what we passed out last year in terms of the Safe Neighborhoods Act, and if you'll bare with me here I'll highlight the principal error...areas and then we'll be happy to take your comments. This Bill amends the Sex Offender Registration Act and it will now require that all

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sex offenders, regardless of the age of their victims, register for a period of up to ten years following the conviction of any criminal sexual assault, criminal sexual abuse or any other sex crimes. The second provision of this Bill will provide for an exemption of physicians from any discipline under the Medical Practice Act for their presence and participation..."

Speaker Daniels: "Excuse me, Ladies and Gentlemen this is a very important Bill. I wonder if we could have attention. I wonder if the conferences and all aisles could break up here and move to the back. Thank you. Representative Johnson."

Johnson, Tom: "Thank you. On the carrying out of the death penalty, it will expand notification to crime victims as it relates to any civil settlements that are so a loss, settlements or law suits settlements between inmates of the Department of Corrections on any law suits that they might collect as it relates to suits against the Department of Corrections or employees there of. Will amend the Statewide Grand Jury Act to give the Attorney General the authority to investigate and seek indictments statewide against those who commit the offense of gun running. This will extend the statute of limitations for the commencement of a prosecution for attempt to commit murder which is currently three years, and will extend that out to seven years. There will be a provision, there is a provision in this Bill that will mandate that all convicted sex offenders who move into the State of Illinois from out of this state, provide samples of their bodily fluids from which a DNA bank can...or their DNA can be identified and will be placed within the DNA identification bank. This amends the gang conscription portion of our code and will



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expand the offense of compelling gang organization membership. A persons to also include the act of deterring members as they attempt to leave a gang. Will amend the Criminal Code as it relates to a statute of limitations, eliminating any statute of limitations for concealment of a homicidal death or aggravated arson. Finally, it will amend the Criminal Code to expand the offense of child solicitation by providing that the act is also an offense even if the solicitation is done through a pimp or third party. Believe that this is a comprehensive piece in terms of dealing with these issues. It will impact an awful, lot of people in this state. I believe in reviewing the statistics in 1992 for example, there were over 6,000 criminal sexual assault offenses committed in this state. Those numbers increase and obviously this Bill will now cover all sex offenses and will require these people to register. Mr. Speaker, I would entertain questions at this time but would also urge when the appropriate time comes that this measure pass out of here with the support of everybody in this august body. Thank you."

Speaker Daniels: "Is there any discussion? The Chair recognizes the Lady from Lake, Representative Gash."

Gash: "Mr. Speaker, on House Bill 186, I'd like the record to reflect that my switch wasn't working and I would of voted 'yes'."

Speaker Daniels: "Further discussion? The Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Hoffman: "Yes, Representative this Bill came through the Criminal, the Criminal Law, Judicial Criminal Law Committee, is that right?"

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Speaker Daniels: "Representative Johnson."

Johnson, Tom: "Yes. I believe you were there."

Speaker Daniels: "Representative Hoffman."

Hoffman: "And in that committee, we propose two Amendments, I believe. This was Amendment #1 and was adopted, and ultimately passed out of committee. We also proposed Amendment #2 which dealt with police on the streets and police in neighborhoods. That now is in the Rules Committee, I believe. That Amendment, is that right?"

Speaker Daniels: "Representative Johnson."

Johnson, Tom: "Yes, if I may answer your question. You were there. There were two Amendments filed, one dealing with truth and sentencing and a second one with what is now commonly called the police officer on every block Bill. These measures were not opposed by the committee. These measures were appropriately designated to the area where they would be given a full hearing and deliberated by not just us, but by your side of the aisle as well. The truth and sentencing being sent to a subcommittee of the Criminal Law Committee dealing with truth and sentencing so it could be considered with all the rest of those truth and sentencing Bills with careful consideration. And the police on every block Bill Amendment which is...amends the Revenue Act as well as some other Finance Act was referred to the rules so that it could be referred to an appropriate committee that deals with appropriations and I believe that that also, certainly will have it's day in the sun and in do course here. So, I believe that the action that was taken by that committee and I might add, this Bill was passed out of that committee by unanimous vote, including yourself and so therefore, I think you know exactly what the procedures were."

