

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

100th Legislative Day

February 29, 1996

Speaker Daniels: "The House will come to order. The Members will be in their chairs. Speaker Daniels in the Chair. The Chaplain for the day is Reverend Milton Bost of the Pasfield Baptist Church in Springfield, Illinois. Reverend Bost is the guest and brother of Representative Mike Bost. Guests in the Gallery may wish to rise for the invocation. Reverend Bost."

Reverend Bost: "Would you pray with me? Lord, I come today asking Your guidance for this Session of the Illinois House, thanking You for these leaders and the people these Legislators represent. Grant these Ladies and Gentlemen the wisdom and insight regarding the decisions that they make here today. Make clear to them the masses their decisions affect. Guide them to be leaders with servant hearts. Lead them to reflect honesty and integrity. To persevere in seeking the best for this state. To be unfailing in their stand against wrong. I ask Your anointing upon Speaker Daniels as he leads this House of Representatives, that he may know Your guidance and presence. I ask that the future may bring more unity and common purpose within this legislature for the benefit of this state and those that it will effectively touch and that it might reflect Your Almighty power in the way that it touches us. I thank You for hearing this prayer and I pray it in the name of Jesus Christ. Amen."

Speaker Daniels: "Thank you, Reverend. We will be led in the Pledge of Allegiance by Representative Mike Bost."

Bost: "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 Daniels: "Roll Call for attendance. Representative

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Currie is recognized for excused absences on the Democratic side of the aisle."

Currie: "Thank you, Speaker. Please let the Record show that Representative Steve Davis is excused because of illness in the family. Representative Granberg is excused because of official business outside the Capital City and Representative Laurino is excused because of illness."

Speaker Daniels: "The Record will so indicate. Representative Cross is recognized for absences on the Republican side of the aisle."

Cross: "Thank you, Mr. Speaker. If the Record will please reflect that Representative Pedersen is excused today."

Speaker Daniels: "The Record will so reflect. Take the Record, Mr. Clerk. On this question there are 113 Members answering their Roll and a quorum is present. Committee Reports."

Clerk McLennand: "Committee Reports. Committee Report from Representative Maureen Murphy, Chairman from the Committee on Revenue, to which the following Bills and Resolutions were referred, action taken on February 29, 1996, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 3637. 'Do pass as amended Short Debate' House Bill 2659. Committee Report from Representative Tom Johnson, Chairman from the Committee on Judiciary on Criminal Law, to which the following Bills and Resolutions were referred, action taken on February 29, 1996, reported the same back with the following recommendation/s: 'do pass' House Bill 3669. House Bill 3578. House Bill 3453. 'Do pass as amended' House Bill 2721 and House Bill 3451. Committee Report from Representative Mulligan, Chairman from the Committee on Appropriations for Human Services, to which the following

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Bills and Resolutions were referred, action taken on February 29, 1996, reported the same back with the following recommendation/s: 'do pass' House Bill 3696. Committee Report from Representative Weaver, Chairman from the Committee on Appropriations for Education, to which the following Bills and Resolutions were referred, action taken on February 29, 1996, reported the same back with the following recommendation/s: 'do pass' House Bill 3697. Committee Report offered by Representative Lawfer, Chairman from the Committee on Aging, to which the following Bills and Resolutions were referred, action taken on February 29, 1996, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 2533. Committee Report from Representative Rutherford, Chairman from the Committee on Constitutional Officers, to which the following Bills and Resolutions were referred, action taken on February 29, 1996, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 3368. 'do pass as amended Short Debate' House Bill 3629. Committee Notice. Rules Committee will meet on Thursday, February 29th, immediately upon adjournment in the Speaker's Conference Room. Rules Committee will meet immediately upon adjournment in the Speaker's Conference Room. Members are encouraged to sign up for computer training up here at the Clerk's well. We have several days with training. Again, Members are encouraged to sign up for computer training here at the Clerk's well."

Speaker Daniels: "Ladies and Gentlemen, could I have your attention to introduce the students from Oakton Community College, participating in model Illinois government? They are in the gallery and they are doing a simulation of state

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governments. If you will please recognize them. Thank you for being with us. Mr. Clerk, on page 6, of the Calendar appears House Joint Resolution Constitutional Amendment 32. Mr. Clerk, please read that Resolution."

Clerk McLennand: "House Joint Resolution #32, offered by Representative Pedersen Third Reading of this House Joint Resolution Constitutional Amendment. RESOLVED BY THE HOUSE OF REPRESENTATIVES, OF THE 89th GENERAL ASSEMBLY OF THE STATE OF ILLINOIS AND THE SENATE CONCURRING HEREIN. That there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution. For proposition to add Section 8.1 of Article IV of the Illinois Constitution as follows: Article IV. The Legislature. Section 8.1 Passage of Revenue Bills. A Bill that would result in the increase of revenue to the state by an increase of a tax on or measured by income or by an increase of a tax on or measured by selling price of any item of tangible personal property may become law only with by the concurrence of three-fifths of the Members elected to each House of the General Assembly. Schedule. This Constitutional Amendment takes effect upon approval by the electors of this state. Third Reading of House Joint Resolution Constitutional Amendment #32."

Speaker Daniels: "The Chair recognizes the Lady from Cook, Representative Clayton."

Clayton: "Thank you, Mr. Speaker. I'm presenting, in the absence of Representative Pedersen. I will be presenting the Bill today. Representative Pedersen was called home for a serious illness in his family. We wish him well. This Resolution is very simple. It proposes to amend the Illinois Constitution to require all legislation which

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would increase the sales tax or income tax to receive a three-fifths vote in each chamber."

Speaker Daniels: "Excuse me, excuse me. Ladies and Gentlemen, would those not entitled to the Floor, please retire to the Gallery and those staff members please retire to the rear of the chambers. We are now debating a Constitutional Amendment. Do you want to give the Lady your attention? Members of the House. Representative Clayton."

Clayton: "This Resolution proposes to amend the Illinois Constitution to require all legislation which would increase the sales tax or income tax to receive a three-fifths vote in each chamber. This Bill will usher in a new era of fiscal responsibility. It's a good government initiative and one that the taxpayers want. This proposal will ensure that any tax increase will have broad support of the legislature. But the voters will have the final word in determining whether this is in their best interest by having their voices heard in a referendum at the ballot box, and rightly so. The citizens of Illinois should have the final say over any legislation that is this important. I'd be happy to entertain any questions."

