

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

108th Legislative Day

March 26, 1996

any excused absences."

Currie: "Thank you, Speaker. Please let the record show that Representatives Martinez, Phelps, and Santiago are excused. And Representative Kotlarz is excused. He's delayed in arriving but will be with us later in the morning."

Speaker Daniels: "The record will so reflect. Representative Cross is recognized on the Republican side of the aisle for any excused absences."

Cross: "Representative Salvi is excused today, Mr. Speaker."

Speaker Daniels: "The record shall reflect. Mr. Clerk take the Roll. There are 111 members answering the Roll and a quorum is present. The House will now come to order. House Bill, Second Reading. House Bill 739. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #739. A Bill for an Act that amends the Wildlife Code. Second Reading of this House Bill. Amendment number one was adopted in committee. No Floor Amendments. No requests."

Speaker Daniels: "Third Reading, House Bill 2028. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #2028. A Bill for an Act that amends the Criminal Code of 1961. Second Reading of this House Bill. Committee Amendment #1 is referred to Rules. Committee Amendment #2 is referred to subcommittee. Floor Amendments #3 and 4 have been referred to Rules. Fiscal Note and Correctional Budget and Impact Note have been filed on the Bill."

Speaker Daniels: "Third Reading. House Bill 2529. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #2529. A Bill for an Act that amends the Counties Code. Second Reading of this House Bill. Amendments #1 and 2 were adopted in committee. No

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

108th Legislative Day

March 26, 1996

Floor Amendments. No Motions."

Speaker Daniels: "Third Reading. House Bill 2576. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #2576. A Bill for an Act that amends the Election Code. Second Reading of this House Bill. Committee Amendment #1 has been referred to Rules. No Floor Amendments. State Mandates Note has been filed."

Speaker Daniels: "Hold that Bill on Second Reading. House Bill 2651. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #2651. The Bill has been read a second time previously. No Committee Amendments. No Floor Amendments. Fiscal Note and State Mandates Note have been filed."

Speaker Daniels: "Third Reading. House Bill 3227. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #3227. A Bill for an Act that amends the Regulatory Agency Sunset Act. Second Reading of this House Bill. Committee Amendment #1 was adopted. No Floor Amendments. No Motions."

Speaker Daniels: "Hold that Bill on Second Reading. House Bill 3348. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #3348. House Bill #3348. A Bill for an Act that amends the Violent Crime Victims Assistance Act. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. A Fiscal Note has been filed."

Speaker Daniels: "Third Reading. House Bill 3635. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #3635. A Bill for an Act that Amends the Illinois Income Tax Act. Second Reading of this House Bill. Amendment #1 was adopted in Committee. Amendment #2 was referred to Rules. No Floor Amendments.

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

108th Legislative Day

March 26, 1996

A Fiscal Note has been filed on the Bill, as amended, by House Amendment #1."

Speaker Daniels: "Third Reading. House Bill 3668. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #3668. A Bill for an Act that Amends the Criminal Code Act of 1961. Second Reading of this House Bill. Committee Amendment #1 has been referred to Rules. No Floor Amendments. Fiscal Note and a Correctional Budget and Impact Note have been filed on the Bill."

Speaker Daniels: "Third Reading. House Bill 2616. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #2616. The Bill has been read a second time previously. Amendment #1 was adopted in Committee. No Floor Amendments. A Fiscal Note has been requested on the Bill, as amended, and has been filed."

Speaker Daniels: "Third Reading. House Bill 3305. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #3305. A Bill for an Act that Amends the Juvenile Court Act of 1987. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions."

Speaker Daniels: "Third Reading. House Bills, Third Reading. House Bill 378. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #378. A Bill for an Act to Amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Daniels: "Representative Wait."

Wait: "Thank you Mr. Speaker. House Bill 378 is a Transportation Committee Bill. Basically it encompasses three Bills. It's House Bill 2685, which is Ron Lawfer's Bill, which basically says, 'Trolleys can use whistles, basically

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

108th Legislative Day

March 26, 1996

instead of horns.' This was a Bill that came up last year, but I guess it didn't pass. Second is 2880. Which is Representative Hartke's Bill. And this would simply allow that vehicles of 8 thousand pounds, or less and those of 8 thousand pounds that are pulling trailers; should carry cards and flags. Then we also have House Bill 2924, which is Brady's Bill, which basically clarifies on how we post the weight limits on roads. Also we have, would add two additional members to the Motor Vehicle Board, which is appointed by the Secretary of State. And finally we have the Illinois Automobiles Dealers Association requesting that we only put license plates on the rear of dealer cars, rather on the front and the rear. Be happy to answer any questions."

Speaker Daniels: "In discussion, the Gentleman from Cook, Representative Dart."

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

Speaker Daniels: "He indicates he will."

Dart: "Representative what...why are we changing the replica trolley provisions from 'horns to bells?'"

Speaker Daniels: "Representative Wait."

Wait: "Yes, apparently, I guess in Galena, and this is Representative Lawfer's, if he'd like to talk on it. But I believe there, for some reason, the Constable in Galena, which by the way we're invited to, they have a problem with the whistles because the statute currently says You are only allowed to have horns and not whistles. So this, because the trolley there has a whistle, this would bring it into compliance."

Speaker Daniels: "Representative Dart."

Dart: "Yeah. Thank God we don't have any problems with school funding so we can take on these weighty issues of bells and

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

108th Legislative Day

March 26, 1996

horns for trolleys. You're also expanding the Motor Vehicle Review Board? Why are you doing that?"

Speaker Ryder: "Representative Wait."

Wait: "Yes, this is a request from the Secretary of State. And he believes it would add more representation. Right now there's three, it would increase it two, so we'd have five in the board."

Speaker Daniels: "Representative Dart."

Dart: "What is the urgency with this? Are they having problems with the work load they have now?"

Speaker Daniels: "Representative Wait."

Wait: "Well, I guess it is a pretty important board because it clarifies a lot of things for the Secretary of State. This just would add more of a compliment of representation because we would have five rather than just three."

Speaker Daniels: "Representative Dart."

Dart: "Representative, how much are these folks going to get paid?"

Speaker Daniels: "Representative Wait."

Wait: "I guess they're paid \$20 thousand but it will come out of the Secretary of State's Current Budget. He's not asking for any additional dollars for these people."

Speaker Daniels: "Representative Dart."

Dart: "So, there's an extra \$40 thousand of taxpayers' money that we're going to give to two new bureaucrats to handle this. Isn't that correct?"

Speaker Daniels: "Representative Wait."

Wait: "Like I say, this is just to add a more complete compliment to the board. So we'll have a little more diversification on the board."

Speaker Daniels: "Representative Dart."

Dart: "Was this language ever introduced in the form of a Bill,

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

108th Legislative Day

March 26, 1996

that we voted up or down on? Or was this this language that was given to you from authorities up above?"

Speaker Daniels: "Representative Wait."

Wait: "This is just an initiative of the Secretary of State."

Speaker Daniels: "Representative Dart."

Dart: "That wasn't answering my question. Was this a Bill? Was this a Bill?"

Speaker Daniels: "Representative Wait."

Wait: "This Bill did pass committee 30-0 and we had a thorough hearing on this."

Speaker Daniels: "Representative Dart."

Dart: "No, I was talking about the provisions, adding two new bureaucrats and \$40 thousand more of taxpayers money. That was the one, I was asking if that was in the form of a Bill that was voted up or down? Or if this was something that was sort of snuck in to this big Bill, with all these other technical things and all these other pressing matters about bells and horns on trolleys?"

Speaker Daniels: "Representative Wait."

Wait: "I repeat again, there's no new money here. This comes out of the current Secretary of State's budget."

Speaker Daniels: "Representative Dart."

Dart: "Look, couldn't we take this extra \$40 thousand that the Secretary of State has laying around his office then? And maybe either give it back to the taxpayers, for once, as opposed to the normal modus operandi around here. Or maybe utilize it for something else. Maybe some other more worthy program, than two new bureaucrats?"

Speaker Daniels: "Representative Wait."

Wait: "This is to hire more expertise, more technical expertise, so we can give more compliance with the law. And again, I repeat this is no new money."

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

108th Legislative Day

March 26, 1996

Speaker Daniels: "Representative Dart."

Dart: "Well, this isn't money that they are spending now, so it may not be new money in the way that you do accounting, which is actually quite interesting. But I have a feeling that this is money, nonetheless, that we aren't spending now, that probably could be spent in another way. But Representative, I appreciate your non-answers to my questions."

Speaker Daniels: "Further discussion? Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I would like to yield my time, to carry on with these fascinating questions, to Representative Dart."

Speaker Daniels: "He doesn't want your time. Further discussion? Being none, Representative Wait to close."

Wait: "Thank you very much, Mr. Speaker. I'd simply ask the Body here to support this Bill. It did come out of committee 30-0. It's a matter of some housecleaning and clarification on some of these Bills here. Thank you very much for your support."

Speaker Daniels: "The question is, 'Shall House Bill 378 pass?' All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 108 'ayes'; 0 voting 'no' and 1 voting 'present'. This Bill having received a a Constitutional Majority, is hereby declared passed. Representative Churchill in the Chair."

Speaker Churchill: "Mr. Clerk, please read House Bill 427."

Clerk McLennand: "House Bill #427. A Bill for an Act that amends the Illinois Income Tax Act. Third Reading of this House Bill."

Speaker Churchill: "The Chair recognizes the Lady from Cook,

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

108th Legislative Day

March 26, 1996

Representative Murphy."

Murphy, M.: "Thank you, Mr. Speaker. House Bill 427 passed out of the House Revenue Committee 12 'yes'; 0 'no'; 1 'present'. As amended, this legislation extends replacement tax investment credit for seven years. Again this has a sentence of seven years until December 31, 2003. This will renew the Income Tax Investment Credit for seven years, establishing the 'sunset,' as I indicated. It would eliminate the provision requiring the Aiken-Fisk Commission for parents to submit an evaluation, as this has already been distributed to the General Assembly. I stand for your questions and your consideration. Thank you."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Dart."

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

Speaker Churchill: "She indicates she will. Please proceed."

Dart: "Representative, did this Bill require economic and fiscal office evaluation? At one point?"

Speaker Churchill: "Representative Murphy."

Murphy, M.: "The original Income Tax, for the Investment Tax Credit did require that but they have submitted it March 1, 1996. And that has already been distributed."

Speaker Churchill: "Representative Dart."

Dart: "Well, was it not a requirement that economic and fiscal used to have a requirement that they would evaluate these as whether they are wise expenditures of state money or not, and now we've removed that?"

Speaker Churchill: "Representative Murphy."

Murphy, M.: "No, not with this renewal. Apparently when this was first passed a report was inserted. Those of us that have reviewed the report of Aiken-Fisk have seen that the number has now overburdened our treasury and, in fact, is doing

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

108th Legislative Day

March 26, 1996

just what the original Sponsors, that passed the original legislation, had intended. So, again we have provided the sense that people would be free to be checking with the Department of Revenue on an interim basis if you would be concerned. But, so far with the life of this, we have not seen a concern to the contrary of the original intent."

Speaker Churchill: "Representative Dart."

Dart: "Just so I'm clear then, so there may not be a concern but, was there a requirement that there was an evaluation done by Aiken-Fisk and now that is removed? Is that what's occurred?"

Speaker Churchill: "Representative Murphy."

Murphy, M.: "I'm just checking for you, I wanted to get the date of when this first passed. And again thankfully we have been moving more towards having sunsets when we are giving away some of these subsidies, if you will tax savings or exemptions for businesses or manufacturers. The total amount of tax savings for businesses and manufacturers for the credit in '93 was \$18.5 million. We saw on the chart that Aiken-Fisk had prepared for us that there was a steady increase in the numbers of people using it but not such a substantial burden to the treasury. So we have had some history here that we feel compelled. We'll be satisfied by just having the 'sunset' and in seven years. Seven years, whatever General Assembly is seated here can revisit this credit."

Speaker Churchill: "Representative Dart."

Dart: "Representative, can you explain to me, I have a notation that the Municipal League is opposed to this. Are they still opposed to this and if so can you tell me why?"

Speaker Churchill: "Representative Murphy."

Murphy, M.: "Well Representative, as spokesman of Revenue you are

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

108th Legislative Day

March 26, 1996

aware that Larry Frang and other members of the Illinois Municipal League are philosophically opposed to some of these credits. Because they are concerned again about many credits being given. And they have traditionally have taken that stand. I wanted to tell you, for the record Representative, this Income Investment Tax Credit was introduced in March of '81. And was signed in law in August of '81. It did not become effective till '83. So from '83 to '96 we had a pretty good history of what this tax would do, exemption would do."

Speaker Churchill: "Representative Dart."

Dart: "So, I guess a long answer to my short question is that they are still opposed to this then?"

Speaker Churchill: "Representative Murphy."

Murphy, M.: "As traditionally they would be."

Speaker Churchill: "Representative Dart."

Dart: "Thank you. No further questions."

Speaker Churchill: "There being no further discussion, Representative Murphy to close."

Murphy, M.: "I would appreciate your 'aye' vote on this. This helps manufacturers. For those that want to be reminded, the Illinois Aiken-Fisk Commission gave the General Assembly an evaluation of Illinois Replacement Tax Credit. This is an initiative of the Illinois manufacturers. And when we were trying to bring more jobs to Illinois, to be more pro-business, this is a tax credit that has been around, as I reported, since 1983. If we do not vote favorably on this it will sunset and there will not be an incentive for manufacturers to add to their machinery, to add to their space or more importantly to add more jobs. I urge an 'aye' vote. Thank you very much."

Speaker Churchill: "The question is 'Shall House Bill 427 pass?'"

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

108th Legislative Day

March 26, 1996

All those in favor vote 'aye'; those 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? Mr. Clerk take the record. On this question there are 106 voting 'aye'; 0 voting 'nay'; 0 voting present. And House Bill 427 having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please call House Bill 431."

Clerk McLennand: "House Bill #431. A Bill for an Act that amends the Service Occupation Tax Act. Third Reading of this House Bill."

Speaker Churchill: "The Chair recognizes the Lady from Cook, Representative Murphy."