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Speaker Daniels: "Representative Hoffman."

Hoffman: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I think that, I just would like to...to give a little history about how a Bill becomes a law here in the new General Assembly. So, this is in committee. We proposed two Amendments in committee. The Republicans proposed one. This is Amendment #1, as you see right here. Amendment #2 goes to Rules Committee, that's more police on the street. In Rules Committee, this thing...this passes now, which I'm going to vote in favor of it. I just want to see other things on it that really address the Criminal Justice problem in the State of Illinois. Amendment #2 now is still in Rules Committee. This is going to the Senate, it's going to be gone. Amendment #2 is never going to see the light of day on this fast track criminal justice proposal. Amendment #3 is still in Sub-Committee. We were there today to talk about truth and sentencing, and the Truth and Sentencing Sub-Committee. Amendment #3 is still sitting there. House Bill 204 is going to be in the Senate. Amendment #3, truth and sentencing in Illinois is still going to be in Sub-Committee. We filed two Amendments on the floor of the House. We filed two Amendments on the floor of the House, the same Amendments. Truth and Sentencing in Illinois to put criminals behind bars at least 85% of their sentences, and the Cops Amendment. They are in Rules Committee, we haven't even heard them. What are we scared of in this chamber? We pass truth and sentencing three times, three times to the Senate last year, only to have it killed. Three times. Let's not stop now. Let's send a message to the Senate. Let's send a message, we want truth and sentencing in Illinois and we want to hear...we want to hear it now."

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Speaker Daniels: "The Gentleman from Cook, Representative Dart."

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

Speaker Daniels: "He indicates he will."

Dart: "Representative Johnson, there are some very commendable, many...Well, there's two commendable aspects of this Bill dealing with the child registration DNA testing. But, I think the record ought to be set straight as to what the rest of the stuff in here is, which is not a comprehensive Bill by any stretch of imagination, but is merely a Technical Bill that does for the most part does nothing. In the beginning of the Bill, you removed the statute of limitation for concealment of a homicide and aggravated arson? How many of these offenses were there last year?"

Speaker Daniels: "Representative Johnson."

Johnson, Tom: "Representative Dart, I do not have the exact count, but I know that there was more than one, and if there is one that can be solved and prosecuted ultimately, that needs to be done. Then, if I may Representative Dart because I think you raised another question concerning the technical nature of this Bill. Everything is technical unless it affects you, and this Bill is going to affect tens of thousands of convicted criminals in this state concerning the registration of their sexual convictions. Thank you."

Speaker Daniels: "Representative Dart."

Dart: "Thank you. I have no problems with the registration part, but let's not go kidding ourself what this Bill does here. I want to talk about these tens of thousands things it's going to affect. How many cases were blown because the statute of limitation was blown on concealement of a homicide, or aggravated arson. How many were blown? How many did we lose because of that, so we're making this

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dramatic fast track change?"

Speaker Daniels: "Representative Johnson."

Johnson, Tom: "It's interesting that you want to isolate one thing. I think I've already answered that question, that if, in fact, this helps with one solution to a crime it is worth while and I think you would agree, especially where it deals with the hiding of a body of some families son or daughter that ultimately now might be able to be prosecuted that prior to this Bill would not have been."

Speaker Daniels: "Representative Dart."

Dart: "I have no problem with that, Representative. But, let's not go kidding ourself here and saying that this is a comprehensive change. Let's talk concrete numbers. I didn't get any numbers there. How many cases were blown by the attempt murder statute because the statute of limitation was blown. How...a round figure, how many were blown that this fast track is going to

change here dramatically?"

Speaker Daniels: "Representative Johnson."

Johnson, Tom: "The reason that this was brought to the attention of this Bill, and as I indicated we are cleaning up a number of issues. This was brought at the request of a states attorney where a cop killer was unable to be prosecuted because this was not part of our law before."

Speaker Daniels: "Representative Dart."