Speaker Daniels: "Gentleman from Cook, Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. Will Sponsor yield for some questions?"

Speaker Daniels: "She indicates she will."

Schoenberg: "Representative Clayton, you indicated that this Constitutional Amendment requires a super majority for generating revenue. That's relegated just to the sales tax and the income tax?"

Speaker Daniels: "Representative Clayton."

Clayton: "Yes, that is correct."

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Speaker Daniels: "Representative Schoenberg."

Schoenberg: "And what percentage of the state's General Revenue Fund comes from those two sources, Representative?"

Speaker Daniels: "Representative Clayton."

Clayton: "When you look at the General Revenue Funds, 85.8% comes from the General Revenue Fund."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "And what is the last time that there has been any formal effort made to increase either of those two revenue streams?"

Speaker Daniels: "Representative Clayton."

Clayton: "When the surcharge was made permanent in '93."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. To the Bill. I'm going to support House Joint Constitutional Amendment 32. But to suggest that this is going to put everyone in Illinois out of its misery is a statement that can't quite stand up on its own legs, because our situation here in Illinois is not so much that everyone is rushing out to raise taxes. We've all seen that even the mere mention of attempting to do so, as Senator Deangelis did in the other chamber last Session, was met with resounding defeat. But what troubles me, Mr. Speaker and Ladies and Gentlemen of the House, is that in an effort to generate revenue that we have gone to unprecedented lengths to ensure that we will be indebted, not just for this generation, but for future generations."

Speaker Daniels: "Excuse me, excuse me, Sir. Ladies and Gentlemen. Both sides of the aisle, Ladies and Gentlemen. Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. The problem of indebtedness is one that is far more pressing than the problem which dealt with with any fear, real or imagined, with a

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potential tax increase. Illinois has the dubious distinction of being one of the highest states in the nation of debt to revenue ratio. We have a 65.5% debt to revenue ratio in Illinois. Whereas the national average is slightly under 50%. Among industrial states, we are fourth in the nation. Among those states in the region, and as you know, Representative Clayton, Illinois is the economic engine which drives the midwestern region. We have the highest degree of indebtedness. Moreover, that's general obligation indebtedness. It does nothing to address the issue how debt limit and bond limits are circumvented through the issuance of certificates of participation. Representative Rutherford waxed emotionally yesterday about the issue of the bond Bill that no one will vote for. Well that bond Bill at least had issues that had to do with prisons that we've at least discussed. Whereas now the State of Illinois is getting ready, without any legislative approval, to sign us into twenty years of long term, overpriced real estate deals on three properties that will total \$177,000,000. Representative Clayton, I suggest to you that those deals and that indebtedness which haunts us, not just this generation but our children's generation, as we seek to extricate ourselves from it. That is indeed the more pressing problem. Because after all, that's where we're paying the bills from. We're borrowing to pay the bills. No one's rushing out to raise taxes but. They are rushing out to borrow through means, which not only do include the Legislature, but perhaps something which should give all of us great pause. They're doing so in a way which circumvents our Constitutional checks and balances in Illinois and locks us into inflated, unreasonable debt that we'll be paying for years to come. Thank you."

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

Skinner: "Mr. Speaker, first I'd like to inform the General Assembly that Pat Pedersen is in Northwest Community Hospital. She had fluid on her lung. They are attempting to get rid of it. She hadn't yet seen a cardiologist by the time I talked to Bernie, the Sponsor of this Constitutional Amendment, this morning. If you wish to send a card, Northwest Community Hospital is in Arlington Heights. This Constitutional Amendment has been a long time in coming. State Representative Bernie Pedersen, sponsored predecessor Bills in the 1980's. The Amendment is not as broad as he would have wished it to be. It is not as broad as I would wish it to be. I think we should require a 60% vote for any increase in fees or taxes. However, this is the consensus of the Republican caucus and that's why we're voting on it. Obviously, it would make it harder to raise income taxes and sales taxes. It would not make it impossible to raise income taxes and sales taxes at the state level, because we obviously have a 60% requirement to pass bonds. And we have literally billions of dollars of bonds that have been authorized by this General Assembly and previous General Assemblies which have not been issued by the Executive Branch. One of the prior speakers has suggested that it would be a good idea for us not to have so many bonds outstanding. And I certainly agree and would join with him in sponsoring any amendment he's interested in to go back to where we were before the 1970 Constitution took effect. As you may remember, there had to be referendum approval for every bond...before any bond could be issued by state government. I remember well, the 'give dirty water the works' campaign in 1970 which



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authorized millions of dollars to be spent for sewage treatment plants. That was clearly necessary. There was a consensus statewide. Although this does not allow a vote by the people on income taxes and sales taxes, as is the case in Missouri, it is a step in that direction. What the Sponsors are trying to get across to citizens in Illinois, is that they matter. They matter more...than we ss than when the politicians stick their hands deeply into their pockets to extract money. It is now going to be difficult. More State Legislators are going to have to say, 'Yes, we think we need more money'. It won't just be a bare majority vote, a structured Roll Call where only those from safe districts with no primary opponents, or no general election opponents that are serious, have to vote for an income tax increase or a sales tax increase. Some people are going to be, put on the hook, with this proposal and if they vote for an income tax increase or a sales tax increase and they're out of step with their constituency, my hope is they won't be returned to office. If they are in step with their constituency, obviously, they should be returned to office. I would like to issue a challenge to the Illinois Senate to pass this Constitutional Amendment. It is not Nirvana as far as tax impediments go but it's better than anything that has come up so far. And I hope that Pate Philip and the other Republican and responsible Democrats in the State Senate who think that taxes are the most important thing the government can do. Because, obviously, the power to tax is the power to destroy, will pass this Constitutional Amendment and put it on the ballot this Fall. Thank you very much, Mr. Speaker."