Murphy, M.: "I bring before you House Bill 431. It does amend the Service Occupation Tax Section and prohibiting advertising that the tax would be assumed by the supplier. We then...with the Amendment that did pass Revenue Committee 13 voting 'yes'; 0 voting 'present'; 0 voting 'no'. This would amend the Use Tax Vetoes Occupation Tax, exempting sales tax food and beverage from human consumption purchased for not-for-profit educational institution, that does have a federal tax exemption under the 501-C3 of the Internal Revenue Code. Provided that the students of the institution prepare, produce or are directly involved in the transfer of the food and beverage as part of the curricular requirements of the institution. I think that if we open this up to discussion debate we can further get into the genesis of this legislation."

Speaker Churchill: "Is there any discussion? The Gentleman from Effingham, Representative Hartke."

Hartke: "Will the Sponsor yield?"

Speaker Churchill: "She indicates she will. Please proceed."

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

108th Legislative Day

March 26, 1996

Hartke: "Representative Murphy, let's get into the discussion of the Bill. What are you doing with the exemption for ethanol."

Speaker Churchill: "Representative Murphy."

Murphy, M.: "Yes, thank you for bringing that up, Representative Hartke. This is a, one of the parts of the Amendment is a product of much negotiation, as many people involved with the Farm Bureau, the Petro Council, the Petro Marketing, the corn growers have all worked very hard in order to extend the Gasahol Tax Incentive. As you know, if we do nothing today, this will increase to 85% the tax spike on all of the people involved in gasahol and in purchase. Right now if this measure is approved it will reduce to 70%, the tax treatment of the gasahol product. This, as you know, is market driven and important for the corn growers and the people of Illinois."

Speaker Churchill: "Representative Hartke."

Hartke: "Yes, I'm in favor of this portion of the Bill. Has the Governor agreed to sign the entire Bill?"

Speaker Churchill: "Representative Murphy."

Murphy, M.: "As you may not be surprised, I've had Bills that the Governor has totally vetoed, that he has amendatoraly vetoed and that he has signed. I never predict outcome, Representative."

Speaker Churchill: "Representative Hartke."

Hartke: "Can you tell me any part of this legislation that the Governor is not in favor of? Can you tell me which part of this Bill the Governor is not crazy about?"

Speaker Churchill: "Representative Murphy."

Murphy, M.: "Yes Representative. The little teeny tiny part about culinary schools. So, it's just a little tiny part, that I think we could persuade the Governor with a dramatic Roll

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

108th Legislative Day

March 26, 1996

Call of 'yeses' because he wouldn't want to endanger our corn growers."

Speaker Churchill: "Representative Hartke."

Hartke: "Let's just assume that the Governor doesn't like this little, bitty, teeny, weeny, itsy, bitsy, little, bitty, portion of this Bill and he amendatoraly vetoes the Bill. What would happen to the ethanol portion of the Bill?"

Speaker Churchill: "Representative Murphy."

Murphy, M.: "Representative Hartke, I think that in good judgement the Governor would sign this Bill. And I will make further arguments. I've been joined by several other Members, on your side of the aisle, that know the reason of the genesis of the Culinary Tax scenario and I'm sure will get into discussion of that. Good judgement being a hallmark of his administration, having signed a major Bill of mine a few weeks ago. We would prevail on him to sign this."

Speaker Churchill: "Representative Hartke."

Hartke: "I think it would really be wise of this Body to take the Bill Out of the Record right now. Move it back to Second. Remove those portions of the Bill and then we wouldn't have to worry about those itsy, bitsy, teeny, weeny, portions, of this Bill. So that we can be assured that the ethanol portion of it will not be jeopardized. Wouldn't that be wise of this Body? And let's look at that itsy, bitsy, teeny, weeny, portion and put that into another piece of legislation. I'm sure there are several Vehicle Bills that the Department, or that the Revenue Committee has that we could put this itsy, teeny, weeny, portion on. That you seem to think is of ultimate importance that we should put in this Bill."

Speaker Churchill: "Representative Murphy."

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

108th Legislative Day

March 26, 1996

Murphy, M.: "Well, Representative, I've been joined by Representative Schoenberg and Representative McGuire and I think I should make mention of many of our colleges. Because, this is a small, and we've done this Representative Hartke with a couple of your Bills, where the Department of Revenue and certain bureaucrats seek to go after money that just isn't theirs. This is money that would come out of the community colleges of DuPage, Lake County, Marine Valley, Governor's State, Triten Community College, Joliet Junior College, Rockford Community College, Lexington College, Kendall College, Cooking Hospitality Institute of Chicago. And again, making sure that bureaucrats keep their hands where they should be, we need this to be an important component of this legislation. I thank you for your concern."

Speaker Churchill: "Representative Hartke, with his pencil in the air."

Hartke: "Let me just ask you a question. How much is this itsy, bitsy, teeny, weeny, tax amount that we're arguing about here today?"

Speaker Churchill: "Representative Murphy."

Murphy, M.: "Representative Hartke, it's one of those where they shouldn't be collecting it. It's an attempt. They may attempt to collect from a not-for-profit agency. Why don't I talk about it? If they're going to be making food at a chef's college as a part of a core curriculum and you go in and buy that product as a guinea pig, God knows what kind of food they'll serve you, maybe you won't even suffer ill effects. At some point they want to charge; they, those bureaucrats at the Department of Revenue, a tax that that college should have charged in sales tax. Well heck, we don't charge at the cafeteria line on the french fries that

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

108th Legislative Day

March 26, 1996

high school kids purchase. Why would we charge sales tax on food made as part of a core curriculum?"

Speaker Churchill: "And now to defend those who like to be chefs and also a gentleman who likes to eat, someone from a county who's name signifies the essence of this debate, the Gentleman from Cook, Representative Schoenberg."

Schoenberg: "Inquiry of the Chair. Are you suggesting I need to go on a weight-loss program?"

Speaker Churchill: "No, I think you need to spend more time at Kendall College."

Schoenberg: "Thank you. To the Bill. Representative Murphy alluded to the portion that relates to the culinary institute. And I would be happy to provide some background on this. The Department of Revenue made an administrative ruling for a culinary program at a junior college, in Representative McGuire's district, the Joliet Community College. And regarding whether or not sales tax is applicable for educational cooking programs, where the institution realizes, no profit. But as Representative Murphy accurately portrayed this, they merely produce a product, which is an educational product. There's no profit involved at all. The Department of Revenue has already made an administrative ruling, setting precedent in this case, that sales tax would not be applicable. What this Bill, what this provision of the Bill does, it provides protection for all community colleges, for all junoir colleges, such as those which Representative Murphy mentioned, which have culinary institutes, that they would not be subject to any erroneous interpretation of the law. That they would not have to rely upon an administrative ruling. In short, this merely takes an administrative ruling that's already been made and it codifies it into

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

108th Legislative Day

March 26, 1996

law. The administrative branch of government, I'm sure would feel much more comfortable with the legislative branch reaffirming their decision to do so. And therefore, it's my hope that all of us, on both sides of the aisle support this provision of House Bill 431."

Speaker Churchill: "Further discussion. The Gentleman from McHenry, Representative Skinner. Representative Skinner. Representative Skinner, you're on."

Skinner: "I would like to know why you are sponsoring a Bill that could conceivably make it tougher for private bakeries to stay in business?"

Speaker Churchill: "Representative Murphy."

Murphy, M.: "Well, Representative, I'm not so sure I would concur with that. We also need to point out that this is about colleges that serve seniors. We found out about volume in committee. They are not out to compete with private enterprise."

Speaker Churchill: "Representative Skinner."

Skinner: "If we get complaints, if your committee gets complaints or Members get complaints from neighboring bakeries that these institutions are expanding their output and cutting into the sales of nearby institutions, would that change your mind in the future, as to whether this exemption should be continued?"

Speaker Churchill: "Representative Murphy."

Murphy, M.: "I would like to call to your attention that these institutions already have secured not-for-profit federal tax exemption, under 501-C3 of the Internal Revenue Code. Representative Skinner, I merely believe that if they are truly following in the tax exempt status, the Department of Revenue should not be backdooring taxes. Or perhaps they should be taxing the kids in the cafeteria lines at

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

108th Legislative Day

March 26, 1996

schools."

Speaker Churchill: "Representative Skinner."

Skinner: "You don't pay tax when you buy something at a cafeteria? We pay tax downstairs. What's the difference?"

Speaker Churchill: "Representative Murphy."

Murphy, M: "Obviously don't have that magic 501-C3 of the Internal Revenue Code, Representative."

Speaker Churchill: "Representative Skinner."

Skinner: "No, we're a sovereign state. I just would like, I really think that there are potentials for abuse in this culinary section of you're Bill. And I am willing to give you the benefit of the doubt. But in the future if they start driving nearby bakeries out of business, it seems to me, that we ought to come back and revisit the issue. Thank you."

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

Dart: "Thank you, Mr. Speaker. Just briefly...to follow what Representative Skinner was saying. He was right on target. In committee they actually were unable to answer the question about whether or not they would be driving local businesses out by this Bill. And the people who came and testified were rather frank in saying that. There was no equivocation there. They said, 'Yes, we will be undercutting people in the area, other restaurants and other people who sell food because we will not be paying sales tax and that we actually charge less as it is now.' So there was definitely no guarantee, there was no promise, no commitment they would not be driving other local businesses, smaller restaurants, smaller bakeries out of business. So that is a major concern here. So I do hope the Sponsor of this Bill will keep that in mind, if in fact

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

108th Legislative Day

March 26, 1996

it turns out that a lot of these not-for-profits, who will be charging less, who will be attracting people there. Even though they claim that they do not advertise, people will realize that. Senior groups and the rest, will understand that they can go there for a very good meal for a lot less price. There is a very good chance that they are going to be driving small businesses out of business as a result of this. So, as long as the Sponsor is aware of that and is willing to keep an open mind when these small businesses do come around saying that they are going to be hurt by this."

Speaker Churchill: "There being no further discussion, Representative Murphy to close."

Murphy, M.: "Thank you. Once again the important aspect of this Bill is regarding the ethanol. And this is market driven. If in the end corn sales and the production of ethanol goes down, this will not have a bite at all on the treasury. On the other hand, knowing how many jobs are secured through the ethanol industry, it is important that we intervene at this point, before the tax burden would jump up to 85%. I want to talk about the culinary school and remind you, that to my knowledge the Department of Revenue has not collected any money from any of them at this time. It's where they're nosing around trying to audit not-for-profit institutions. Testimony in Revenue Committee showed that they are not there to make a profit. They are not there to compete with private businesses. And, in fact, it is more of a guinea pig, low scale, low volume type of operation. Of course, I'd be sensitive to the pleas of local business but I would invite any of you to revisit the current law that says, 'Sales to governmental bodies, charitable, religious and educational organizations are exempt'. This

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

108th Legislative Day

March 26, 1996

is an exemption that has been standing. I am not creating a new one. I would also like to mention, that there's a part that needs to be in the record. Further Amendment amended, the Property Tax Code require a County Clerk to issue a duplicate tax certificate upon written request by the tax sale purchaser, if the Tax Certificate is lost or destroyed. That was a noncontroversial aspect of the Bill and many of the downstate counties would be very well served, with regard to that piece of the Amendment. I urge an 'aye' vote. And I thank you for your consideration this morning."

Speaker Churchill: "The question is, 'Shall House Bill 431 pass?' All those in favor vote 'aye'; all those 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? Mr. Clerk, take the record. On this Bill there are 69 voting 'aye'; 36 voting 'no'; 3 voting 'present'. And House Bill 431 having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please call House Bill 1285."

Clerk Rossi: "House Bill 1285. A Bill for an Act amending the Board of Higher Education Act. Third Reading of this House Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from DeKalb, Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. House Bill 1285 is a Bill that came out of the Higher Education Committee and there's three aspects to this Bill. The first one is that with the new governing system that went into place on January 1, 1996, it was determined that some of the language regarding two of our universities as far as where their board of trustees could meet or where they couldn't meet when they

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

108th Legislative Day

March 26, 1996

held meetings did not follow suit with today's parameters. The Northern Illinois University Board of Trustees was stipulated to meet only in DeKalb and, of course, Northern has two other locations, and their set up of their new board of trustees wants to meet on all three locations. So, one aspect of this allows the Northern Illinois University Board of Trustees to conduct quarterly meetings at University facilities in Illinois, even those that are not in DeKalb. The second change is relative to Governors State University, same scenario. The Board of Trustees could meet only in Glen Ellyn, which doesn't even fit from when Governors State first started to where it is located today. So, this also allows the correctly so the Governors State University to meet on the main campus at University Park. The second part to this is that the University of Illinois at Chicago Campus, has a patients who are involved in research programs that are conducted at the Illinois State Psychiatric Institute in Chicago. And it has been, there's been a problem with making those patients liable for those charges under the research program. This legislation coming out of the Higher Education Committee would allow that these charges are no longer valid for those patients. And I would be happy to answer any questions."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Churchill: "Indicates he will. Please proceed."

Hoffman: "Yes, Representative, you indicated earlier that this will allow the new boards that were created at Governors State University and Northern Illinois University to meet,

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

108th Legislative Day

March 26, 1996

other than what was in the original Bill that you passed last Legislative Session. Is that correct?"

Speaker Churchill: "Representative Murphy."

Wirsing: "It wasn't in the Bill. It's what has been in existence and that was a piece that wasn't picked up when the new legislation, the new governing system legislation was put together. So you can call it kind of a cleanup or housekeeping, if you will."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Did this specific Bill that you passed last Legislative Session, did that specific Bill indicate where the Governors State University Board and the Northern Illinois University Board could meet?"

Speaker Churchill: "Representative Wirsing."

Wirsing: "No, it did not."

Speaker Churchill: "Representative Hoffman."

Hoffman: "So previous law indicated where it could meet. Is that correct?"

Speaker Churchill: "Representative Wirsing."

Wirsing: "That's correct."

Speaker Churchill: "Representative Hoffman."

Hoffman: "So the law prior to the time, or prior to this Bill, specifically indicated the Governors State Board could meet in Glen Ellyn, once a quarter on the campus of University Park, or excuse me, would meet once a quarter on campus at University Park rather than in Glen Ellyn. Now why does that need to be changed?"