Dart: "Thank you. And, once again Representative, no one has any questions with that, but let's not go lying and calling this the second coming of the Safe Neighborhoods Bill, okay. Now, in regards to the WIC fraud provisions, why are we removing the penalty for those who failed to report? Why are we lessening that?"

Speaker Daniels: "Representative Johnson."

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Johnson, Tom: "Would you want to give me the page and line that you're referring to at this time?"

Speaker Daniels: "Representative Dart."

Dart: "Section 26 and 27."

Speaker Daniels: "Representative..."

Dart: "Page 26..."

Speaker Daniels: "Representative Johnson."

Johnson, Tom: "Do you know what page and line..."

Speaker Daniels: "Page 26, was that correct Representative Dart? Page 26, Sir."

Johnson, Tom: "Are you referring to page 26, line 888 where we have inserted the word willfully?"

Speaker Daniels: "Representative..."

Johnson, Tom: "And if so, this is being inserted on the basis that this is a specific intent crime and, in fact, that should of been inserted when this was first passed so that we can avoid any court challenges throwing something like this out, because we have not had that language in there."

Speaker Daniels: "Representative Dart."

Dart: "Thank you. On page 26..."

Speaker Daniels: "Excuse me, Representative Dart. Ladies and Gentlemen, please give Representative Dart your attention. Ladies and Gentlemen, both sides of the aisle. Representative Dart."

Dart: "Thank you. On page 26 and 27, it eliminates the ability to go after administrative fraud. I'm trying to understand why we don't want to go after those people who are stealing money?"

Speaker Daniels: "Representative Johnson."

Johnson, Tom: "It is not the intent of this...section at all. Again, this was in order to...this was on request of the Attorney General and AFSCME last year as part of the

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clean-up on the Safe Neighborhoods Act. And, as I..."

Speaker Daniels: "Representative Johnson."

Johnson, Tom: "Any...any penalty here."

Speaker Daniels: "Representative Dart."

Dart: "Thank you, Mr. Speaker. That's what it does by the way it's referenced in here, it's removing that from it, and so that will no longer be prosecuted. Secondly, I...I also ask why is it that we're removing the requirement of notifying victims and witnesses of someone whose being released from prison or escaped and if we are removing that acquire...requirement, what is it being replaced by and I would like to have it cited to me please."

Speaker Daniels: "Representative Johnson."

Johnson, Tom: "Yes, that was explained fully in committee, and I'll be happy to explain that here. The reason for that is that this notification is a duplicate of...in that the prisoner review board, in fact, if you look a couple of pages earlier in the Bill is required to do that notification and now we also have notification required D.O.C. as well, and there is confusion evidently being created by this and so therefore, D.O.C. has requested to clean this up and that it be left in the hands of the prisoner review board."

Speaker Daniels: "Representative Dart you only have a few seconds left, but...all right."

Dart: "Thank you..."

Speaker Daniels: "We'll put the timer on again."

Dart: "Thank you, but I'm going to try to wrap this up pretty quick here."

Speaker Daniels: "Good."

Dart: "The...I was just interested Representative Johnson, if you can give me a cite on that though, because I'm a little bit

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leery about when we remove the notification of victims when their going to release someone from prison who may have tried to kill them. I just want the cite."

Speaker Daniels: "Representative Johnson."

Johnson, Tom: "If you'll hang on for just a minute, we'll get that for you. I...Representative Dart, I believe if you look on paragraph d-1 on page 38, as the notes that I have here. The prisoner review board shall inform a victim or any other concern citizen upon written request of the prisoners release on parole, mandatory supervised release, the electronic, et cetera. I believe that that is the section that D.O.C. is referring to that is now causing confusion with the other section and that they have assured me that the prisoner review board is already doing this."

Speaker Daniels: "Representative Dart."

Dart: "Thank you, Mr. Speaker. But, Representative that doesn't talk about witnesses though, and those are the people who may have been the ones who came forward and say I was the one who saw you shoot and murder that person, and I think those are the people we really got to make sure no one, the defendants going to get released, or he's escaped."

Speaker Daniels: "Representative Johnson."