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

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Currie: "Thank you, Speaker and Members of the House. Aw, the dreaded 'T' word' the dreaded 'tax word'. I rise in opposition to this Constitutional Amendment, for I believe in majority rule. I believe the minority should not be able to hamstring the wishes of the majority and that's exactly what this Constitutional Amendment proposes to happen. But only in one area of Illinois State governance, only in the area of income and sales tax. Let me remind the Members of this chamber that we can take away your property. We can take away your property by majority rule. We can take children away from their families by majority rule. If this Amendment passes, we can still take your property. We can still take your children. We just can't raise your taxes. There are three circumstances in our present Constitution in which an extraordinary majority is prescribed. One, if we want to do bonded debt, long-term debt, although Representative Schoenberg reminds us that there are loopholes even there. It seems to me that's a sensible provision, because long-term debt finds future taxpayers who are not, by definition, equipped to throw us out of office. Second, it takes extraordinary majorities to override the Governor. I think that's legitimate. In a Constitutional framework, that gives weight to the executive as well as the legislative and judicial branch. Finally, when it comes to passage of a Constitutional Amendment, we require an extraordinary majority. That makes sense to me too, because the Constitution presents the underlying framework of the way we do government business. And we should tinker with that document, only very carefully. Particularly, as that includes the Bill of Rights in which majorities sometimes have been known to make life very tough for minorities. But nothing about

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taxes is distinct from everything else we do. Should make us decide we want to ascribe this extraordinary majority to a decision to raise the income or a decision to raise the sales tax. Let me remind the Members of this chamber that nothing in this Amendment would require an extraordinary majority to create a loophole in the sales tax, a loophole in the income tax and as you know, loopholes we have created are now worth more than \$1.5 billion. If we someday want to close one of those loopholes, if we someday want to close one of those loopholes, under this Constitutional Amendment, it would take a extraordinary majority to do so. I think that's folly. If a simple majority is enough to create the loophole, let a simple majority be enough to close it. And, finally, Speaker and Members of this House, let me just point out, that we're really, really 'shooting' ourselves in the foot, if we want to deny ourselves the flexibility it takes to run state government. And we're shooting the taxpayers some place else if we're going to pretend that HJRCA 32 is the answer to their problems. Today, income tax collections in the State of Illinois, amount to about \$5.5 billion. Illinois is a low income tax state compared to our neighbors. Not only the immediate neighbors, but to states across the nation. Where are our people hurting? Where is the pocketbook pinching? Of course, it's in the property tax, where more than \$9.5 million, a half again what we're spending in income and sales tax. More than half again is collected in the property tax. That's where the burden is, but nothing in this Constitutional Amendment, requires an extraordinary majority vote for us to raise property taxes for the citizenry. This is folly, Speaker and Members of the House. This is 'shooting ourselves in the foot', and

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it's pretending to the taxpayers back home that we do something good for them if we adopt this Constitutional Amendment. I would urge that we stick to the principles of majority rule. They are the principles that made this country and this state great. We ought not to tinker with the Illinois Constitution in this manner. I strenuously urge a 'no' vote."

Speaker Daniels: "The Gentleman from Washington, Representative Deering."

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

Speaker Daniels: "She indicates she will."

Deering: "Representative, we are limiting ourselves here in the General Assembly in the way we would potentially raise income taxes or sales taxes. And you made in your arguments a statement that said that we're trying to be more responsible to the taxpayers and to our constituents back home. Let me ask you this. In home rule cases where the local elected officials have the opportunity to increase sales taxes. Nothing in this says that we have to put an extra burden on those local elected officials to raise the local sales tax. Is that correct?"

Speaker Daniels: "Representative Clayton."

Clayton: "That's correct."

Speaker Daniels: "Representative Deering."

Deering: "Well, if we're wanting to be so fiscally conservative and responsible, here's the General Assembly for the State of Illinois, why don't we require in your Constitutional Amendment a three-fifths or super majority requirement on locally elected officials from raising sales taxes on a local level?"

Speaker Daniels: "Representative Clayton."

Clayton: "That's an interesting idea. Perhaps you would like to

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file some legislation to that effect."

Speaker Daniels: "Representative Deering."

Deering: "No, I don't think I will be doing that because I believe in local control. And it's just like the property tax cap legislation that passed here starting in 1991, that was supposed to be so fiscally conservative and good. This will be another sham as that and people that represent those tax cap areas continue to come down here year after year, and introduce a tax-exempt or capped exemptions into the law. With this proposal here, I'm sure there will be a lot of exemptions passed by a simple majority as the previous speaker spoke about to circumvent this Constitutional Amendment, also."

Speaker Daniels: "Further discussion? The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Daniels: "She indicates she will."

Mautino: "In Committee, Representative Pedersen, we'd asked him some questions on, if this is in place in any other states and what have been their results and he had said that he would get back to us with that answer. Do you have that with you?"

Speaker Daniels: "Representative Clayton."

Clayton: "Yes, I have that information. It's two pages. I'd be happy to read it or if you would like a copy of it, I could provide that to you. Do you want me to read it?"

Speaker Daniels: "Representative Mautino."

Mautino: "Okay, he said there are what, nineteen states that have this? Summarize."

Speaker Daniels: "Representative Clayton."

Clayton: "There are twelve."

Speaker Daniels: "Representative Mautino."

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Mautino: "Do any of our neighboring states have this in place?"

Why don't you read the twelve?"

Speaker Daniels: "Representative Clayton."

Clayton: "No neighboring states. But I will read the states. I won't go into detail, if you want me to, I will. Arizona, Arkansas, California, Colorado, Delaware, Florida, Louisiana, Mississippi, Nevada, Oklahoma, South Dakota."

Speaker Daniels: "Representative Mautino."

Mautino: "Do we know if they have passed any income or sales tax increases?"

Speaker Daniels: "Representative Clayton."

Clayton: "Some have, yes."

Speaker Daniels: "Representative Mautino."

Mautino: "Okay, in this Bill itself, this would only have power over those two taxes, the income and sales tax, correct?"

Speaker Daniels: "Representative Clayton."

Clayton: "That's correct."

Speaker Daniels: "Representative Mautino."

Mautino: "So we wouldn't have anything addressing, for example, like the items in the last budget. The \$205 million tax increase on the hospital assessment tax, the nursing home tax, the \$55 million tax increase, tobacco taxes, daycare provider taxes, and the teachers taxes which were passed in the last budget, would they be covered under this as well?"

Speaker Daniels: "Representative Clayton."

Clayton: "No, they would not. This Bill focuses on the heavy revenue producers which is income and sales. And as I indicated, previously, out of the General Revenue Funds, they account for 85.8% of the revenue."

Speaker Daniels: "Representative Mautino."