Speaker Churchill: "Representative Wirsing."

Wirsing: "Well, my understanding is that the Board of Governors...or the...that the Governors State University is not located in Glen Ellyn but is located at University Park. When the University was originally started the

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

108th Legislative Day

March 26, 1996

location was attached to Glen Ellyn. So, it's just a case of getting them correctly located, where they are located."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Okay, that sounds logical to me. However, this Northern Illinois University deal here indicates specifically that the current law says, 'that they must meet in DeKalb.' Which is the major site of the university. However, this would also allow them to meet at other university owned property. Could you give me an example of where that would be?"

Speaker Churchill: "Representative Wirsing."

Wirsing: "Yes, there is a location in Rockford, which is, of course, north of Dekalb, is one example. The other would be Hoffman Estates where they also have a presence, a campus, if you will. So, those two locations, having those two locations was a need for this, to take care of the oversight."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Is there any analysis as to what added cost would be born by the university in order to pay for transportation to these other sites?"

Speaker Churchill: "Representative Wirsing."

Wirsing: "No, there's not. But I guess I would respond to that in the fact that the Board of Trustees are not all from DeKalb. They do not reside in DeKalb. Some reside in Chicago. Some reside in the DeKalb area. Some reside in the Rockford area. So, I guess in the blend there would really be no cost differential."

Speaker Churchill: "Representative Hoffman."

Hoffman: "The last question is regarding the third provision of the Amendment. The University of Illinois, are they in agreement with not being able to charge these individuals

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

108th Legislative Day

March 26, 1996

for the services that are provided, at the research facility?"

Speaker Churchill: "Representative Wirsing."

Wirsing: "Yes, they are. Actually they were one of those who brought this to our attention."

Speaker Churchill: "Representative Hoffman."

Hoffman: "I don't see any problem with this Bill and I would urge an 'aye' vote."

Speaker Churchill: "Further discussion. The Gentleman from Cook, Representative Parke."

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

Speaker Churchill: "He indicates he will. Please proceed."

Parke: "Yes, Representative, pretty much isn't this Bill is really technical of the cleanup oversights in the legislation that was drawn up last year?"

Speaker Churchill: "Representative Wirsing."

Wirsing: "Yes, that's the basic underlying, as the committee was looking at those Bills that were...had similar concerns or similar directions and we really got down to the fact of the new governing system that was put into place of January, one of this year. That we needed to clean these up. We could have went ahead and functioned I suppose, as the old language was but it seemed more appropriate to go ahead and deal with this now and get it taken care of."

Speaker Churchill: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. This is a merely Bill. This is a technical cleanup. I would ask the Body to vote 'positive' on this Bill. It's a common sense piece of legislation."

Speaker Churchill: "There being no further discussion, Representative Wirsing to close."

Wirsing: "Well, I would just ask for support of this legislation,

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

108th Legislative Day

March 26, 1996

so that we can put things in proper perspective and the correct words, in how these two universities, where they are going to meet and how they are going to function. I'd ask for your favorable support."

Speaker Churchill: "The question is, 'Shall House Bill 1285 pass?' All those in favor vote 'aye'; all those 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? Mr. Clerk, take the record. On this question there are 110 'ayes'; 0 'nays'; 0 people voting 'present'. And House Bill 1285 having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, will you please call House Bill 1290."

Clerk Rossi: "House Bill 1290. A Bill for an Act amending the Public Utilities Act. Third Reading of this House Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from DeKalb, Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. House Bill 1290 was a Bill that was brought before the Chamber in the spring of '95. And passed out of the Chamber with overwhelming 'yes' votes. There was a motion filed to request a change of vote and it kind of got lost in the process last spring, of '95. I'm bringing this back because I still feel that it's an important piece of legislation and we need to be considered. Basically, what it does, there's an Office of Public Council that was created in 1985 and was there for the purpose of...in the realm of public utilities. It was intended that the council serve as an ombudsman for those constituents having a problem with a public utility. When the first council was appointed by the Governor, the person who filled that position thought that it ought to be used as a litigator intervenor in concert with the Citizen

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

108th Legislative Day

March 26, 1996

Utility Board. Since that time it has become an inactive office. Unfortunately, because the office is still there it has been funded. As an example, in 1993 appropriations of \$440 thousand, were appropriated to that office, which really no longer functions. And it seemed like an appropriate way to...a good government Bill if you will, to cleanup something that's not being used but potentially has, dollars can be put into it. And was done in 1994 of \$110 thousand. We just need to get rid of this office and I felt that I needed to come back with this so we can get the job done. And I'd be happy to answer any questions."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Schakowsky."

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

Speaker Churchill: "He indicates that he will. Please proceed."

Schakowsky: "Essentially, you are arguing that this is some sort of a defunct kind of thing and we are just cleaning up by getting rid of it? Is that your essential argument that we ought to do what we should have done a while ago?"

Speaker Churchill: "Representative Wirsing."

Wirsing: "Yes, and in addition to that, there are those parameters already in place that does the job. So it isn't like were eliminating something that has really any great value at all. The cost factor, the fact that it's simply there always, in my opinion always allows the opportunity for down the road someone to decide to put money into it. And we already have those entities that are there as a check and balance."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "And would you delineate once again for me? What are the official government spokespeople for consumers vis-a-vis the utility industry, that are protecting us so

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

108th Legislative Day

March 26, 1996

well?"

Speaker Churchill: "Representative Wirsing."

Wirsing: "Well, certainly the first thing that comes to mind is the Citizens Utility Board. Which is an active, ongoing functioning organization to look after the, this whole area within the public utilities system. And because it is an active and viable organization, that does in fact do that. Then it seems that this office which has become very nonfunctional but still has afforded dollars being put into it, into its budget. It just didn't seem to make sense."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Then how do you explain the opposition to your legislation by the Citizens Utility Board? By CUB? My understanding is that they would welcome yet another weapon in the arsenal that consumers so greatly need right now to maneuver through these changes going on in the utility industry. The Citizens Utility Board, Representative, opposes your legislation."

Speaker Churchill: "Representative Wirsing."

Wirsing: "Well, that's interesting because my conversation has been ongoing with CUB since 1995, when they were neutral on this Bill. Since then, they...because it laid around for a year they told me that they decided that they probably ought to be opposed to it. But it was kind of a soft oppose and they understood the purpose. The other aspect of this, as well, this is funding, potential funding has been ongoing funding going into an office that has been nonfunctional. That's my point when I talk about Citizens Utility Board as an active ongoing organization. And I'm not offering this as part of the legislation but it would seem like the cause that ought to be championed here, if you want to take that side, would be to take those dollars

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

108th Legislative Day

March 26, 1996

and put them into CUB, because it is an active ongoing. Why continue to beat a dead horse as this aspect has been? That's where I'm coming from."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "As someone who comes from a background of consumer advocacy, it seems to me that never before have utility consumers been in greater need of a public voice to help wend our way through changes in the telecommunication industry, in utility regulation as we move toward deregulation. That it surprises me that someone would get up on the House Floor and say we need less, rather than more protection for consumers, more resources put into advocating and watching out for, being a watchdog for consumer interests when it comes to the utility industry. Clearly this would be an ally for the Citizens Utility Board. It would be in the Governor's office. It would be a different kind of a unit. I think, Representative, the chances of public dollars going directly to CUB, having been involved from the very first day, in the fight for the Citizens Utility Board are slim to none. And that the ability to fund modestly, a Department of the Public Council would be just what consumers need right now. And I would suggest that those of you who want to vote against this are voting for less protection for Illinois consumers at a time when they most need more protection. So I would urge a 'no' vote on this Bill."

Speaker Churchill: "Further discussion? The Gentleman...I'm sorry, the Lady from Cook, Representative Davis. Representative Davis."

Davis, M.: "I want to yield my time to Representative Schakowsky."

Speaker Churchill: "Thank you very much, but she had concluded

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

108th Legislative Day

March 26, 1996

her remarks before her time ran out. Further discussion?
The Gentleman from Rock Island, Representative Boland."

Boland: "Thank you Mr. Speaker. To the Bill. As one of the founders of CUB and two term vice-president, I have to oppose this Bill. The Office of Public Council was part of the original rewrite of the Telecommunications Act. And we felt at that time it was a very necessary compliment to the Citizens Utility Board. As we know, there are literally dozens of large utility companies with dozens of lobbyists and legions of high-powered lawyers, and so forth to argue the case for their side of the story. And there is really only the Citizens Utility Board CUB at this time. We really need to reactivate the Office of Public Council instead of a having it done away with. This is very similar incidentally, this Office of Public Council to what many others states have. The neighboring state of Iowa, for example, has an office that goes by a little different name but is the very same thing and carries on, basically the load that CUB has to do. So I would urge a 'no' vote on this. I believe that we're going in the wrong direction on this. I fully support the downsizing of unnecessary government. But I do feel that this is a very important office that actually should be reactivated rather than done away with. So I urge a 'no' vote on this. Thank you."

Speaker Churchill: "Further discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Churchill: "He indicates that he will. Please proceed."

Black: "Representative, the last speaker spoke very eloquently on vital government services and functions. Who currently serves as the Public Council of the State of Illinois?"

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

108th Legislative Day

March 26, 1996

Speaker Churchill: "Representative Wirsing."

Wirsing: "The office is vacant."

Speaker Churchill: "Representative Black."

Black: "I'm sorry, you said the office is vacant? And how many years has this Body failed to appropriate any money, for the Office of Public Council?"

Speaker Churchill: "Representative Wirsing."

Wirsing: "Two years."

Speaker Churchill: "Representative Black."

Black: "So you're telling me this office has been in nonexistence by action of this Body. For two years we haven't appropriated a dollar for the Office of Public Council. Is that correct?"

Speaker Churchill: "Representative Wirsing."

Wirsing: "That is correct."

Speaker Churchill: "Representative Black."

Black: "And it seems to me that about a year ago in this chamber, the Bill you had that actually abolished, up front, rather than do it by budgetary means, the Bill that you had that abolished the Office of Public Council, clear and concise, passed this chamber by 90 votes. Ninety to 17. Is that correct?"

Speaker Churchill: "Representative Wirsing."

Wirsing: "Without a doubt, that is correct."

Speaker Churchill: "Representative Black."

Black: "Thank you very much, Representative. I think that frames the argument. Now you're either for reinstating government services, spending \$500 thousand that you have not appropriated for the last two years or you can put your vote where your campaign literature is. And that's to save money, to downsize government. There are two offices currently in the State of Illinois in the Commerce

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

108th Legislative Day

March 26, 1996

Commission and the Office of the Attorney General that have positions who will advocate on behalf of consumers, if the consumer asked that that be done. This isn't anything revolutionary at all. The office has ceased to exist two years ago by action of this Body, by refusing to appropriate any money. Now the days are gone when you can add \$500 thousand here, \$500 thousand here and then go home and tell everybody, 'By golly I'm saving your tax money, I'm right on top of the situation'. The office created in 1985, to my way of thinking, it never really did much of anything. I'll bet none of you can give me a letter in your files that said, 'Oh my, the Office of Public Council certainly helped me in my concerns with the utilities of the State of Illinois.' You voted to abolish it last May, 90 to 17. I don't know what's changed in that period of time. I simply rise to support the Gentleman's Bill and ask for an 'aye' vote."

Speaker Churchill: "Further discussion? There being no further discussion, the Chair recognizes Representative Wirsing to close."

Wirsing: "Thank you, Mr. Speaker. I think there has been some things said here that you all need to listen to before and be sure to vote 'yes' on this. There are those entities in place, appropriately funded, to give citizens a place to go when they have a problem with a public utility. This is an office that I...it just blows my mind to think why we would keep this office in place when the Legislature has decided not to appropriate the dollars but still keep it in place. We got three viable areas, that as I said, that consumers can go to. And I...it's just hard, difficult for me to understand wanting to continue to do something, to have something in place, that nobody needs, nobody has the

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

108th Legislative Day

March 26, 1996

desire to even go forward. That's evidence in my mind that the existing areas, whether it's through CUB, whether it's through the Attorney Generals Office or whatever. That has been there. That has taken care of the peoples needs, if you will, when they have a problem with the public utility. I think a 'yes' vote on this clearly puts things in correct order, eliminates an office that if somebody decides to fund it in the future, as has been done in the past, and there has not even been anybody in the office. I think it's time to do that. It's a dollar savings. It creates a better system. Puts more direction on the three entities that deal with that issue as it is. I ask for an 'aye' vote."

Speaker Churchill: "The question is, 'Shall House Bill 1290 pass?' All those in favor vote 'aye'; all those 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? Mr. Clerk, take the record. On this question there are 86 'ayes'; 24 'nays'; 0 voting 'present'. And House Bill 1290 having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please call House Bill 2579. The Chair recognizes the Gentleman from Cook, Representative Burke."

Burke: "House Bill 2579. A Bill for an Act that amends the Civil Administrative Code of Illinois. Third Reading of this House Bill."

Speaker Churchill: "Mr. Clerk, please take that Bill out of the record. Mr. Clerk will you please call House Bill 2612?"

Clerk McLennand: "House Bill #2612. A Bill for an Act that amends the Wildlife Code. Third Reading of this House Bill."

Speaker Churchill: "The Sponsor requests that the Bill be taken

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

108th Legislative Day

March 26, 1996

out of the record. Mr. Clerk, please call House Bill 2670."

Clerk McLennand: "House Bill #2670. A Bill for an Act that amends the Illinois Police Training Act. Third Reading of this House Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. House Bill 2670 would allow the Local Law Enforcement Officers Training Board to reimburse local communities for the cost of training their police officers in a more timely fashion. Currently, the law requires the local communities to expend the money first and then the Local Law Enforcement Officers Training Board reimburses them at the end of the year. This would allow them to reimburse them immediately. I know of no opposition."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg."

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

Speaker Churchill: "He indicates he will. Please proceed."

Granberg: "Representative McAuliffe, I know it sounds like a very good idea. The only question I might have is your Cosponsor, so it makes me skeptical. So I have to ask some questions. Representative Deering isn't here. The Traffic and Criminal Conviction Surcharge Fund, what purposes can that be used for currently?"