Johnson, Tom: "Representative, I think, I just read it to you. The victim or any other concern citizen. Now, I presume if you were a witness in the case you would qualify as a concerned citizen."

Speaker Daniels: "Representative Dart."

Dart: "Yes, the other thing that's troubling by what you read though is that they have to request it themselves. So, what happens if, as most victims or witnesses they do not follow through on a case, once it's sent off to the system, then God knows how long we're going to keep these people in



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there. And, so now we are basically requiring the victim and witness to follow up the victim and witness to request that where we have a system right now which mandates us to tell these victims and witnesses when we're releasing someone back on the streets that they testify against and put behind bars. Now, we're putting the onus on them which I dare say I've dealt with a lot of witnesses and victims of cases, they aren't going to follow through on that and their not going to know that someones been released on the streets or someone just escaped."

Speaker Daniels: "Does that conclude your questions, Sir? Representative Dart."

Dart: "No...I thought I was going to get an answer. Under the statewide grand jury expansion for gun running, under the present system as it exists now, it allows for the...the statewide grand jury can be used for the unlawful sale in transfer of firearms. Does not gun running come under the heading and can be prosecuted as that already."

Speaker Daniels: "Representative Johnson."

Johnson, Tom: "Representative Dart, this is now to include your new crime that you put into the package last year and, in fact, I think it was your language exactly which now defines gun running as a new offense of somebody moving or transferring more than three weapons to somebody who is not legally entitled to those weapons. And so this is to take care of your new crime which I...was very good, which we supported and now certainly deserves to go statewide and to empower the Attorney General to do that, to get at some of this gang gun running."

Speaker Daniels: "Representative Dart."

Dart: "Thank you, Mr. Speaker. This is, this is getting old. To the Bill..."

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Speaker Daniels: "To the Bill."

Dart: "I think I've made my point. I could go down here through the whole list here and all these different measures which has the name fast track after them, there's only two measures. What's the period that stand out and that's the DNA testing and the registration. Those are very important measures, I think everybody will agree to, but please let's not go kidding ourselves here. We're making a technical correction after technical correction. We have no numbers of how many cases are going to be brought into the system or going to be allowed to be prosecuted based on our expansion of statutes of limitations. So, we don't know that. We can't say it's dramatic. It isn't dramatic. We're also making changes in D.O.C.'s ability to settle law suits changing it from settlements to verdicts, that's a fast track item. I can't understand that, I mean that's...are we going to come to a halt because that didn't occur, no. The statewide grand jury right now can prosecute illegal transfers of firearms. That is also gun running. So, we can do that already. The different measures we're talking about here, there is nothing other than those two things dramatic. So, as in an effort to be truthful for once here, let's try to be honest. This is not dramatic. This is a technical Bill with two changes in it. Anybody who tells you otherwise is not enjoy much more of this."

Speaker Daniels: "Gentleman, bring your remarks to a close, or are you done?"

Dart: "Mr. Speaker, I think I've made my point. As I said I could go on for hours on the technical nature of this Bill, but I think my colleagues would not..."

Speaker Daniels: "Thank you. Correct. Thank you, Sir."

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Representative Johnson to close."

Johnson, Tom: "Again, I just recommend a 'do pass' on this and that everybody support this piece. It is...does include a number of issues that is going to make a difference. One can argue some of this is technical. Some of it is technical. But, some of this is very, very important in terms of fighting, continuing to give ammunition to fight the crimes that are being spread by our gangs and especially the issue dealing with the registration of sex offenders. This is an important piece of legislation. This is a beginning. We will be dealing with many issues this Session, this being one that ought to move out of here today and I urge your 'yes' vote. Thank you."

Speaker Daniels: "You've heard the Gentleman's Motion. The question is 'Shall House Bill 204 pass?' All those in favor vote 'aye'; opposed vote 'nay'. The voting is open, and this is final action. Have all voted who wish? Have all voted who wish? Representative Gash, is your switch working now? Record Representative Gash as 'aye', do you want to be recorded as 'aye'. Okay, she's voting 'aye'. You're recorded as 'aye'. We're just...make sure you're okay. Have all voted who wish? The Clerk will take the record. On this question, there are 113 'aye', no 'nays', 2 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, any announcements. Representative Biggert."