Mautino: "I do consider \$310,000,000 heavy revenue. But aside from that, do we have anything...do we know anything about

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the other states that have this in place, currently? How is their debt ratio? Are they as deeply or heavily in debt as the State of Illinois?"

Speaker Daniels: "Representative Clayton."

Clayton: "We do not know their debt ratio. We just know that they require the extra majority vote."

Speaker Daniels: "Representative Mautino."

Mautino: "Just looking at it, it appears that they are all in a better debt to revenue ratio than we are here in the State of Illinois. This all comes from the Ec. and Fiscal Commission. These points were raised the last time. So I just wonder what the effect is going to be, should there become a time when we actually address and try to pay off some of the debt that we've incurred? Thank you."

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

Murphy M.: "Thank you, Mr. Speaker. Why don't we isolate what this all about? This is about putting a simple question on the ballot. If the local municipalities are going to be against this, if taxpayers are going to be against it, we have from March until November to debate this Bill. Are we afraid of the taxpayers saying, 'hey, hold it, slow down, not with my money you don't'? It should never be easy to go for a tax increase. And, in fact, anything we can do to make it harder to put limits on ourselves, can only service the public. Why don't we let the public decide? The public decides about who comes and serves here. The public decided on a ballot the question about property tax caps. And now we are simply going to say to them, how easy should it be for the General Assembly to dip into your pocket, to make things less affordable, and to bloat the size of state government. This is simply a vote, a majority vote is

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simply needed, to put this on the ballot. The debate will continue between March and November. Why not let the voters decide, as we will the rest of the ballot selections November of '96? I urge your support of this Bill. Thank you."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The other side of the aisle keeps talking about indebtedness. They keep talking about debt to ratio and that that's a lot higher in the State of Illinois. And they are acting rather indignant about that. Well, Ladies and Gentlemen, people of Illinois, I've been down here twelve years. If I remember correctly, it was only last year that our side of the aisle took control of the General Assembly. And I will respectfully remind you that most of that indebtedness came while your side was in control. So I happen to think that you're crying crocodile tears. That is your fault that the indebtedness of this state is there."

Speaker Daniels: "Excuse me. Excuse me, Sir. Ladies and Gentlemen. Ladies and Gentlemen. Representative Parke."

Parke: "So quite frankly, that's just a 'red herring' that you're bringing up. Because I believe most of you, ultimately, are going to vote for this. So knock it off. Let's address this issue. If you want to vote for it, vote for it. If you don't want to vote for it, don't. But don't come up with these phony excuses that...when you're going to stand before the Body, try to make these phony arguments and then turn around and vote for it. Let's talk about this Bill. Now you've said that this is not the only answer. Well, of course not. But it's a pretty good start in the right direction. You're standing over there



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complaining about it. Let me share something with you. What we are going to do today with your permission, and your votes, is give you a say in the how the citizens of this state are going to be taxed. Because it can't be done by just one party, for the most part. I've been down here twelve years. I only remember one time there was a veto-proof House. That was just for one term, two years. Now, if we're going to raise taxes on the citizens of this state, for whatever reason, you're are going to have a say in it, or if we're the minority party, we'll have a say in it. If it's such a good idea to raise the taxes of the people of Illinois, then it ought to be an extra ordinary majority of those people saying that they ought to raise taxes. It ought to be a good idea. It ought to be justified. And it ought to make sense. And, so far, I've rarely ever seen it make sense to raise taxes in this state or in any state or in any taxing Body, for the most part. Now, I think that this is a good idea because we are going to put this on the ballot in November. We are going to go back to the people of Illinois and ask for their permission to do this. Now you're trying to tell us that they're not smart enough to understand what this is going to be on the ballot. I bet this will pass overwhelmingly, because people want you to be very deliberative on how you raise their taxes. Most people believe that they can do better with that tax revenue in their pockets than sending it to Springfield or to Washington, D.C. If you haven't understood that, then look back at November of 1994. The American people said 'we're tired of big government, we're tired of more taxes. And this is an attempt by the Illinois Legislature to limit the growth of taxes by asking for an extraordinary majority of the Legislators to raise

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them. Now get off of it. Address the issue at hand. Either vote for it, or not, but I think this is a good idea and I certainly am going to vote for it and so are most of you."

Speaker Daniels: "The Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What's being discussed here today and written here today, is not sound economic policy. What's being written here today, are direct mail pieces, radio ads, TV ads. This is political pandering of the worst sort, and you know what? People on both sides of the aisle are really aware of it. In fact, I bet you there are going to be a bunch of 'yes' votes for this Bill among people who are saying, 'well, we know the Senate is not going to do anything, anyway, so let's vote 'yes', so that we don't get attacked by the other side, so that we can go on record as pandering to the voters. Even when we know that this is bad policy, bad public policy for the state. We better pass it soon because I bet you those mailings are already at the post office, ready to go. And if we're going to be so politically correct, maybe what we ought to do, instead of three-fifths, maybe we ought to make it five-fifths. It takes five-fifths. I think it takes five-fifths. I think there's a loophole in this Bill. Three-fifths isn't good enough, I say we should have five-fifths, maybe six-fifths, that's a good idea. In order to pass this tax legislation, but then what we ought to stop and ask, how is this Body supposed to deal effectively with the Governor's Task Force on Education and how we're going to finance it? Those people who are worried about the schools, how are we going to deal with funding, adequately, our educational system?"

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How are we going to deal with this debt? Oh yes, we've heard we shouldn't worry about the unpaid bills, we shouldn't worry about the mounting debt that has been created under this Governor. But we should limit our ability to deal with that. And how are we going to even reduce local property taxes, which is what our voters really want, if we're not going to be able to look for other ways to pay for the kinds of services, the kinds of programs, the kind of education, the kind of Department of Corrections, the kind of things that our voters want. There is no way. The majority in this Body, I am sure, thinks that this is not good public policy. But because we are so obsessed now with what we think the voters want to hear, instead of being the kind of leaders that we should be. This Bill I'm sure will fly out of here. It shouldn't, I urge a 'no' vote."

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

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

Speaker Daniels: "She indicates she will."

Lang: "Representative, I note that because of an illness, the chief Sponsor of this Amendment is not here. What's the rush today? Why can't this wait until Representative Pedersen returns next week? What's your hurry?"

Speaker Daniels: "Representative Clayton."