Speaker Churchill: "Representative McAuliffe."

McAuliffe: "One of the purposes is to reimburse local communities for training their police officers."

Speaker Churchill: "Representative Granberg."

Granberg: "Are there any limits currently on what those funds can

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

108th Legislative Day

March 26, 1996

currently be used for, though?"

Speaker Churchill: "Representative McAuliffe."

McAuliffe: "I'm sure there is but I'm not an expert on that fund."

Speaker Churchill: "Representative Granberg."

Granberg: "So your legislation would expand how much the locals could be reimbursed through the use of the fund. Is that correct?"

Speaker Churchill: "Representative McAuliffe."

McAuliffe: "No, it doesn't expand it. It allows them to be paid the money in a more timely fashion. I think the current law requires them to wait till the end of the year to be reimbursed in the cities and the towns have to put the money up front. Under this law, they would be able to reimburse the cities and the towns and the local units of government in a more timely fashion. So they wouldn't have to wait."

Speaker Churchill: "Representative Granberg."

Granberg: "So Representative, can you give me a scenario where that would...how that would occur now? So they would have, the local unit would have to put up the money and then they would be reimbursed from the fund, at what point in the future?"

Speaker Churchill: "Representative McAuliffe."

McAuliffe: "Local the units expend the money up front, then they submit a voucher or a Bill to the training board and the training board reimburses them. But there's a time frame sometimes, where they have to wait a year to get their money back. So it works a hardship on the units of local government."

Speaker Churchill: "Representative Granberg."

Granberg: "What's the normal time frame, Representative

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

108th Legislative Day

March 26, 1996

McAuliffe, for reimbursement from the fund?"

Speaker Churchill: "Representative McAuliffe."

McAuliffe: "Well, I know, up to a year. I don't know if it's a year in every case but I've been told by the training board that many of the villages and towns complain because they have to wait up to a year to get their money back and it works a hardship on them."

Speaker Churchill: "Representative Granberg."

Granberg: "So this in no way changes the formula or the amount of reimbursement from the fund, Representative?"

Speaker Churchill: "Representative McAuliffe."

McAuliffe: "To my knowledge it doesn't change anything, except it speeds up the delivery of payments to the units of local government and it doesn't cost the state any money. I have a Fiscal Note here that said it doesn't cost the state any money."

Speaker Churchill: "Representative Granberg."

Granberg: "Representative..."

Speaker Churchill: "Representative Granberg, you're on."

Granberg: "Representative McAuliffe was being distracted by one of our Democratic Members...again."

Speaker Churchill: "He's not easy to distract. He's a Chicago cop."

Granberg: "That should be just the opposite. So Representative, so they would now entitled to 'immediate' reimbursement under your Bill, instead of waiting up to a year? Would the reimbursement be immediate or how would that voucher be processed?"

Speaker Churchill: "Representative McAuliffe."

McAuliffe: "I think it depends on how you interpret the word 'immediate.' I mean I don't think they would get the money in one day but they would be greatly speeded up. And it

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

108th Legislative Day

March 26, 1996

would save the towns and cities if they had to borrow money they have to pay interest on it. And this way they would get the money much more quickly. That's the way the director explained it to me."

Speaker Churchill: "Representative Granberg."

Granberg: "The language in the Bill, Representatives, states that a portion of the fund may be used by the board to fund Grant-In-Aid Programs. But I thought that was the existing law. So how does that change from existing law?"

Speaker Churchill: "Representative McAuliffe."

McAuliffe: "I'm sorry. I couldn't hear the complete question. If you would repeat it again?"

Speaker Churchill: "Representative Granberg, could you repeat your question, please?"

Granberg: "Thank you. On page two of the Bill, Roger, on line 21, it states that a 'portion of the fund may be used by the board to fund these Grant-In-Aid programs and services for the training of these employees.' How does that change from current law? I thought we could do that now. You were just speeding up the process."

Speaker Churchill: "Representative McAuliffe."

McAuliffe: "Well, all I can tell you is the director told me that this would greatly speed up their ability to reimburse local government units. Apparently there is a drag time and the mayors and the police chiefs have been complaining that it takes a long time to get reimbursed. And the way the director explained this to me, he said, 'This would facilitate their being much more prompt in paying their obligations.'"

Speaker Churchill: "Representative Granberg."

Granberg: "Representative, I'm just trying to determine how it changes, because you said, 'It was a matter of cash flow,

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

108th Legislative Day

March 26, 1996

that they would require immediate reimbursement', and I'm not quite sure how that provision affects that. But I certainly appreciate the time. But, the director did indicate to you that by adding this language that would facilitate the immediate reimbursement, or quicker reimbursement for those local units of government."

Speaker Churchill: "Representative McAuliffe."

McAuliffe: "That's what the director represented to me that the mayors and the police chiefs would be much happier under this system. And it was called to his attention and that's why he proposed this change."

Speaker Churchill: "There being no further discussion, the Chair recognizes Representative McAuliffe to close."

McAuliffe: "I just ask for a favorable Roll Call."

Speaker Churchill: "The question is, 'Shall House Bill 2670 pass?' All those in favor vote 'aye'; all those 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? Mr. Clerk, take the record. On this question there are 110 voting 'aye'; 0 voting 'nay' and 0 voting 'present'. And House Bill 2670 having received a Constitutional Majority, is hereby declared passed. For what reason does the Gentleman from Washington, Representative Deering, rise?"

Deering: "Thank you, Mr. Speaker. Although I wasn't in the chamber, I was within earshot and Representative Granberg used my name in debate. I have a question...an Inquiry of the Chair. Did I hear you correct? Did you say Representative Granberg was on something or he was on, meaning time on the microphone?"

Speaker Churchill: "I think that, it's generally recognized that Representative Granberg is on a different plane but today

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

108th Legislative Day

March 26, 1996

he was just on the mic. Representative Deering."

Deering: "Thank you, for clarifying that."

Speaker Churchill: "You're most welcome. Mr. Clerk, will you please read House Bill 2691?"

Clerk McLennand: "House Bill #2691. A Bill for an Act that amends the Health Care Worker Background Check Act. Third Reading of this House Bill."

Speaker Churchill: "The Chair recognizes the Lady from Cook, Representative Krause."

Krause: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would like to present House Bill 2691, which is the Health Care and Human Services Committee Bill. Very briefly this Bill provides, in the initial section, some cleanup language to the Health Care Worker Background Check Bill that we passed earlier in the Session. It now exempts student nurses from the Act unless they are employed by a health care provider. In addition, it provides that an individual may not provide direct care during the pendency of a waiver request and it requires state agencies to act upon the waiver request in a certain period of time. And in addition, it allows employers to reassign or suspend an employee from direct care during the period to complete the fingerprint check. In addition, this Bill incorporates House Bill 2826, which grants civil liability protection to those who volunteer to protect people for health care services. This immunity is limited to only those individuals who are taken by the volunteer and it does not extend beyond that. In addition, the Bill incorporates House Bill 3645, which now would provide that the Department of Public Aid shall create and maintain one or more World Wide Web pages listing between 10 and 20 individuals who are delinquent in their child support

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

108th Legislative Day

March 26, 1996

obligations. Further, this Bill incorporates House Bill 3649, which is merely a technical Amendment to the Child Care Act to now provide that child care facilities must have one staff member certified in community CPR who are familiar with it for infants and children. The last provision of the Bill incorporates 3652, which amends the Illinois Parentage Act of 1984 to, specifically, now provide that the Department of Public Aid may bring an action to determine the existence of a father and child relationship. If it is providing...or has provided financial support to the child. That incorporates House Bill 2691. And I would be pleased to respond to any questions."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Schakowsky."

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

Speaker Churchill: "She indicates that she will. Please proceed."

Schakowsky: "Thank you. In the changes to the background check for health careworkers, we had in the original law, allowed for the creation of the Health Care Worker Task Force, a 12 member panel, that was to monitor this legislation. And actually to come up, I am assuming with some recommendations. Has that panel been...has that Task Force been appointed yet?"

Speaker Churchill: "Representative Krause."

Krause: "The Task Force has not been fully appointed as yet, the Governor is proceeding, I understand, to receive recommendations and that will proceed."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Then, why is it that we're making changes in a law that we recently passed, when we already have a mechanism

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

108th Legislative Day

March 26, 1996

to recommend changes that's orderly and has been incorporated in the original Bill?"

Speaker Churchill: "Representative Krause."

Krause: "I believe that these changes that now are incorporated are merely technical changes, Representative, that came about once that we started to work with the mechanism. Public Health and others saw that there were these needs and that is what the Bill addresses at this time."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Well, what's technical is really a matter of interpretation. What this Bill says is that, 'The employer can continue to employ a person in a direct care position even knowing that an employee has been convicted of one of the criminal offenses.' Is that not true?"

Speaker Churchill: "Representative Krause."

Krause: "I believe that the language provides that the employer can reassign the individual during the pendency of the completion of the fingerprint check."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Well, that's really hardly a technical change. If a person...they can reassign a person but they may also continue to employ that person in a direct care position. Is that not true?"

Speaker Churchill: "Representative Krause."

Krause: "I think that section applies only during that waiver period. And now we've request...required the waiver period in a more limited specified period of time. Thirty days now."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "So let me get it clear. This is while waiting to find out. Is that what you're saying? My analysis seems to indicate that even when the employer has knowledge that

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

108th Legislative Day

March 26, 1996

an employee has been convicted that until the fingerprint check comes through they can put that person in a direct care position."

Speaker Churchill: "Representative Krause."

Krause: "My understanding is once that there is a notification then they must either apply for a waiver or the individual must..."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Thank you. Thank you for clarifying that. You know, I know that collection of child support is a major issue and I just have...I certainly think we should be employing all kinds of innovative approaches to do that. But let me just raise a concern that I have with the Web Site issue and putting the names out. It has come to my attention that we have a systematic problem in the area of child support collection, in that there are some Clerks of the Circuit Court around this state that do not report back to the Department of Public Aid people who have paid their child support, and as a result, appear then to be delinquent. My concern is this, if we're going to be putting names out on the Web Site and yet we have such a faulty system, how can we be sure that we're not going to be putting out names that are false and that are up to date?"

Speaker Churchill: "Representative Krause."

Krause: "I am sensitive to the issue you have raised because in this field, which is a massive field, of trying to collect child support that is rightfully due, as well as protecting those that have paid for it, I have no doubt, Representative, that along the line some errors appear. And I think that the Department of Public Aid is aware of that and must focus on that. But at the same time, I think

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

108th Legislative Day

March 26, 1996

as you've said, it is important for us to go ahead and look for new avenues, where we can reach out and very clearly go after those that are delinquent. And I think that in this case this is a new avenue that is available and that clearly the Department of Public Aid must be very clear and have researched clearly that these names..."

Speaker Churchill: "Represent...Further discussion? The Chair recognizes the Gentleman from Cook, Representative Schoenberg."

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

Speaker Churchill: "She indicates that she will. Please proceed."

Schoenberg: "Representative Krause, the provision...The Good Samaritan Provision of the Bill, which is formerly House Bill 2826 sponsored by Representative Klingler, provides immunity for individuals who volunteer to provide transportation to medical facilities. My question is, on line eight, on page two, line eight of the Amendment it cites that, 'The immunity shall be liberally construed to encourage volunteers to provide this transportation. If you could clarify how this is reconciled with existing law, with respect to the disruptive activities which could take place particularly at medical facilities which provide abortions."

Speaker Churchill: "Representative Krause."

Krause: "Let me state for legislative intent, Representative, that this language is clearly and limited to only providing, as is provided in other parts of our statute on the Good Samaritan. That the immunity only extends between the volunteer driver and the patient that the volunteer driver is transporting to the health care facility. And

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

108th Legislative Day

March 26, 1996

the intent is only for that exclusive purpose."

Speaker Churchill: "Representative Schoenberg."

Schoenberg: "So, let's take a hypothetical situation so that we all understand this a little more clearly. If for example, someone were to drive an individual to an abortion clinic and in the course of providing transportation to that individual in the abortion clinic, a person, the volunteer driver was harassed or assaulted at that medical facility, whether it's an abortion clinic or whether it's a hospital. At what point does that person have immunity from any charges, as far as that altercation is concerned?"

Speaker Churchill: "Representative Krause."

Krause: "This legislation only applies to civil, not criminal, in House Bill 2691."

Speaker Churchill: "Representative Schoenberg."

Schoenberg: "I'm sorry. The answer still leaves the issue unclear in my mind."

Speaker Churchill: "Representative Krause."

Krause: "The purpose of this is limited to merely the transport between the volunteer who's transporting the person and the patient to a service be it in a health care or a similar type of taking them to that and it does not extend beyond that."

Speaker Churchill: "Representative Schoenberg."

Schoenberg: "So, would that person providing the transport be immune from liability for civil liability, for any consequences as a result of an altercation at an abortion clinic or a hospital?"

Speaker Churchill: "Representative Krause."

Krause: "It would not extend to an altercation in any case. It is only between the volunteer who's doing the transporting of the patient, as to their civil liability between those

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

108th Legislative Day

March 26, 1996

two individuals."

Speaker Churchill: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. No further questions."

Speaker Churchill: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Lang."

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

Speaker Churchill: "She indicates that she will. Please proceed."

Lang: "Representative, there is two provisions of this Bill that concern me a little bit. The first one relates to the Good Samaritan Volunteer Transportation Act. I think we all want to encourage people to take people to the hospital in those emergency situations. But your Bill does not have any information in it relative to whether the volunteer has to be trained or skilled or otherwise qualified. Do they?"

Speaker Churchill: "Representative Krause."

Krause: "No, it is not. It is limited, as you could imagine, to a volunteer who is driving a vehicle to take a patient to a health care facility."

Speaker Churchill: "Representative Lang."

Lang: "And a, it doesn't specify what mode of transportation either, does it?"

Speaker Churchill: "Representative Krause."

Krause: "That is correct, it does not."

Speaker Churchill: "Representative Lang."

Lang: "So, conceivably, if I had a motorcycle I could put a disabled or a sick person on the back of that motorcycle and take them to a medical facility, under your Bill. Is that correct?"