Biggert: "Thank you, Mr. Speaker. The Republicans would like to request a conference immediately following adjournment in Room 114."

Speaker Daniels: "Republicans will conference in Room 114. The Democrats wish to have a conference as well? No conference. Mr. Clerk, any announcements?"

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Clerk Rossi: "The recess committee schedule for Friday is as follows. The Elementary and Secondary Education Committee will meet at 9:00 a.m. in Room C-1. The Executive Committee will meet in Room 114 at 9:00 a.m., and the Judiciary Criminal Law Committee will meet at 10:00 a.m. in D-1."

Speaker Daniels: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker. Just to remind the Members of the Rules Committee that we will meet upon adjournment. Thank you."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Yes, just a simple inquiry of...some of us are on both the Executive Committee and the Judiciary Committee as well as some are on the Elementary and Secondary Education Committee. The Elementary and Secondary meets at 9:00 as does the Executive at 10:00 as Judicial. Do...is it our understanding that the Judicial won't start until those two meetings have completed?"

Speaker Daniels: "We scheduled it so hopefully there wouldn't be any conflict. Further announcements? Being none, Representative Churchill now moves that the House stand adjourned until Friday, February 10th, 1995 at the hour of 11:00 a.m. All those in favor signify by saying 'aye'; opposed, 'nay'. The 'ayes' have it. In the opinion of the Chair, and the House now stands adjourned until Friday, February 10th, 1995 at the hour of 11:00 a.m., allowing for Perfunctory time for the Clerk. The House is now adjourned."

Clerk McLennand: "Perfunctory Session will be in order. Introduction - First Reading of House Bills. House Bill 1098, offered by Representative Cross, a Bill for an Act to amend the Illinois Income Tax Act. House Bill 1099, offered

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by Representative Parke, a Bill for an Act concerning police and fire protection. House Bill 1100, offered by Representative Lou Lang, a Bill for an Act to amend the Probate Act of 1975. House Bill 1101, offered by Speaker Daniels, a Bill for an Act making appropriations to the Department of Public Aid. House Bill 1102, offered by Representative Salvi, a Bill for an Act to amend the Criminal Code. House Bill 1103, offered by Representative Brunsvold, a Bill for an Act to amend the Park District Code. House Bill 1104, offered by Representative Lawfer, a Bill for an Act to amend the Juvenile Court Act. House Bill 1105, offered by Representative Lawfer, a Bill for an Act to amend the Criminal Code. House Bill 1106, offered by Representative Winkel, a Bill for an Act to amend the University of Illinois Act. House Bill 1107, offered by Representative Winkel, a Bill for an Act to amend the Criminal Code. House Bill 1108, offered by Representative Lyons, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. House Bill 1109, offered by Representative Lyons, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. House Bill 1110, offered by Representative Lyons, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. House Bill 1111, offered by Representative Clayton, a Bill for an Act to amend the Election Code. House Bill 1112, offered by Representative Woolard, a Bill for an Act to amend the Election Code. House Bill 1113, offered by Representative Salvi, a Bill for an Act to amend the Election Code. House Bill 1114, offered by Representative Salvi, a Bill for an Act to amend the Election Code. House Bill 1115, offered by Representative Zickus, a Bill for an Act to amend the Registered Titles (Torrens Act). House