Clayton: "We're just following the schedule that was originally prepared."

Speaker Daniels: "Representative Lang."

Lang: "Well, we're going to be here let's say on March 20th, the day after the Primary. What would be the problem with passing this on that date?"

Speaker Daniels: "Representative Lang, to the Amendment."

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Lang: "Well, Mr. Speaker, that's certainly to the Amendment. There seems to be a rush to judgement on this Amendment and I've certainly a right to ask why we're acting in the absence of the chief Sponsor, who I'm sure would like to be here to argue this. As we know Representative Pedersen is a chief proponent of no taxation in this state and he might like to be here to discuss this. Is this not a relevant inquiry, Sir?"

Speaker Daniels: "Representative Lang, as Representative Skinner announced, Representative Pedersen would be here but his wife is in the hospital. I think we can afford him that respect. Representative Lang."

Lang: "Well, I surely will afford him that respect, Sir. You did that well. Representative, let me ask you this question. Do I understand that the Hospital Assessment Tax that we passed last year, the Nursing Home Tax that we passed last year, the Tobacco Products Tax that we passed last year, the DD Care Provider Tax that we passed last year, the Tax on Active Teachers that we passed last year; none of them would be affected by this Amendment if it becomes law?"

Speaker Daniels: "Representative Clayton."

Clayton: "This Bill only applies to income tax and sales tax, which are the largest revenue generators."

Speaker Daniels: "Representative Lang."

Lang: "Well, Representative, the taxes we never raise in this state, seem the income tax and the sales tax. Your side of the aisle proposed and passed five major tax increases last year that would not even be touched by this Constitutional Amendment. Why aren't we addressing those today?"

Speaker Daniels: "Representative Clayton."

Clayton: "Because we have the Bill before us that we do, which is income tax and sales tax."

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Speaker Daniels: "Representative Lang."

Lang: "Would you support, Representative, a Constitutional Amendment to prohibit the raising of any other taxes by a three-fifths vote?"

Speaker Daniels: "Representative Clayton."

Clayton: "If you would like to file a Bill to that effect, I'll certainly study it."

Speaker Daniels: "Representative Lang."

Lang: "Well, thank you very much. There's certainly a lot of studying going on in this Body today. Representative, let me ask you this, if this Amendment were to pass the House and the Senate and go on the ballot and become law, become part of our Constitution, would we then have to proceed to pass the 'fund education first act', which is a method to fund education appropriately in this state without a tax increase. Would that be what we would have to do?"

Speaker Daniels: "Representative Clayton."

Clayton: "The Bill that we are looking at is to require a three-fifths majority. If it involves an increase in the income tax and the sales tax."

Speaker Daniels: "Representative Lang."

Lang: "Well, that's fine, Representative, but we need to know the result of this Bill. Some of us are going to vote for this. It's going to pass. But I think before it passes, we need to know the result. And you have said on the Floor of this House that you are for proper funding of education. So I would like to ask you if you are prepared to support that measure which will fund education without a tax increase if this passes, since we won't be able to raise taxes to fund education."

Speaker Daniels: "Representative Clayton."

Clayton: "I have said before and I say again, I am for the full

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funding of education. This Bill does not change that. This Bill does not prevent any increases. What this Bill does, is to provide that there is a great deal of scrutiny before any income tax or sales tax is increased."

Speaker Daniels: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I thank the Sponsor for her answers. You know, whether this passes or not at this point, is beyond the issue. The real issue here is the sham that's been played on the Members of the General Assembly and on the public of the State of Illinois. This is being moved today in a cynical attempt to allow certain Members of the Republican side of the aisle some political cover on March 19th. That's the only reason it's being moved today. There is no rush. We have so much time to do this and I would suggest that you scrutinize what you are doing as you act. The majority party is cheating us today."

Speaker Daniels: "The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. The previous Representative to speak on this issue, is being quite cynical and mentioned partisan politics as to the reason for the passage of this Motion. The truth is that we'll proudly stand and say that this is a Republican issue. We simply want to go to the voters, not presumptuously, but to ask them how they feel about the writing of their Constitution. What in the world is wrong with that?"

Speaker Daniels: "The Lady from McHenry, Representative Hughes."

Hughes: "Thank you, Mr. Speaker. I rise in support of this Constitutional Amendment Resolution. First of all, will it make a difference? It will. In 1989, in a matter of hours, the Democratic Caucus raised state income taxes by

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20% without a single Republican vote. What this measure would do, would be to assure that when we are raising taxes it will be with the broad based bipartisan support, because behind and underlying that support is the support of all of our constituents. The majority of each of our constituents. How do we fund government, including education? I believe we do it first, by prioritizing where our spending is. Second, we do it by encouraging growth in the economy, not increases in taxes. And thirdly, when those taxes are deemed to be something that ought to be raised, it ought to be something that is deliberated very cautiously as we debate how we are going to spend, not our dollars, but our citizens' dollars. I stand in support of this as an individual taxpayer because I think growth in the economy, generates more revenue as opposed to increasing taxes. I support it from the perspective of local government and the former chairman of the only county board subject to tax caps that supported that measure. But in doing so, adopted a Resolution urging the State Legislature to impose on itself the same kinds of economic restraints it was imposing on our own local government. This is a step in doing that. And I'm proud to be a part of seeing that executed here four years later as a Member of this Body. And thirdly, I am speaking on behalf of taxpayers of a county for whom the property tax burden is perhaps the highest, relative to income, of any in the State of Illinois. And I have just come from a weekend of walking precincts, asking the question, 'do you want this question on the ballot in November?' And in excess of 90% of my high property taxpayers said, 'yes', and signed those petitions. All we're doing today, is providing an opportunity for the voters of Illinois to answer the

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question as to how this Body is going to spend their money and in what circumstances. It's difficult in Illinois to get an initiative on the ballot. We ought to be responsible to the wishes of our constituents who are overwhelmingly telling us they want the opportunity to vote on this matter. I will enthusiastically vote 'yes' for HJCR 32."

Speaker Daniels: "The Lady from Lake, Representative Clayton, to close."

Clayton: "Mr. Speaker, Members of the General Assembly, this is a good government Bill. It's a tax accountability Bill. It is a taxpayer protection Bill. Vote 'yes' on this and let the people be heard."