Speaker Churchill: "Representative Krause."

Krause: "I think there is always in the law, a standard or reasonableness. And I think that if someone assumed that

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

108th Legislative Day

March 26, 1996

type of a risk, that being the patient, I think it then might fall outside and would be 'willful and wanton.'

Speaker Churchill: "Representative Lang."

Lang: "Representative, I would believe that if the word 'reasonableness' was in the Bill, but this is a blanket immunity to anyone who volunteers, except in the area of 'willful and wanton misconduct.' You have not said anything about reasonableness in here. Don't you think you ought to add that?"

Speaker Churchill: "Representative Krause."

Krause: "I do not think it needs to be, because I think under the law that standard is implied. And I think, and if you wish for legislative intent, I would state again that, that would be included."

Speaker Churchill: "Representative Lang."

Lang: "Would this also apply, so let's assume my mother lives in a big condo building in Skokie. If her next door neighbor is choking on something and my mother grabs her and puts her in my mother's car, and negligently drives to the hospital and bangs into a light post and my mother is a negligent driver and people are injured. Should my mother be immune from liability under that scenario?"

Speaker Churchill: "Representative Krause."

Krause: "I think, in your example, your mother did not give consent to being taken?"

Speaker Churchill: "Representative Lang."

Lang: "Well alright. Let's assume the person who was choking consents, Take me to the hospital, and now my mother's a negligent driver and bangs into a light pole and not only injures the person in the car but hits four pedestrians. Should all of those five injured people now be unable to file a lawsuit against my negligent mother?"

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

108th Legislative Day

March 26, 1996

Speaker Churchill: "Representative Krause."

Krause: "On the issue of the third parties, that is not covered by this Bill. And the other issue it gets down to, was her conduct 'willful and wanton'? As to whether or not the neighbor could recover, I think there is more than sufficient in the area of the Good Samaritan Law that covers throughout the statute that would apply the particular facts of a case."

Speaker Churchill: "Representative Lang."

Lang: "I think we have to be pretty careful about granting immunity to people who are driving vehicles for whatever reason. But let me go on to another part of the Bill, which deals with the dissemination of information about people who are delinquent in their child support payments on the World Wide Web. The Department of Public Aid does not a very good job collecting child support payments. I think we all know that. And I think publishing those names might be a good idea. In fact, I have a Bill that talks about doing just that. But I'm concerned about putting this on the Web because just as our Department does a pretty bad job of collecting the money, they also do a pretty bad job of cleaning up their files. In fact, I know of one person who has paid up their child support debt but has received 15 different letters from the Department. What happens under your Bill, if we put the name of someone on the World Wide Web and 2 billion people from here to China, know this person's name but then it turns out that the name that's listed there is not, in fact, the person who is delinquent."

Speaker Churchill: "Representative Krause."

Krause: "I am well aware that there can always be an error. There is no doubt of that. But I think that the Department

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

108th Legislative Day

March 26, 1996

will be extremely sensitive to be sure that as it puts out names, that those names are clearly in arrears, otherwise we will never make any effort on the basis that there just may be an..."

Speaker Churchill: "Further discussion? The Lady from Sangamon, Representative Klingler."

Klingler: "Thank you very much, Mr. Speaker. I'm rising in support of this Bill. I also would like to specifically address a portion of the Bill which was, incorporates House Bill 2826, regarding the immunity for those who transport people to medical facilities. This Bill was an effort to address the dilemmas and the problems faced by our older citizens who cannot drive, who cannot take care of themselves when they need medical assistance. They're faced with very limited options. One option would be a for-profit medical transport system, which do exist, but are unaffordable to many people. And insurance may or may not cover such kind of transportation. Another option may be public transportation. However, that's not available in all situations or a person who's older and frail may not be able to even access such transportation. And then finally, we have a network of church groups and civics groups which recognize the need to help our older citizens. Just as some older citizens cannot get out for food and rely on Meals-On-Wheels, which is so important for those at home. Those same people, when they need medical care or dental care cannot get out without some assistance of friends. And I think that we should not discourage the church groups and civic groups that are trying to band together to provide such needed transportation for our elderly citizens. I strongly urge support of this Bill."

Speaker Churchill: "There being no further discussion,

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

108th Legislative Day

March 26, 1996

Representative Krause to close."

Krause: "Thank you, Mr. Speaker and I would ask for support of House Bill 2691."

Speaker Churchill: "The question is, 'Shall House Bill 2691 pass?' All those in favor vote 'aye'; all those 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? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'aye'; 0 'nay'; 0 voting 'present'. And House Bill 2691 having received a Constitutional Majority, is hereby declared passed. Representative Clayton for an announcement."

Clayton: "Thank you, Speaker. I have two young ladies in the gallery that I would like to introduce to you today. I will introduce one of them. We have with us, if you would stand up young ladies. Thank you. Maria Rita, who is from my district in Lake Zurich and is a student at St. Anne's School. Has won the Miss Illinois Preteen Hostess title at the annual state pageant. She'll represent Illinois at the National Miss America Preteen Pageant to be held in Florida during Thanksgiving Week. These state pageants are held nationwide for girls between the ages of four and 19. The pageant gives the girls an opportunity to meet new friends and to perform on stage in front of an audience developing self-confidence and poise. The other young lady, I would like to turn this over to Representative Gash, because the other young lady is from her district."

Speaker Churchill: "The Chair recognizes the Lady from Lake, Representative Gash."

Gash: "Yes, Mr. Speaker, thank you. I would like to introduce Theresa Nudo who was recently crowned Miss Illinois

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

108th Legislative Day

March 26, 1996

American Teen. The American Coed Pageant recognizes and rewards outstanding teenage girls, throughout the country, for their achievements in academics, leadership qualities and community service work. She is the 17-year-old daughter of Silvio and Francisco Nudo, who live in my district, in the 60th district. And she is a Junior at Woodlands Academy in Lake Forest. She represented Illinois in the National Miss American Teen Pageant in Florida recently. And she received the fourth runner-up in the talent competition nationally. She has received extensive training and is continuing to do so, on camera, acting and modeling, piano, dance, singing and sports and she recently visited my Deerfield District Office and I'd like you to welcome her to Springfield."

Speaker Churchill: "Welcome to both of you. Welcome to the Illinois House of Representatives. For what purpose does the Gentleman from Knox, Representative Moffitt, rise?"

Moffitt: "Thank you, Mr. Speaker. On that last Bill I wanted to have the record indicate that I wanted to be a 'yes' vote. I was in the Chamber, but it was taken before I could reach my switch."

Speaker Churchill: "The record will so reflect. Mr. Clerk, please read House Bill 2799."

Clerk Rossi: "House Bill #2799. A Bill for an Act that amends the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. House Bill 2799 amends the Vehicle Code and it creates the Master Mason special license plate. This license plate will, what this legislation does is after...after creating the plate,

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

108th Legislative Day

March 26, 1996

it applies a fee of \$25 to the plate whenever it's first issued. And of that first year's fee \$15 shall be deposited into the Secretary of State's Special License Plate Fund and \$10 shall be deposited in the Master Mason Fund. Then the renewals every year thereafter of \$25...23 shall be deposited in the Master Mason Fund and two dollars goes into the Secretary of State's fund to handle the cost of preparing the decals. This special plate goes to passenger vehicles of less than 8 thousand pounds. It also, to let you know about the Master Mason Fund, the Master Mason Fund is a special fund that will be created in...to paid grants to the Illinois Masonic Foundation for prevention of drug and alcohol abuse. I would be glad to answer any questions."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, will..."

Speaker Churchill: "Yes, he will, whatever that was that you were saying."

Granberg: "Representative, I'm sorry we couldn't hear you over here. What was the Master what fund?"

Speaker Churchill: "Representative Bost."

Bost: "The Master Mason Fund."

Speaker Churchill: "Representative Granberg, are you going somewhere with this line of questioning?"

Granberg: "No, we are just following the lead of the Sponsor. So, the funds go for the Master Masons. Is that correct, Representative Bost?"

Speaker Churchill: "Representative Bost."

Bost: "It goes into a special fund and that fund will go to the prevention of drug and alcohol abuse among children."

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

108th Legislative Day

March 26, 1996

Speaker Churchill: "Representative Granberg."

Granberg: "So, does the Secretary of State have a position on this Bill? I thought that we were trying to limit the number of special license plates?"

Speaker Churchill: "Representative Bost."

Bost: "Secretary of State is neutral on this."

Speaker Churchill: "Representative Granberg."

Granberg: "So, the Secretary of State's office is neutral? They are not in support of your Bill?"

Speaker Churchill: "Representative Bost."

Bost: "The Secretary of State's office has gave a neutral position on this."

Speaker Churchill: "Representative Granberg."

Granberg: "Can you explain exactly how these funds will be used in relation to the Model Student Assistance Program?"

Speaker Churchill: "Representative Bost."

Bost: "It would be given as grants to the Model Students Program."

Speaker Churchill: "Representative Granberg."

Granberg: "How would the grants be administered?"

Speaker Churchill: "Representative Bost."

Bost: "They will be administered through the Secretary of State's Office."

Speaker Churchill: "Representative Granberg."

Granberg: "Who is neutral on the Bill? The grants will be administered through the Secretary of State, who really doesn't want to do it. Correct?"

Speaker Churchill: "Representative Bost."

Bost: "The Secretary of State has chosen to go neutral on all the of these license plate Bills. That doesn't necessarily mean that he necessarily disagrees with them. He chosen that position. I think that this is a good fund. I think

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

108th Legislative Day

March 26, 1996

that it is an opportunity to put these funds into place where they can help children and I'm sure that you will want to support legislation that will do that."

Speaker Churchill: "Representative Granberg."

Granberg: "Well, we all support the Secretary fo State on the Universal Charity License Plate Bill. So, how does this impact that? Would that not have the overriding priority? Would that...would this Bill fall under the purview of that legislation?"

Speaker Churchill: "Representative Bost."

Bost: "As all of these plates that are being proposed, each one of them, it is up to the individual if they want to participate in each one of these programs. So, which one would take precedence, would depends on the individual that would be purchasing the plate."

Speaker Churchill: "Representative Granberg."

Granberg: "So, we do not know if this Bill would actually take priority over the Secretary of State's legislation. That would, in fact, establish a University (sic - Universal) Charity Plate Program?"

Speaker Churchill: "Representative Bost."

Bost: "This does not prohibit that from happening, so there will be no preference over one."

Speaker Churchill: "Representative Granberg."

Granberg: "Is...I assume that you are asking Representative Rutherford, because he might be a Master Mason?"

Speaker Churchill: "Representative Bost."

Bost: "I'm not sure if he is affiliated with the Masons or not."

Speaker Churchill: "Representative Granberg."

Granberg: "He is lending a hand to the legislation?"

Speaker Churchill: "Further questions, Representative Granberg?"

Granberg: "No, Representative, I just...I'm sorry Mr. Speaker."

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

108th Legislative Day

March 26, 1996

Representative Bost, I just wanted to make clear that since we passed the Universal Charity Plate Program that this legislation would in fact probably come under that purview, and, in fact, would not have any impact, whatsoever. I admire what you are trying to do and I have no further questions."

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

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

Speaker Churchill: "He indicates that he will. Please proceed."

Lang: "Thank you. Representative, if there is a Master Mason, is there an Apprentice Mason?"

Speaker Churchill: "Representative Bost."

Bost: "No, Representative."

Speaker Churchill: "Representative Lang."

Lang: "Well, are you a Mason?"

Speaker Churchill: "Representative Bost. Representative Lang, I don't think that he heard the question, please repeat the question."

Lang: "The question was, are you a Mason? I think you nodded 'yes'. So, then the question would be, is this...do you have a conflict of interest here? Is this for you so you can display one of these proudly on your own personal vehicle?"

Speaker Churchill: "Representative Bost."

Bost: "No, it is not special legislation in that respect, for me. However, I think this is a good program. Now, there is many clubs and organizations of many Members of this House have been in support of different license plates, so I would say that, that is not conflict of interest."

Speaker Churchill: "Representative Lang."

Lang: "This applies to first and second division vehicles

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

108th Legislative Day

March 26, 1996

weighing under 8 thousand pounds. What if you are a Master Mason and you have a vehicle that weighs like 8,200 pounds, you want to leave these people out in the cold by themselves without this plate?"

Speaker Churchill: "Representative Bost."

Bost: "Well, these people we will encourage them to buy those plates as well, but what they will probably have to do, is take those plates and store them in their home, because they will have to buy another plate for those vehicles that are larger than that."

Speaker Churchill: "Representative Lang."

Lang: "You have indicated that the design and color of these special plates would be at the discretion of the Secretary of State. As a Mason, yourself, don't the Masons have any special colors that you would like to suggest, green and gold, black and blue, something?"

Speaker Churchill: "Representative Bost."

Bost: "Because, the Secretary of State is also a Mason, I'm sure that he knows the importance of this and would also be able to design that particular plate."

Speaker Churchill: "Representative Lang."

Lang: "So, you are trying to avoid mandating the color scheme to the Secretary of State, even though you know in your heart what these colors ought to be. Why don't you tell us what these colors ought to be."

Speaker Churchill: "Representative Bost."

Bost: "I am against mandates, but there is no special colors for a Master Mason."

Speaker Churchill: "Representative Lang."

Lang: "So, I note that the money that is gathered here is going to go into a fund and this fund is going to help public and private schools. Is it appropriate for money that gets

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

108th Legislative Day

March 26, 1996

paid into the State Treasury this way, even though it will later go into a special fund to go to private schools?"

Speaker Churchill: "Representative Bost."

Bost: "We have done the same thing with the Environmental Plate and this...you know the main thing is that we are helping children with this plate."

Speaker Churchill: "Representative Lang."

Lang: "I'm not sure that money from the Environmental Plates goes to private schools, but I will take you at your word. Would you consider this a fee, a new fee that you are proposing to be paid here in the State of Illinois, Representative?"

Speaker Churchill: "Representative Bost."

Bost: "No."

Speaker Churchill: "Representative Lang."