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Bill 1116, offered by Representative Cross, a Bill for an Act to amend the Mechanics Lien Act. House Bill 1117, offered by Representative McAuliffe, a Bill for an Act to amend the Criminal Code. House Bill 1118, offered by Representative Hannig, a Bill for an Act to amend the State Finance Act. House Bill 1119, offered by Representative Hannig, a Bill for an Act relating to tuition waivers at public universities. House Bill 1120, offered by Representative Hannig, a Bill for an Act concerning designation and authority of successor agencies. House Bill 1121, offered by Representative Davis, M., a Bill for an Act to amend the Unified Code of Corrections. House Bill 1122, offered by Representative Moore, A., a Bill for an Act to amend the Code of Civil Procedure. House Bill 1123, offered by Representative Murphy, M., a Bill for an Act to amend the Property Tax Code. House Bill 1124, offered by Representative Saviano, a Bill for an Act concerning transportation. House Bill 1125, offered by Representative Scott, a Bill for an Act to amend the Illinois Municipal Code. House Bill 1126, offered by Representative McGuire, a Bill for an Act to amend the Property Tax Code. House Bill 1127, offered by Representative Cross, a Bill for an Act to repeal the Private Correctional Facility Moratorium Act. House Bill 1128, offered by Representative Cross, a Bill for an Act to amend the Unified Code of Corrections. House Bill 1129, offered by Representative Cross, a Bill for an Act in relation to organized gang activities. House Bill 1130, offered by Representative Black, a Bill for an Act to amend the Illinois Health Facilities Planning Act. House Bill 1131, offered by Representative McAuliffe, a Bill for an Act to amend the Liquor Control Act. House Bill 1132, offered by Representative Spangler, a Bill for an Act to

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amend the Transient Merchant Act. House Bill 1133, offered by Representative Biggins, a Bill for an Act regarding occupation and use taxes. House Bill 1134, offered by Representative Biggins, a Bill for an Act to amend the Illinois Income Tax Act. House Bill 1135, offered by Representative Kubik, a Bill for an Act to amend the Illinois Municipal Code. House Bill 1136, offered by Representative Hughes, a Bill for an Act in relation to first time drug offenders. House Bill 1137, offered by Representative Hughes, a Bill for an Act in relation to drug treatment funding. House Bill 1138, offered by Representative Lang, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. House Bill 1139, offered by Representative Lang, a Bill for an Act to amend the Code of Civil Procedure. House Bill 1140, offered by Representative Roskam, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 1141, offered by Representative Roskam, a Bill for an Act in relation to stalking and aggravated stalking. House Bill 1142, offered by Representative Wirsing, a Bill for an Act to amend the Water Authorities Act. House Bill 1143, offered by Representative Wirsing, a Bill for an Act to amend the Workers' Compensation Act and Workers Occupational Diseases Act in relation to false statements. House Bill 1144, offered by Representative Wirsing, a Bill for an Act to amend the Public Utilities Act. House Bill 1145, offered by Representative Clayton, a Bill for an Act in relation to property taxation. House Bill 1146, offered by Representative McAuliffe, a Bill for an Act to amend the Illinois Pension Code and to amend the State Mandates Act. House Bill 1147, offered by Representative Noland, a Bill for an Act to amend the Illinois Pesticide Act. First

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Reading of these House Bills."

Clerk Rossi: "Introduction - First Reading of House Bills. House Bill 1148, offered by Representative Feigenholtz, a Bill for an Act to require the use of certain safety equipment by children when they are bicycle operators or passengers. House Bill 1149, offered by Representative Leitch, a Bill for an Act to amend the Gas Revenue Tax Act. House Bill 1150, offered by Representative Zabrocki, a Bill for an Act in relation to impact fees. House Bill 1151, offered by Representative Meyer, a Bill for an Act to exclude out of state employees from coverage under the Worker's Compensation Act and Workers Occupational Diseases Act. House Bill 1152, offered by Representative Meyer, a Bill for an Act to amend the Election Code. House Bill 1153, offered by Representative Saviano, a Bill for an Act to amend the Motor Vehicle Franchise Act. House Bill 1154, offered by Representative Saviano, a Bill for an Act to amend the Motor Vehicle Franchise Act. House Bill 1155, offered by Representative Saviano, a Bill for an Act to amend the Unified Code of Corrections. House Bill 1156, offered by Representative Saviano, a Bill for an Act to amend the Northeastern Illinois Planning Act. House Bill 1157, offered by Representative Morrow, a Bill for an Act to amend the Economic Development Area Tax Increment Allocation Act. House Bill 1158, offered by Representative Morrow, a Bill for an Act to amend the Housing Authorities Act. House Bill 1159, offered by Representative Brunsvold, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1160, offered by Representative Blagojevich, a Bill for an Act to amend the Nursing Home Care Act. House Bill 1161, offered by Representative Blagojevich, a Bill for an Act to amend the Compensation Review Act. House Bill 1162,