Speaker Daniels: "The Lady has moved for the adoption of House Joint Resolution Constitutional Amendment 32. All those in favor shall vote 'aye'; all those opposed, shall 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? This Resolution requires 71 votes. Okay, take the Record, Mr. Clerk. On this question there are 99 'ayes'; 12 'noes'; 2 voting 'present'. And this Resolution, having received the required Constitutional Extraordinary Majority, is hereby declared passed. Committee Reports."

Clerk McLennand: "Committee Report from Representative Tenhouse, Chairman from the Committee on Appropriations for Public Safety, to which the following Bills and Resolutions were referred, action taken on February 29, 1996, reported the same back with the following recommendation/s: 'do pass as amended' House Bills 3694 and 3695."

Speaker Daniels: "House Bill Second Reading. House Bill 1290. Read the Bill, Mr. Clerk."



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Clerk McLennand: "House Bill 1290, the Bill has been read a second time, previously. All note requests have been filed."

Speaker Daniels: "Third Reading. House Bill 1796. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 1796, the Bill has been read a second time, previously. All note requests have been complied with."

Speaker Daniels: "Third Reading. House Bill 2555. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2555, a Bill for an Act concerning the enclosure of private swimming pools. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No note requests."

Speaker Daniels: "Third Reading. House Bill 2592. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2592, the Bill has been read a second time, previously. No note requests."

Speaker Daniels: "Third Reading. House Bill 2649. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2649, the Bill has been read a second time, previously. Floor Amendment #2, offered by Representative Cross, has been approved for consideration."

Speaker Daniels: "Representative Cross on Amendment #2."

Cross: "Thank you, Mr. Speaker. Amendment #2 is an agreed Amendment worked out with the Department of Public Health and myself that addresses several problems we had in Committee. I don't know of any opposition from any departments at this point. I would appreciate a favorable vote on the Amendment. Thank you."

Speaker Daniels: "Any discussion? Seeing none. All those in favor; say 'aye', opposed 'no'. The 'ayes' have it."

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Amendment #2 is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments. No outstanding note requests."

Speaker Daniels: "Third Reading. House Bill 2660. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2660. The Bill has been read a second time, previously. No note requests outstanding."

Speaker Daniels: "Third Reading. House Bill 3050. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3050. The Bill has been read a second time, previously. No note requests."

Speaker Daniels: "Third Reading. House Bill 3165. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3165, a Bill for an Act that amends the Radiation Protection Act of 1990. Second Reading of this House Bill. No Committee Amendments, no Floor Amendments, Fiscal Note has been filed on the Bill."

Speaker Daniels: "Third Reading. House Bill 3167. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3167, a Bill for an Act that amends Illinois Low Level Radioactive Waste Management Act. Second Reading of this House Bill. No Committee Amendments, no Floor Amendments, Fiscal Note has been filed."

Speaker Daniels: "Third Reading. House Bill 3186. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3186. The Bill has been read a second time, previously. Fiscal Note has been filed on the Bill."

Speaker Daniels: "Third Reading. House Bill 3230. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3230, a Bill for an Act that Amends the Illinois Public Aid Code. Second Reading of this House

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Bill. No Committee Amendments, no Floor Amendments, Fiscal Note has been filed."

Speaker Daniels: "Third Reading. House Bill 3548. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3548, a Bill for an Act that amends a Consumer Fraud and a Deceptive Business Practices Act. Second Reading of this House Bill. Committee Amendment #1 was adopted. No Floor Amendments. Fiscal Note has been filed on the Bill as amended by Amendment #1."

Speaker Daniels: "Third Reading. House Bill 3698. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3698, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments."

Speaker Daniels: "Third Reading. House Bills Third Reading. House Bill 2626. Representative Saviano. Read the Bill, Mr. Clerk. Representative Johnson in the Chair."

Clerk McLennand: "House Bill 2626, a Bill for an Act that amends the Private Detective, Private Alarm, Private Security and Locksmith Act of 1993. Third Reading of this House Bill."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 2626, is merely a cleanup Bill from last year when we passed the Locksmith Licensing Bill. If you will remember, that Bill allowed us to add Article IV to the Private Security, Private Alarm, Private Detective Act; in which we licensed locksmiths. Over the Summer, we noticed that in that Bill we did not distinguish the fact that we had to disallow locksmiths from being authorized to carrying weapons. This Bill merely forbids that action and I would ask a favorable vote. Thank you."

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Speaker Johnson, Tim: "On the Bill. The Chair recognizes the Gentleman from Washington, Representative Deering. Representative Deering."

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

Speaker Johnson, Tim: "He indicates he will."

Deering: "Representative, if I'm a police officer now and I'm off duty, am I allowed by law a statute to carry my firearm with me all the time?"

Speaker Johnson, Tim: "Representative Saviano."

Saviano: "Yes."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Well, what if I'm a police officer in a portion of the state outside of the Cook or collar counties, and as a side business, I'm a registered locksmith? What happens in that case?"

Speaker Johnson, Tim: "Representative Saviano."

Saviano: "That wouldn't be affected."

Speaker Johnson, Tim: "Representative Deering."

Deering: "So then I, as an off-duty police officer, would then be allowed to carry my firearm while I'm on my locksmith job?"

Speaker Johnson, Tim: "Representative Saviano."

Saviano: "If you see fit, yeah."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Okay, I was just wondering because it's my analysis that's not distinguished in...I just wanted to bring up that gray area. Thank you."

Speaker Johnson, Tim: "Being no further discussion, the Chair recognizes the Gentleman from Cook, Representative Saviano, to close."

Saviano: "I would ask for a favorable vote, thank you."

Speaker Johnson, Tim: "Gentleman from Cook, Representative Saviano, has moved for the passage of House Bill 2626. And

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on that question, all those in favor, signify by voting 'aye'; those opposed by voting 'no'. The voting is open. This is Final Action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the Record. On this question, there are 107 voting 'yes', 1 voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional majority, is hereby declared passed. Mr. Clerk, read House Bill 2649."

Clerk McLennand: "House Bill 2649, a Bill for an Act that amends the Communicable Disease Report Act. Third Reading of this House Bill."

Speaker Johnson Tim: "The Chair recognizes the Gentleman from Kendall, Representative Cross."