Lang: "Well, you are proposing a application fee, an assessment renewal fee upon renewal. Sounds to me like the people that want to avail themselves of this plate are paying a new fee. It sounds to me like Representative Bost is proposing a new fee here. What do you have to say about that?"

Speaker Churchill: "Representative Bost."

Bost: "It is not a fee. It is just the same as the license was."

Speaker Churchill: "Representative Lang."

Lang: "Well, the last that I checked the license plate was a fee. I know that when I get my license plate, I have to pay for it, even though it says Official House and all that stuff on it. I pay for that. That is a fee, isn't it?"

Speaker Churchill: "Representative Bost."

Bost: "That is a fee. I did not vote on that particular piece of legislation that made that fee. What this does is it allows you to take the opportunity that you have while

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

108th Legislative Day

March 26, 1996

paying that fee and contribute voluntarily into a fund that helps children."

Speaker Churchill: "Representative Lang."

Lang: "Why don't we just encourage these folks to take that two bucks and send it into that fund. Why do we have to increase state fees to do that."

Speaker Churchill: "Representative Bost."

Bost: "We are not increasing state fees to do that. We are asking them voluntarily do that, if they so choose."

Speaker Churchill: "Representative Lang."

Lang: "But, if they don't voluntarily pay this fee, they can't get this special Master Mason Plate. So, apparently you are raising the fees. If someone wants this plate, they have to pay the fee, which is a extra fee, more than I pay or you pay or your constituents that don't want a special plate have to pay to get an license plate. Isn't that correct, Sir?"

Speaker Churchill: "Representative Bost."

Bost: "It is strictly voluntarily."

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

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

Speaker Churchill: "He indicates that he will, please proceed."

Dart: "Representative, can you explain to me, just what are the Masons?"

Speaker Churchill: "Representative Bost."

Bost: "The Masons are a service organization."

Speaker Churchill: "Representative Dart."

Dart: "Thank you. Are they inclusive, can anyone become a Mason? Are there any requirements, as far as race, creed, religion, anything like that?"

Speaker Churchill: "Representative Bost."

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

108th Legislative Day

March 26, 1996

Bost: "There is no race, creed, religion preference."

Speaker Churchill: "Representative Dart."

Dart: "Representative Lang, was asking me if there are any Jewish
Masons."

Speaker Churchill: "Representative Bost."

Bost: "Yes, a matter of fact, it was originally from that area
and from the Jewish descent that the Masons came."

Speaker Churchill: "Representative Dart."

Dart: "Thank you, the one point I was going to try to get
clarified here, and I saw Representative Rutherford was
right by you there, is that we had a long debate yesterday
about special license plates and went on and on about it,
because we have talked in the past about one group after
another, after another, after another coming in front of us
to get their special plates. And Representative Rutherford
seemed to have a way of getting around that, by giving that
authority solely to the Secretary of State to take care of
that. Doesn't this fly in the face of what he did
yesterday?"

Speaker Churchill: "Representative Bost."

Bost: "Neither one are law yet. This gives an opportunity...you
know we can move this through and each one of these we can
make the choices that goes along and it gives the
opportunity for them to be out there."

Speaker Churchill: "Representative Dart."

Dart: "Well, his whole point was, that we should not have all of
these people coming in front of the General Assembly to
make this decision. Leave it to the Secretary of State.
You are saying the exact opposite. Are you guys on the
same page here, because your arguments are completely
opposite to each other, completely opposite. Explain to me
how the two of them can mesh."

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

108th Legislative Day

March 26, 1996

Speaker Churchill: "Representative Bost."

Bost: "This does not override his legislation. It will not override his legislation and this Bill gives an opportunity for people to participate voluntarily into a fund that helps children."

Speaker Churchill: "Representative Dart."

Dart: "Representative, it doesn't override his legislation, but it goes completely contrary to what he said yesterday, absolutely contrary. He said that, 'We don't want these people coming in front us for every single license plate that we have...every group that wants one.' His argument was that we have to stop this. Now, the very next day, less than 24 hours later, here you come doing the exact opposite of what he said we were going to be doing from here on out. Can you explain to me what you guys are doing over there?"

Speaker Churchill: "Representative Bost."

Bost: "I would be glad to explain to you this Bill. This is the one that the Bill that I think is important. I am very much in support of and I think that we can move it out of this chamber. I think it will be a fine Bill and I think it will help children."

Speaker Churchill: "Representative Dart."

Dart: "Well, Representative, I'm not arguing about the group that would benefit or not benefit from your actual Bill here. What I'm talking about is the theory about how we are operating around this joint. And the problem is, is that one days you guys come up with this elaborate theory about how we are going to operate and less than 24 hours later, you guys do a 180 and now we are going the other way. Is there any type of semblance of order over there? Is this going to be something where every day we can expect

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

108th Legislative Day

March 26, 1996

statements from your side of the aisle saying, 'This is how we are going to do it, because it makes it more efficient', and then the very next day we are going to have your Members doing the exact opposite? Is this going to be a trend that your Bill is going to be starting?"

Speaker Churchill: "Representative Bost."

Bost: "Representative, I'm not debating yesterday's Bill. The Bill, I'm talking about, is the Bill before us today. This Bill is a good Bill. It allows the opportunity for this plate to be created. It allows the opportunity for these funds to be given to children to stop drug and alcohol abuse in children, to help the people of the State of Illinois. This is the Bill that we are debating. The one yesterday, however, you formed your opinion on it, that is what you have to make your choice on. So, this is the Bill that we are debating. This is the Bill that I will talk about."

Speaker Churchill: "Representative Dart."

Dart: "Representative, I have no problems talking about your Bill and the specifics of your Bill, but I do think that you might want to keep in mind the very theory that other Members of your party are espousing over there about what we are doing around here. Otherwise, you might find your Bill on the chopping block come common sense day. That day that you guys keep talking about around here. I have no argument with your Bill, Representative. I just say, I find it rather interesting that less than 24 hours after a rather lengthy debate with one of your fellow Representatives over there, we go and do a 180, a complete 180."

Speaker Churchill: "There being no further discussion. The Chair recognizes Representative Bost to close."

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

108th Legislative Day

March 26, 1996

Bost: "This is a very good Bill. It is a positive Bill. I would appreciate your 'aye' vote."

Speaker Churchill: "The question is 'Shall House Bill 2799 pass?'

All those in favor vote 'aye'; all those 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? Mr. Clerk, take the record. On this question, there are 106 voting 'aye'; 0 voting 'nay' and 5 voting 'present', and House Bill 2799 having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read House Bill 3057."

Clerk Rossi: "House Bill 3057. A Bill for an Act amending the Park District Code. Third Reading of this House Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Cook, Representative Balthis."

Balthis: "Thank you, Mr. Speaker and Ladies and Gentleman. House Bill 3057 as Amended in Committee, amends the Park District Code. Provides that a certified copy of the annexing ordinance shall be filed with the county where the annexation takes place and the park district land that is outside the districts boundaries are not contiguous, shall not be involuntarily annexed to another park district. Park district police is incorporated into the Amendment to set about what they can and cannot do. This Bill was Amended to include that language. This provision stated that any park district owning and holding any real estate is authorized to sell or lease such property to another unit of Illinois State and local Government or to lease upon terms that the price that board determines for a period not to exceed 99 years. Now, this was language that was suggested by Chapman and Cutler, due to some programs that they were working on to finance. I would be happy to

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

108th Legislative Day

March 26, 1996

answer any questions."

Speaker Churchill: "Is there any discussion? The Chair recognizes, the Gentleman from Cook, Representative Lang."

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

Speaker Churchill: "He indicates that he will. Please, proceed."

Lang: "Thank you. Representative, your Bill allows park districts to enter into 99 year lease agreements with not-for-profits, right?"

Speaker Churchill: "Representative Balthis."

Balthis: "Yes."

Speaker Churchill: "Representative Lang."

Lang: "Well, so perhaps you could tell me what would happen under the following facts situation. If the not-for-profit administer recreational facilities owned by a park district, if a citizen has a dispute or a problem, where does the citizen take the objection? Do they go to the not-for-profit, do they go to the park district? Who do they go to with a problem?"

Speaker Churchill: "Representative Balthis."

Balthis: "If it is a function of the operation, they would go to the not-for-profit. I would imagine if it is something that is egregious to the community that they could then go to the park district, because there is still some overriding authority that the park district would have in this process as a part of the contract."

Speaker Churchill: "Representative Lang."

Lang: "Well, doesn't that then put an extra layer of bureaucracy between a citizen and his local elected officials? If the citizen has to go through that not-for-profit first and it affects park district land, then how does the citizen get to the park district to complain about something that they feel the park district should have been more involved in or

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

108th Legislative Day

March 26, 1996

should have taken care of when they entered into the lease?"

Speaker Churchill: "Representative Balthis."

Balthis: "Nothing in this prevents a citizen taxpayer or resident of a park district to go directly to the park district if they have a concern or a problem. They do not have to go to the not-for-profit, however the problem if it is a operational one, is going to be handled by the not-for-profit."

Speaker Churchill: "Representative Lang."

Lang: "Can you tell me if there were any opponents to the Bill or the Amendment in Committee?"

Speaker Churchill: "Representative Balthis."

Balthis: "No."

Speaker Churchill: "Representative Lang."

Lang: "You can't tell me or there were none?"

Speaker Churchill: "Representative Balthis."

Balthis: "There were no opponents to the Bill."

Speaker Churchill: "Representative Lang."

Lang: "Your Amendment also gives general police powers to park district police. Did you want to say something, Representative? It looks like you are trying to flag me down?"

Speaker Churchill: "Okay, back to Representative Balthis."

Balthis: "Representative, there is a portion of this Bill that the Illinois Police Association had objection to. They were a record of appearance only. They never contacted me, so I don't know specifically what they were opposed to, but the portion of the Bill that you and I were talking about there was no opposition to."

Speaker Churchill: "Representative Lang."

Lang: "I'm going to presume that the Police Association was

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

108th Legislative Day

March 26, 1996

opposed to the section that I'm now beginning to talk about, which gives general police powers to park district police. Do all park districts have their own police force?"

Speaker Churchill: "Representative Balthis."

Balthis: "No, I think a majority of them have agreement with local communities, where they do a intergovernmental agreement and the local community would do that for them, but that is not mandatory. They could do that on their own."

Speaker Churchill: "Representative Lang."

Lang: "The park districts that do have their own police force would then be given broad police powers to arrest, to detain, to investigate, in short to do all things that police do. Is that correct?"

Speaker Churchill: "Representative Balthis."

Balthis: "Only as it pertains to their property, in an incident that occurred at the time. They do not have authority to go off their property, in the sense of arresting someone for something that did not occur on their property or was put their property at risk."

Speaker Churchill: "Well, what about the idea of what we call in the law about hot pursuit? Let's assume that they did something on park district property, now there is a chase and now the person runs into the public street. Can the park district police, under your Bill, would the general police powers that you are giving the park district police pursue, that person into the public way or into private property to arrest that person?"

Speaker Churchill: "Representative Balthis."

Balthis: "Yes, in the Bill it is very specific about their ability to do this and it must be something that occurred

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

108th Legislative Day

March 26, 1996

right then, they don't have investigative powers to go out and investigate something that happened. If a incident happens on park property they may pursue that individual to bring it to a conclusion, yes."

Speaker Churchill: "Representative Lang."

Lang: "Well, it is no wonder why the Police Association would oppose this. What training are they given to make sure that if they are going to get police powers they know what to do with those powers?"

Speaker Churchill: "Representative Balthis."

Balthis: "I believe that there is already a statute in regard to the training that a police officer empowered with police duties would have to undergo in the State of Illinois."

Speaker Churchill: "Representative Lang."

Lang: "Well, I'm not so sure that this is a great idea to give park police, police powers, I recommend a 'no' or 'present' vote."

Speaker Churchill: "There being no further discussion, Representative Balthis to close."

Balthis: "I would just ask for a favorable vote. It is a good piece of legislation. It allows people to do projects in local communities that they cannot do currently by doing a not-for-profit organization and the local community development. And it also gives police powers to park districts to allow them to protect their own property where they deem it important. I'd ask for a favorable vote."

Speaker Churchill: "The question is 'Shall House Bill 3057 pass?' All those in favor vote 'aye'; all those 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? Mr. Clerk, take the record. On this question there are 86 voting 'aye', 7 voting 'no' and 16

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

108th Legislative Day

March 26, 1996

voting 'present'. On this question on House Bill 3057, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read House Bill 3233."

Clerk McLennand: "House Bill #3233. A Bill for an Act in Relation to Solicitation and Providing Material Support for International Terrorism. Third Reading of this House Bill."

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

Cross: "Thank you, Mr. Speaker. Many of you may remember this Bill or a variation of it from a year ago. We are attempting to stop the fund-raising activities of international terrorist groups here in this state. I believe that we have taken away a lot of the concerns and objections we had from last year. It is a Bill that got lost over in the Senate. I don't...I would be glad to answer any questions. I would appreciate an 'aye' vote."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Gentleman from Winnebago, Representative Scott."

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

Speaker Churchill: "He indicates that he will. Please proceed."

Scott: "Representative Cross, I have got a few questions about the Bill. First in the definition of international terrorism, you have got that one of the ways that you can prove this crime, is by appearing to be intended to intimidate, conduct, which appears to be intended to intimidate. Do you think that you have got a little bit of a problem of in trying to be able to prove that particular crime? I mean that seems to be open to several different interpretations and seems perhaps unconstitutionally vague."

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

108th Legislative Day

March 26, 1996

Speaker Churchill: "Representative Cross."

Cross: "Well, Representative, we spent a lot of time trying to clean up some constitutional concerns from last year. Certainly, there are some...it would depend on your interpretation of that language, but that would be, I believe, a factual issue for a jury. The jury or the judge can make a decision as to whether or not subsection (3) would have been violated."

Speaker Churchill: "Representative Scott."

Scott: "Well, I guess that the only concern would be that when we are looking at vagueness issues, you look at the person knowing that they are able to...that they are actually committing a crime at that time and I'm not sure how I would know that I was doing something that to someone else appeared to be attempting to intimidate. I'm not sure exactly how that would work. Let me move on to another area though. Now, how would you prove that the material support or the money that is given is intended to be used for the lack of a better term, the terrorist purpose? I mean people are not going to write on their in the memo of their check, bombs or for guns or other things. So, how would actually prove the intent in that case?"