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offered by Representative Lindner, a Bill for an Act to amend the Criminal Code. House Bill 1163, offered by Representative Churchill, a Bill for an Act to amend the School Code. House Bill 1164, offered by Representative Deering, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 1165, offered by Representative Currie, a Bill for an Act to amend the Hospital Licensing Act. House Bill 1166, offered by Representative Hanrahan, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1167, offered by Representative Mulligan, a Bill for an Act to amend the Criminal Code. House Bill 1168, offered by Representative Lindner, a Bill for an Act to amend the Joint Tortfeasor Contribution Act. House Bill 1169, offered by Representative Lindner, a Bill for an Act to amend the Code of Civil Procedure. House Bill 1170, offered by Representative Black, a Bill for an Act to amend the Lead Poisoning Prevention Act. House Bill 1171, offered by Representative Kubik, a Bill for an Act in relation to property taxes. House Bill 1172, offered by Representative Kubik, a Bill for an Act in relation to property taxes. House Bill 1173, offered by Representative Laurino, a Bill for an Act in relation to security guards. House Bill 1174, offered by Representative Laurino, a Bill for an Act in relation to political signs. House Bill 1175, offered by Representative Laurino, a Bill for an Act in relation to criminal law. House Bill 1176, offered by Representative Cal Skinner, a Bill for an Act to amend the Counties Code. House Bill 1177, offered by Representative Cal Skinner, a Bill for an Act to amend the School Code. House Bill 1178, offered by Representative Mulligan, a Bill for an Act to amend the Adoption Act. House Bill 1179, offered by Representative Woolard, a Bill for an Act to amend the

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Vehicle Code. House Bill 1180, offered by Representative McGuire, a Bill for an Act to amend the Unified Code of Corrections. House Bill 1181, offered by Representative Hannig, a Bill for an Act to amend the Humane Care of Animals Act. House Bill 1182, offered by Representative Boland, a Bill for an Act concerning the use of soybean ink. House Bill 1183, offered by Representative Schakowsky, a Bill for an Act to amend the Minimum Wage Law. House Bill 1184, offered by Representative Hartke, a Bill for an Act in relation to townships. House Bill 1185, offered by Representative Hannig, a Bill for an Act to amend the Chicago Park District Act. House Bill 1187, offered by Representative Hannig, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. House Bill 1188, offered by Representative Hannig, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. House Bill 1189, offered by Representative Hannig, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. House Bill 1190, offered by Representative Stroger, a Bill for an Act to amend the Township Code. House Bill 1191, offered by Representative Stroger, a Bill for an Act to amend the Counties Code. House Bill 1192, offered by Representative Stroger, a Bill for an Act to amend the Counties Code. House Bill 1193, offered by Representative Stroger, a Bill for an Act to amend the Counties Code. House Bill 1194, offered by Representative Deuchler, a Bill for an Act concerning certain financial organizations regulated by the Commissioner of Savings and Residential Finance. House Bill 1195, offered by Representative Boland, a Bill for an Act in relation to abatement of municipal taxes. House Bill 1196, offered by Representative Boland, a Bill for an Act to amend the

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Illinois Income Tax Act. House Bill 1197, offered by Representative Salvi, a Bill for an Act to amend the Liquor Control Act. House Bill 1198, offered by Representative Biggins, a Bill for an Act to amend the School Code. House Bill 1199, offered by Representative Hartke, a Bill for an Act in relation to townships. House Bill 1200, offered by Representative Kubik, a Bill for an Act concerning public aid. House Bill 1201, offered by Representative Feigenholtz, a Bill for an Act to amend the Illinois Income Tax Act. House Bill 1202, offered by Representative Wait, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1203, offered by Representative Wait, a Bill for an Act in relation to a school district income tax. Introduction - First Reading of these House Bills."

Clerk Rossi: "Being no further business the House will stand adjourned until Friday, February 10th at 11:00 a.m. The House now stands adjourned."

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