Cross: "Thank you, Mr. Speaker. This is, I believe, a Bill without any opposition at this point. The Amendment became the Bill. We had a problem in the Kane County area, where an inmate was tested positive for tuberculosis. Because of the statute, the way it currently reads, the sheriff was not allowed, because of the confidentiality sections of the statute, to allow the court to know the results of the positive test for TB. This would allow the judge in a very limited case to have access to the results of the TB test or the medical records of the inmate for the protection of those in the court room. I'll be glad to answer any questions."

Speaker Johnson, Tim: "On the Bill. The Gentleman from McHenry, Representative Skinner. Representative Skinner."

Skinner: "Yes, I wonder if the Representative would tell us whether this gets your sheriff off the hook from his contempt citation."

Speaker Johnson Tim: "Representative Cross, do you wish to respond?"

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Cross: "Yes, Mr. Speaker, we...this is the very purpose of this Bill. Cal, I hope it will. It's scheduled to be argued on the Appellate Court on March 15th. If we can get it out of here today and passed by the Senate, we hope it will be resolved."

Speaker Johnson, Tim: "Further questions? Representative Skinner, further questions?"

Skinner: "Then we ought to pass it soon."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Saline, Representative Phelps. Representative Phelps."

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

Speaker Johnson, Tim: "He indicates he will."

Phelps: "Representative Cross, I was wondering. Do you know if we have preparations in the statute that prepares to..."

Speaker Johnson, Tim: "Give Representative Phelps your attention, please. Representative Phelps."

Phelps: "...prisoners that have been released. Do we monitor them in regards to any kind of follow up with disease they might take with them once they are released from prison?"

Speaker Johnson, Tim: "Representative Cross."

Cross: "Representative, I'm not really conversant on your particular question or issue. All we're concerned about for our immediate problem in our immediate areas. The inmate that is held in jail that has to go to the court house either for a trial or a bond hearing or some type of hearing while detained. So I'm not sure that's a very good question. It's not something that is not applied to our situation, so I don't know."

Speaker Johnson, Tim: "Representative Phelps."

Phelps: "I knew it was not a part of your legislation. I was just curious if you would be interested in helping me trying to pursue that matter because I'm very much

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interested in that. What happens with released inmates that are out in the mainstream, in the public with or without known diseases?"

Speaker Johnson, Tim: "Representative Cross."

Cross: "Representative, maybe at another time we can work on that. We have a sheriff who has been held in contempt of court and doesn't want to find himself in his own jail. There is a need to move on this rather quickly."

Speaker Johnson, Tim: "Representative Phelps. Representative Cross."

Cross: "I'd appreciate a 'yes' vote. Thank you."

Speaker Johnson, Tim: "Further discussion. The Gentleman from Cook, Representative Lang."

Lang: "Well, thank you. Will the Sponsor yield?"

Speaker Johnson, Tim: "He indicates he will."

Lang: "Representative, I'm concerned about those portion of the Bill that discusses the best interest of the public. What rules are being devised to determine that or are we allow each judge to determine that on his or her own?"

Speaker Johnson, Tim: "Representative Cross."

Cross: "Well, under this language, Representative, it would be up to the judge to decide what's in the best interest of either the jurors or the states attorney, the public defender, the clerks, whatever, but we're going to leave it up to the judge."

Speaker Johnson, Tim: "Proceed. Further questions, Representative."

Lang: "Well, don't we then leave open the possibility that in different jurisdictions or indeed in different court rooms in the same jurisdiction, there will be a hodge podge of rules that are so completely different that the rights of litigants and jurors and public defenders et cetera in one

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court room or in one county will be different than in another court room or in another county?"

Speaker Johnson, Tim: "Representative Cross."

Cross: "All we're talking about, Representative, if you follow along and read the rest of that sentence, 'The judge shall have discretion to what, if any, precautions need to be taken to prevent the transmission of this disease in the court room'. All we're talking about is finding ways to protect those people that I mentioned earlier. I'm not sure there are that many options available to a judge. But maybe in one court room, a judge would have to handle the situation differently than in another court room. It's hard to specify what actions or precautions that judge would have to take. I don't know what they might be and each case may be different. That's why we give judges discretion, as you well know. I don't see the potential for too much abuse, if any actually none, under the language of this Bill. I guess I'm not following your logic here."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Do I not remember some testimony? Representative, I'm over here. Representative. Representative. Thank you. Do I not recall some testimony in Committee that indicated that the possibility of infecting anyone in that court room by these airborne diseases was virtually nil?"

Speaker Johnson, Tim: "Representative Cross."

Cross: "Well, Representative, let me read to you some information I have from the General Secretary of the Council of World Organizations concerned about AIDS. 'In anticipation of world tuberculosis disease, March 24th, this was an editorial in the Tribune, your readers should know about a vicious, widespread, familiar disease. Tuberculosis is



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killing three million people every year throughout the world. It is the leading single infectious killer of adults in the world today. Wiping out more adults each year than AIDS, Malaria, and tropical diseases combined. If I recall, correctly, they had an individual that testified in Committee was from the Department of Public Health who, incidentally, no longer objecting to this Bill or unhappy with the language, said that, at least in their opinion, they thought it would take a longer period of time before the infection could be transmitted, that it wouldn't happen in a real short period of time. And if you will recall, we've talked about having an inmate then, perhaps in a court room for up to a week, during a jury trial or maybe two weeks in a jury trial. So I think that issue has been addressed. And, as I said, the Department of Public Health is now neutral on the Bill."

Speaker Johnson, Tim: "Representative Lang, further questions?"

Lang: "So what you're really saying is, even though the possibility of the disease being communicated is small, the value of it is, that even if it's small, we need to do a better job making sure these people are protected. Is that correct?"

Speaker Johnson, Tim: "Representative Cross."

Cross: "That's a good characterization, Representative."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Thank you, I would just simply say that if we ever get to vote on my Bill, regarding seat belts on school buses, we should remember that as safe as school buses are, they need to be safer. Thank you."

Speaker Johnson, Tim: "Further questions? The Chair recognizes the gentleman from Will, Representative Wennlund. Representative Wennlund, on the Bill."

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

Speaker Johnson, Tim: "The question is, 'Shall the main question be put?' All in favor, signify by saying 'aye', those opposed by voting 'no'. The 'ayes' have it. The previous question is moved and the Chair recognizes the Gentleman from Kendall, Representative Cross, to close."