Speaker Churchill: "Representative Cross."

Cross: "Well, you would have to report it on your D-2, first of all, Representative. I think that you asked a valid question, Representative and I think that is proving that connection is a difficult one. And I think we probably have that problem in drug cases maybe, making that connection between who ultimately supplied the drugs. That is going to be up to a prosecutor either a United States prosecutor, U.S. Attorneys Office or a local prosecutor. It is a tough burden. I agree with you, for a prosecutor

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

108th Legislative Day

March 26, 1996

to get over, but they are going to have to establish the connection somehow. I'm not sure if off the top of my head, how they are going to do that, but it is something that has to be addressed. It is as I said, a valid point."

Speaker Churchill: "Representative Scott."

Scott: "Now, you have got a section on when a investigation can be initiated by a prosecuting authority. Why is that in there in the first place? I mean we don't really do that with many other crimes. Why is it necessary that we have a section listing when investigations can be initiated?"

Speaker Churchill: "Representative Cross."

Cross: "Representative, I think we are trying to be sensitive to the police or organizations just going out and harassing charitable organizations or organizations that may be doing fund raising for these purposes. We want to make sure or at least attempt to identify those scenarios where it may be happening, before we institute an investigation. Maybe it is more of a cautionary portion, some more cautionary language. I don't know if it is needed, but we are trying to take away some of the concerns that we had last year."

Speaker Churchill: "Representative Scott."

Scott: "Well, I don't necessarily disagree with the caution, because this is kind of a touchy area to begin with, but going along that line then, doesn't the exception seem fairly broad? I mean, has or is about to engage in this type of activity. That seems broad enough to really drive a truck through, so we have it on the one hand, but on the other hand, it seems so vague and broad that you could almost do anything with it. I'm kind of confused why it is in there in the first place."

Speaker Churchill: "Representative Cross."

Cross: "Well, we are trying to be cautious, but yet we want to be

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

108th Legislative Day

March 26, 1996

able to prosecute, Doug. So, we want it both ways."

Speaker Churchill: "Representative Scott."

Scott: "One more section I wanted to ask about. You have got a First Amendment Exemption in there, but that is a little troubling because the activities that you are trying to prohibit, it would seem would also be protected by the First Amendment. The Freedom of Association and Speech and even in some cases. I'm not quite sure how you differentiate in between those activities you are prohibiting on the one hand and those that are exempted with your First Amendment exemption. Could you provide a little clarity for that for me?"

Speaker Churchill: "Representative Cross."

Cross: "Well, I think that we are acknowledging that there are going to be groups that get together that associate for as we say in here, for philosophical or ideological purposes or with philosophical or ideological goals. That is not the point to just stop that association and this Bill is not intended to eliminate those associations, by any means. I think many people that support this Bill are sensitive to the question that you raised and you raised very valid ones, but it is when we go from meeting to also meeting and raising money and then using it ultimately for international purposes or terrorist purposes, which we have tried to address in this Bill, that we are concerned about. We are trying to recognize that that association in and of itself..."

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

Lang: "Thank you, Mr. Speaker. I rise in strong support of House Bill 3233. The United States Government in Washington has been trying to deal with the issue of terrorism. They

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

108th Legislative Day

March 26, 1996

can't seem to pass a Bill. We passed a Bill last year and it got stalled in a Senate Committee. We ought to pass another Bill. Not only to say to people that Illinois is not going to be a safe haven to put money together to send overseas for terrorist activities, but also to make a statement that this is a issue that we care about. This is a issue that we feel we need to make a statement about. And as important as stopping the money going overseas to blow up innocent people in buses and in malls, it is important that we also make a statement, so that 49 other states see what we feel in the State of Illinois. So that our leaders in Washington D.C. see what we feel in the State of Illinois. And perhaps it will lead them to pass legislation that has been long pending that should be passed to stem the tide of dollars leaving this country to go overseas to hurt people. Now, nobody is opposed to dollars going overseas for humanitarian purposes. This Bill deals with that problem. Nobody is opposed with money going overseas for educational purposes. This Bill deals with that problem. But here in the State of Illinois through this Bill, we have an opportunity to say, that Illinois is not going to be a state where we are going to allow people to gather money for terrorist activities. My view is let them go to some other state and maybe some other state will outlaw it and they will have to go to another state and pretty soon 50 states will outlaw this activity. There was some interests, some concerns about civil liberties when we had this Bill previously and as you know I'm civil libertarian and I have concerns about that, but I think those have been corrected. And I think now we have a fair Bill, a Bill that is constitutional, a Bill that we can be proud of and a Bill that we can send over to

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

108th Legislative Day

March 26, 1996

the Senate and eventually get to the Governor's desk, so that the State of Illinois, the General Assembly of the State of Illinois, can say and perhaps be the first or one of the first states in this country, that we believe that we should do everything that we can to stop terrorism overseas and, in fact, terrorism in this country. We have seen the Oklahoma City situation. We have seen the situation in New York City and of course, in the State of Israel and other places overseas. So, this is our opportunity. We don't get an opportunity often to deal in the area of foreign affairs. We don't get an opportunity to deal in the issue of national affairs, but here is an opportunity to do that. And I would strongly recommend that you help protect innocent people, the lives of innocent people that have been crushed by terrorism overseas and in this country. And I strongly recommend your 'aye' vote."

Speaker Churchill: "Further discussion? The Gentleman from Madison County, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Churchill: "He indicates that he will. Please proceed."

Hoffman: "Representative, there were some current concerns raised earlier about various provisions in this Bill. I believe that you had answered them to my satisfaction, but there is another concern that I think had either been brought up, I don't recall either in committee or in conversation. The concern about the prosecution and making it difficult if a group is given support and to an organization that may have both terrorist and non-terrorist functions. And I think that may be the crux of the concern of many people. I, for one, think you have attempted to address it in this Bill, but the concerns of some people on this side of the aisle,

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

108th Legislative Day

March 26, 1996

is that potentially, if an organization is involved in providing assistance to another organization or individuals that may have terrorist and non-terrorist functions, what safeguards have you put into this Bill to insure that those fears are alleviated?"

Speaker Churchill: "Representative Cross."

Cross: "Thank you, Representative. One of the attempts, Jay, is back on page 3, the last paragraph under activities protected by the First Amendment, 'An investigation may not be initiated or continued under the section based on activities protected by the First Amendment.' That is one of the safeguards. Certainly we have the safeguard of the prosecutor and his or her discretion doing what is right, but I hope and I believe through this language that I just referred to that we have provided some safeguards...safeguard."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Now, it is my understanding, that that is a new provision in this Bill to ensure that there is a safeguard if an organization is involved in both...is involved in positive non-terrorist activities to not have them mixed up. Number two, it is my understanding that this Bill ensures that there must be the proper mental state and that it has to be knowingly and intentional, in order to be guilty of any of these provisions. In other words the...in order to be guilty of a crime under this piece of legislation. You must do it knowingly and intentionally. It cannot just be an unintentional act, it cannot be attempting to help a positive organization overseas and then later being found out that it is a terrorist organization. This provides that it has to be knowing and intentional, I believe. Isn't that correct?"

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

108th Legislative Day

March 26, 1996

Speaker Churchill: "Representative Cross."

Cross: "Representative, if you look to page...going back to page 2, in section 29 (C) 15 on line 20, 'Which he or she provides material support or resources to a person or organization intending that the material'...and then if you drop down to line 28, 'In the case of an individual, the individual knowingly or intentionally engages.' So, you are exactly right. And we do want it to be a tough burden to get over as for a prosecutor and I think once again that is another safeguard. Thanks for pointing that out."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Well, let me just say this about this piece of legislation. I'm very proud to be a Cosponsor of the legislation. I think that the Sponsor has worked exceedingly hard. I think that there are people on both sides of the aisle who have legitimate concerns about definitions that were contained in the previous Bill. And I think that people on both sides of the aisle have legitimate concerns about making criminals out of organizations that potentially or unknowingly or unintentionally assisting organizations that later conduct terrorist activities. But I think what we need to do is look at what has been happening in this world, look at what has been happening overseas. When we see car bombings, we see innocent people killed, and we see continual violence perpetrated on innocent children and innocent families. And I think if you look at the provisions that are contained in this Bill, it makes a common sense approach that attempting to address this situation, so that we are not having people here in Illinois, people across this state funding those types of terrorist activities. There are definitions, which...definition of terrorism contained

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

108th Legislative Day

March 26, 1996

in this Bill, which I think is reasonable. We ensure that it must be knowingly and intentional. We ensure that the definition of material and support is met. We also indicate in this Bill that we can't just investigate and we prohibit the investigation of things that are contained under the First Amendment or things that are insured under our First Amendment of this nation. I think that is reasonable. I think this is a Bill that goes a long way to stop the type of funding of terrorist activities that we see going on, not only in this state, but in this nation. I would like to applaud the supporter of this Bill and I ask for a 'aye' vote."

Speaker Churchill: "Further discussion? The Chair recognizes the Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I rise in reluctant opposition to House Bill 3233. I know that the Sponsors, the promoters are well intentioned, but I think that it is important for the Members of this House to recognize several issues. First this Bill has nothing to do with the Oklahoma City bombings. This Bill is specifically about international terrorism. And any notion that you might take with you when you cast your vote, that this is a way of saying that people can't go out and buy fertilizer and diesel fuel to set major bombs when their complaint and their issue has only to do with things that go on within our borders. Nothing in this Bill will deter, will stop, will make it easier to prosecute miscreants of that sort. Second, I think the Bill is vastly overdrawn. I am fearful that under the terms of this Bill, anyone who might, for example, give lodging to Gerry Adams, who heads the political branch of the Irish Republican Army, anybody who 10 years ago, had offered a bedroom to Nelson Mandella,

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

108th Legislative Day

March 26, 1996

when the American (sic - African) National Congress was outlawed in South Africa, would be prosecutable under the terms of House Bill 3233. I do not think that we want to go on record as a State Assembly, go on record interfering with state department policies with the job of our peers at the federal level in establishing the parameters of our participation in international discourse. I do not think that we want to say to our citizens that their support for example, a Nelson Mandella and his fight for his freedom in South Africa, is a fight that we may not support, no matter how we describe that support. I think that over reaches. I think it undercuts our First Amendment freedoms as American citizens. This Bill will do nothing to stop domestic terrorism. And I think that the risk that in the international arena it will impose hardships and undercut free speech, free association of rights for Illinois citizens is a serious risk. I would urge your caution. I would urge a 'present' or a 'no' vote on House Bill 3233."

Speaker Churchill: "Further discussion? The Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. I rise in strong support of House Bill 3233 and I have listened carefully to the debate so far, which I think has been exceedingly helpful in terms of better defining what this Bill does and does not attempt to do. As Representative Currie just pointed out, it does not deal with terrorism within the United States borders. But I must say that I do not for one, have difficulty with putting Americans and Illinoisans on alert. That if you are going to belong to organizations, as I do, that have international implications, that you stop and question all of the activities that that organization is or is not involved in. So, that if you are an Irish-American, if you

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

108th Legislative Day

March 26, 1996

are a Israeli-American, if you are a Arab-American, if you are Russian-American, if you are of any nationality and you have strong cultural and ethnic ties to organizations, internationally, I for one, want to see people stop and question what all of the activities are in these organizations. I think that Representative Cross has done a good job here in protecting the First Amendment rights. And remember we are talking about violent acts. Terrorist organizations are pretty darn smart these days. They know how to hide behind legitimacy in certain areas. Frankly, organized crime is very good at this, as well. We know that our gangs are good at this as well. They launder money through seemingly legitimate, sometimes even compassionate looking operations, when hiding beyond that veil, is a veil of too frequently, violence, murder and in some instances, mass murder. So, I think that it is good for us to go on record, I'm usually not a proponent of us meddling in foreign affairs. But I do think that Illinois is a very pluralistic state. We are proud of our heritage and I think that this Bill will not only give people pause, but help us go through the passageway into this new era, which sadly has too much terrorism in it."

Speaker Churchill: "Further discussion? The Lady from Cook, Representative Schakowsky."

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

Speaker Churchill: "He indicates that he will. Please proceed."

Schakowsky: "I got a letter from the Chicago Committee to Defend the Bill of Rights and I just want to read a couple of things from this and get your response, Okay? It says, 'Although the definition of terrorism is more precise in this version, it is still broad enough to allow for the harassment of organizations, which are merely associated or

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

108th Legislative Day

March 26, 1996

in contact with overseas groups and individuals, who may be involved in one or another kind of civil conflicts.' The conflict between the EZLN and the army in Chiappas, Mexico is one obvious example. The EZLN insurgency is clearly intended to, 'influence the policy of a government by intimidation,' as is any armed uprising. The definition of material support includes such things as lodging, which suggests that an emissary from the EZLN support forces in Mexico, who comes and stays with a relative in Illinois for a couple of days, could put that relative in jeopardy of prosecution under this legislation. Is that not the case?"

Speaker Churchill: "Representative Cross."

Cross: "Representative, I'm not sure how anyone could give us that interpretation, if they looked at the definition of international terrorism. The opening line, 'International terrorism means activities that involve a violent act or acts, perpetrated by private organization, person, or nongovernmental entity dangerous to human life that would be a felony under the laws of the State of Illinois.' It is very specific. There is a need to have a violent act that is dangerous to human life. That is not talking about association. That is not talking about meeting. That is talking about committing a violent act."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Well, I was referring to a specific group in Chiappas, Mexico, that has been involved in...how about the, for example, the example raised by Representative Currie. The American (sic - Africian) National Congress, which was in fact involved in some violent acts against a government that many of us felt to be repressive and if someone would have supported or had in their home, a Nelson Mandella or one of his supporters, would that not...doesn't

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

108th Legislative Day

March 26, 1996

material support include things such as: lodging and wouldn't in fact had Nelson Mandela not been in prison and been instead at my house, would I have not been guilty under this law?"

Speaker Churchill: "Representative Cross."