Cross: "Well, based on Representative Lang's eloquent closing, I'd appreciate a 'yes' vote. Thank you."

Speaker Johnson, Tim: "The question is, 'Shall House Bill 2649 pass?' Those in favor, signify by voting 'aye', those opposed, by voting 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the Record. On this question, there are 111 voting 'yes', none voting 'no' or 'present', and this Bill having received a Constitutional Majority, is hereby declared passed. Mr Clerk, read House Bill 2809."

Clerk McLennand: "House Bill 2809, a Bill for an Act that amends the Property Tax Code. Third Reading of this House Bill."

Speaker Johnson, Tim: "Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 2809 is intended to correct some problems that have been incurred by county government and to clarify some other issues. I'm not aware of any opposition to this Bill. In Committee, two Amendments were put on. The first Amendment was suggested by the Illinois County Treasurers Association. And it simply provides that taxes on mineral rights that have been offered for sale at a scavenger sale for ten consecutive years, that if they are not sold then, that those mineral rights would revert

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to the surface owner and that those taxes would no longer be owed. They would be considered void, then, but the rights would...that was the first Amendment."

Speaker Johnson, Tim: "Okay, you want to explain the other Amendment?"

Moffitt: "Yeah, the second Amendment was put on at the suggestion of the Illinois Department of Revenue and a Democratic Member of the Committee and it clarifies the definition of contiguous for multi-township assessment districts that not only can they just have a common boundary but if their corners touch, that is considered appropriate. The third thing that it does, is it allows the distribution of taxes paid under protest if after ten years, there has been no further legal activity. We have many counties holding protested taxes where the person who paid them under protest, never followed through. The money is held in escrow and is earning interest but they cannot do anything with it. This would allow them to distribute that after ten years. The fourth thing that it does, is that on leased property, and there are taxes on some leased property. An example would be a municipal airport hangar that if the taxes in those have been delinquent for ten years or more and there are no current taxes, the county treasurer can ask the county board to pass a resolution so they no longer have to send a certified notice and publish that. This would be removing an unfunded mandate, a cost to the county. The fifth and final thing it does, clarifies the scavenger sale and says that the taxes sold at a scavenger sale include the current year. I'm happy to answer any questions."

Speaker Johnson, Tim: "On the Bill, the Chair recognizes the Gentleman from Cook, Representative Dart. Representative

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Dart, proceed."

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

Speaker Johnson, Tim: "He indicates he will."

Dart: "Representative, is the original Bill still entered as the first Amendment, delete that?"

Speaker Johnson, Tim: "Representative Moffitt."

Moffitt: "The Amendments were just added to the Bill. That's in addition to the original Bill."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Can I just have some clarification? Does Amendment 1, deal with the mineral rights? Can you explain to me what the reason behind that was?"

Speaker Johnson, Tim: "Representative Moffitt."

Moffitt: "There are places in the State of Illinois where taxes are on mineral rights. That would be like gas or oil or coal or any mineral that is under the surface. The owners of those mineral rights, in some cases, have declined to pay them. They have become forfeited taxes. They probably have no intention perhaps of ever developing those. So it is a tax that's continued on the books of the county treasurer or the county collector, year after year after year. They continue to have to deal with this, with probably little or no hope of ever collecting that. This just says that if after ten years of being offered at a sale, the taxes on the mineral rights then those taxes would be abolished and those mineral rights would no longer belong to the other person, but would then be transferred to the surface owner. You might own the farm, someone else own the mineral rights, but if they're not paying their taxes then you become the owner of the mineral rights."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Thank you. No further questions."

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Speaker Johnson, Tim: "Seeing no further discussion, the Chair recognizes the Gentleman from Knox, Representative Moffitt to close."

Moffitt: "Thank you very much, Mr. Speaker. Again, I'm not aware of any opposition. It's supported by the Illinois County Treasurer's Association, the Taxpayers' Federation, and the township officials. There's a recent editorial in the Galesburg Registered Mail that said, 'This is simple, good government legislation that deserves to be made into law.' It helps local government. For the most part it is permissive. It removes unfunded mandate and it's favorable for private property owners if there's mineral rights under their...property owned by someone else. I ask for your favorable vote. Thank you."

Speaker Johnson, Tim: "Question is, 'Shall House Bill 2809, pass?' Those in favor vote 'aye'; those opposed, vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, we're waiting for Representative Giles. Mr. Clerk, take the Record. On this question, there are 110 voting 'yes'; none voting 'no'; and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Joint Resolution 81."

Clerk McLennand: "Adjournment Resolution SJR #81, offered by Representative Churchill, RESOLVED BY THE SENATE OF THE 89th GENERAL ASSEMBLY OF THE STATE OF Illinois. THE HOUSE OF REPRESENTATIVES CONCUR HEREIN, that when the two Houses adjourn on Thursday, February 29, 1996, the Senate stands adjourned until Tuesday, March 5, 1996, at 12:00 noon. And the House of Representatives stands adjourned until Tuesday, March 5, 1996, at 12:00 noon. Adopted by the

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

100th Legislative Day

February 29, 1996

Senate February 29, 1996."

Speaker Johnson, Tim: "Representative Churchill now moves that the House suspend Rule 3-6a, to provide for the immediate consideration of SJR 81, those in favor say 'aye', those opposed vote 'no'. In the favor of the Chair, the 'ayes' have it and the Motion carries. Representative Churchill now moves the adoption of SJR 81. All those in favor say 'aye', those opposed by voting 'no'. In the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. Committee Announcements, Mr. Clerk?"

Clerk McLennand: "No Announcements."

Speaker Johnson, Tim: "Representative Churchill now moves the House now stand adjourned until Tuesday, March 5, 1996, the hour of 12:00 noon. Those in favor signify by saying 'aye', those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it and allowing for any Perfunctory time by the Clerk, the House now stands adjourned until the hour of noon, on Tuesday, March 5, 1996."

Clerk McLennand: "The Rules Committee is meeting immediately in the Speaker's Conference Room. Rules Committee, Speaker's Conference Room."

Clerk McLennand: "The House Perfunctory Session will be in order. Resolutions. House Resolution #77, offered by Representative Santiago, Rules Committee. Being no further business, the House Perfunctory Session stands adjourned. The House will reconvene in full Session Tuesday, March 5, 1996, at the hour of 12:00 noon."

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