Cross: "Well, Representative, maybe you can refresh my memory. What activity or felony in this state, did Nelson Mandela commit? Under the definition of international terrorism, what has he done that violates this section of the statute?"

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "I will refresh your memory. The ANC was not...has been in the past, if not itself, but certainly branches of it involved in violent activity in a country that many of us felt needed its government to be changed. And in fact, in some cases...and many of us supported those efforts. We have ourselves been involved in violent revolution, as you may recall, in this nation and some of us have supported revolutions in other countries. Would we under your law have been guilty, had we housed a Nelson Mandela and the ANC as it was involved in some violent activities?"

Speaker Churchill: "Representative Cross."

Cross: "Well, Representative, if a State's Attorney or a United State's Attorney can know that you did that, knowingly and intentionally aided someone that was about to or committing international terrorism, but without a knowing or intentional act, you're not guilty."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Well, I guess the problem that I have is, is one person's definition of international terrorism and what is justifiable activity, I guess really, severely may radically differ one from another. I personally did support the activities of overthrowing the apartheid

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

108th Legislative Day

March 26, 1996

government in South Africa and under this legislation, I fear that I would have been guilty under these definitions. So, I'm afraid that I'm not going to be able to support the legislation."

Speaker Churchill: "There being no further discussion. Representative Cross to close."

Cross: "Thank you, Mr. Speaker. I think that the people...I know the people that have drafted this piece of legislation have worked with me are sensitive to the concerns that people have expressed today. But I think we have addressed those concerns. What we are talking about is money raised in the state...I would appreciate a 'yes' vote."

Speaker Churchill: "The question is 'Shall House Bill 3233 pass?' All those in favor vote 'aye'; all those 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? Mr. Clerk, take the record. On this question there are 106 voting 'aye'; 1 voting 'no' and 4 voting 'present'. And House Bill 3233 having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, do you have an announcement to make?"

Clerk McLennand: "Committee notice. Rules Committee will meet on Tuesday, March 26th at 12:00 noon in the Speaker's Conference Room, The Rules Committee will meet at noon in the Speaker's Conference Room."

Speaker Churchill: "For what purpose does the Gentleman from Williamson, Representative Woolard rise?"

Woolard: "Thank you, Mr. Speaker. I would like to move House Bill 2555 back to second for the purpose of an Amendment."

Speaker Churchill: "Is there leave? Mr. Clerk, what is the status of that Bill right now?"

Clerk McLennand: "House Bill #2555 is on the Order of Third

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

108th Legislative Day

March 26, 1996

Reading under Consideration Postponed."

Speaker Churchill: "At the Sponsor's request, please return the Bill to the Order of Second Reading. Returning now to the Order of Third Reading, Mr. Clerk please read House Bill 3547."

Clerk McLennand: "House Bill #3547. A Bill for an Act that amends the Illinois Act on the Aging. Third Reading of this House Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Cook, Representative O'Connor."

O'Connor: "Thank you, Mr. Speaker. House Bill 3547 amends the Illinois Act on Aging. It provides that the Department on Aging shall distribute through its area agencies on Aging information alerting seniors on safety issues and I would be free to answer any questions."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Schakowsky."

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

Speaker Churchill: "He indicates that he will. Please, proceed."

Schakowsky: "I'm curious what kind of information we might be talking about. I was Director of the Illinois State Council of Senior Citizens for five years and I saw some of these kinds of brochures and by the way, there are quite a few of them out there. I was always kind of amused by those that were things like; wear a heavy sweater in the winter when it is cold or put on an extra blanket. What kind of information are you talking about that seniors may benefit by in this kind of information?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "These would be primarily weather related, i.e., tornados, storms, heat, cold and things of that extreme."

Speaker Churchill: "Representative Schakowsky."

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

108th Legislative Day

March 26, 1996

Schakowsky: "Like don't go outside under trees in lighting storms? I'm trying to understand what kind of useful information that is not readily available that we need to be putting out now."

Speaker Churchill: "Representative O'Connor."

O'Connor: "I think that that is an extreme example you're using there, going out on the trees in the lighting. No, this is a very comprehensive program that is just trying to further educate our seniors and protect them in case of a weather emergency."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Well, what form is this going to be in? I understand your Amendment took out the part that it has to be a brochure, that now we just have to distribute information, so if it is not on a piece of paper or in a brochure, what is it?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Representative, the Department of Aging came to me and said they felt as though, they've had enough of forms and pamphlets already available. So, what we are really getting at and that is why the Amendment was added as a cost saving process. What we will do is, we have like a little tin plate that you can put on your refrigerator, you telephone, that the Local Department of Aging will give to their constituency, relative to what numbers to call in case of a emergency."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "So, we're...the purpose of this Bill is to suggest that the department distribute something that we already have to put on refrigerators?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Representative, we do not already have this. As a

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

108th Legislative Day

March 26, 1996

matter of fact, in committee the other day, Mr. Laven, who is the Director of the Suburban Area Agency on Aging testified that this in fact, is not duplicative and he, in fact, says there is a need for this."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "I'm looking at a Amendment #1. Amendment #1 replaces the word 'a pamphlet' with the word, 'information.' Now, a pamphlet I understand. Information is what I'm trying to understand. You mentioned something that goes on a refrigerator. I like those. I've got lots of them. I would give it...my father lives with me. He is 90, this would be maybe useful. Are you talking about a refrigerator sticker?"

Speaker Churchill: "Representative O'Connor."

O'Connor: "Yes, possibly it would. It would be up to the area agencies. Alright? And I know what you are getting at. In other words, there is already pamphlets that the Department of Aging now has. What we are suggesting is they can attach in a magnetic form, something that a senior can now put on their phone, on their refrigerator, or on a place of convenience in their home with a local phone number to possibly assist them."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Well, if we are going to ask the local areas on aging to pass out this something...this information, are we giving them money, because I always thought that those refrigerator stickers were kind of expensive? I thought about doing them for a campaign, but I already have Lou Lang's emery board, so I thought about one of those refrigerator stickers. Are we putting any money into this information distribution?"

Speaker Churchill: "Representative O'Connor."

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

108th Legislative Day

March 26, 1996

O'Connor: "The Fiscal Note that was filed from the Department of Aging totals \$1126 dollars and that is pretty much for the staff. Is that answering your question?"

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Yeah, but I didn't hear your answer."

Speaker Churchill: "Representative O'Connor, would you please repeat the answer?"

O'Connor: "The Department of Aging states that the cost of this program for them to implement would be a total of \$1126 dollars, of which they stated in committee that they have within the confines of their budget."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Then we definitely aren't talking refrigerator stickers around the state, because I priced them. If we are going to give them to seniors around the state, that is not it. Well, there's certainly, I suppose, no harm in this, but I also fail to find much good in this in that I don't see that it is very different from the information that is already out there."

Speaker Churchill: "There being no further discussion, Representative O'Connor to close."

O'Connor: "Mr. Speaker, I would ask for a favorable vote on House Bill 3547."

Speaker Churchill: "The question is, 'Shall House Bill 3547 pass?' All those in favor vote 'aye'; all those 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? Mr. Clerk, take the record. On this question there are 110 voting 'aye'; 0 voting 'nay' and 0 voting 'present'. And House Bill 3547 having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read House Bill 3157."

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

108th Legislative Day

March 26, 1996

Clerk McLennand: "House Bill #3157. A Bill for an Act to repeal the Constitutional Convention Lobbyist Registration Act. Third Reading of this House Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Livingston, Representative Rutherford."

Rutherford: "Mr. Speaker, thank you very much. As we know, from the initiative of Speaker Daniels appointed a policy committee to help bring a little common sense in Springfield. We are attempting to downsize the Illinois Statutes from pieces of legislation that have been duplicated by our own laws or by Federal Laws, by those who maybe antiquated and because of the prompting from the other side of the aisle, a number of Members talk about common sense, we decided that today would be the perfect day for that. So, we are bringing to you House Bill 3157 as Amended. I will go through it very briefly. It will eliminate, in part or in total, 11 acts within the Illinois Statutes. It will deal with the Constitutional Convention Lobbyist Registration Act for the Constitutional Convention of 1970. It will deal with the Capitol City Planning Commission Act, which has its responsibilities transferred to the CDB back in 1988. It will deal the Municipal Code about a report that was due in January of 1987. It will deal with the AG Marketing Development Act, which are being duplicated by Federal efforts right now and the board was actually dissolved in 1988. It will deal with the Savings and Loan Act talking about selling World War II bonds. World War II is long over with. It is talking about the Pension Code and it deals with the idea of setting of the Illinois State Board of Investments and the seed money back in 1970. It talks about a report from the task force by the Attorney General in regards to environmental legal

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

108th Legislative Day

March 26, 1996

resources. This is back in June of '92. It talks about the Lincoln Monument in transferring the responsibility for that over to the Historic Preservation Agency. It talks about the salaries of the Constitutional officers, which are set by statutes that are now set by the Compensation Review Board. It also talks about the Advisory Committee on certain needs that were done back in 1970. And lastly, it deals with the Bureau of Agricultural Development, which is being duplicated in the Department of Agriculture and there is no funding to it. Mr. Speaker, I would answer any questions."

Speaker Churchill: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Lang."

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

Speaker Churchill: "He indicates that he will."

Lang: "How do you know? You didn't ask him? I assume that you are right."

Speaker Churchill: "Mr. Sponsor, will you yield to some questions from Representative Lang?"

Rutherford: "Mr. Speaker, I would be delighted in this realization that Representative Lang will help bring forward the effort of common sense in representing that initiative on his side of the aisle."

Speaker Churchill: "You had to ask, didn't you?"

Lang: "Yes, I'm sorry. We are all for common sense here, but I want to make that when we pass this Bill regarding common sense that we are doing what we want to do. So, you want to repeal the Savings and Loan as Agent for Treasury Act, which was a 1941 law authorizing Savings and Loans to sell World War II war bonds and war stamps. The question I have is if we do this, if anyone is still holding any of these bonds or stamps, do they become obsolete or can they still

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

108th Legislative Day

March 26, 1996

cash them in?"

Speaker Churchill: "Representative Rutherford."

Rutherford: "Representative, this legislation is relevant to the Act of selling, it is not in regards to the Act of redemption."

Speaker Churchill: "Representative Lang."

Lang: "Well, is there still a statute in place that would allow someone to cash in one of these bonds or stamps if they were still lucky enough to have them?"

Speaker Churchill: "Representative Rutherford."

Rutherford: "Representative Lang, that is done under Federal Law. That does not require State Statute."

Speaker Churchill: "Representative Lang."

Lang: "Thank you and as a new Member of the Agriculture Committee, I'm very concerned about the 'EGG' Market Development Act. Did we stop being concerned about the marketing of eggs in the State of Illinois?"

Speaker Churchill: "Representative Rutherford."

Rutherford: "Representative, with a statement like that, it is very obvious you are a new Member of the Agriculture Committee, because no Sir, we are extremely active, vocal, participatory in the marketing. This, the bureau of AG Development in my opening remarks, as I told you, we had not funded that and the opportunity for the Illinois Department of Agriculture to do this, already exists within the present powers and they are doing that. What this does is eliminates a paperwork piece of bureaucracy called a bureau. And I'm confident as you continue to serve in the Ag Committee and you are invited to Livingston County to come down and see how we come down and see how market our Agriculture products, you will see that this is absolutely common sense."

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

108th Legislative Day

March 26, 1996

Speaker Churchill: "Representative Lang."

Lang: "Well, I would be happy to come to Livingston County and visit with you any time, Representative. You want to repeal the Medical Cost Advisory Committee Act. This is an Act that created an Advisory Committee consisting of the Director of the Bureau of the Budget, the Directors of the Departments of Public Health, Mental Health, Insurance, and Public Aid. The Act required the Committee to submit its findings and recommendations to the Governor no later than January 1st, 1970. My question is, did they do that?"

Speaker Churchill: "Representative Rutherford."

Rutherford: "Yes."

Speaker Churchill: "Representative Lang."

Lang: "Was that distributed to the Members of this Body at the time?"

Speaker Churchill: "Representative Rutherford."

Rutherford: "Representative, I was in grade school at that time and it is my understanding from those saged ones who have been around here for quite a bit of time that has been distributed. I am confident that if we wanted to go to the proper means through the Legislative Research Unit, that we could get you a copy of that, if that is the intent of your question. But, see what this is, Representative, this is absolutely a point in regards to common sense. We have on our books a piece of statute that says that 'You have to file a report under a certain period of time.' It is required to be done for the Governor. It is required to go to the Illinois General Assembly. There is a date certain in the Statutes, January 1 of 1970 and today we are in 1996 and we have gone on ahead and we have now removed this from the books. Yes, Representative, that has been submitted to the Governor, that has been submitted to the General

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

108th Legislative Day

March 26, 1996

Assembly and it is available if you would like to have it retrieved."

Speaker Churchill: "Representative Lang."

Lang: "Well, as part of this common sense day, would you consider an Amendment to your Bill that said; that when we have one of these Boards in Commission that is supposed to report by a given date, that once their report is issued that the law automatically becomes repealed, that there is sunset, so we don't later have to have another common sense day repealing that law. Why don't we put a sunset into these, so we don't have to continue to do this?"

Speaker Churchill: "Representative Rutherford."

Rutherford: "Representative, that is an excellent idea. Having never been a Sponsor of a piece of legislation that required a report on a date certain, I would be very pleased to entertain such dialog with you. I would also let you know that today in this Body, I have a Shell Bill available for our common sense initiative that we can add on a bit later on. If you would like, meet with me to come up with an agreeable, acceptable language in regards to the whole opportunity of sunset, participate in the common sense effort, I would be more than delighted to do that. But until that time comes, we have to go through piece by piece, try to clean this thing up. Go through and find those reports that were to date certain, go through and identify those line item by line item, statute by statute pulling them out, get it done, so that we can have ourselves a bit of common sense."

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

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

Speaker Churchill: "He indicates that he will. Please, proceed."

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

108th Legislative Day

March 26, 1996

Dart: "Thank you. Representative, I find it interesting that we are talking about common sense today, because apparently what you were involved yesterday was nonsense. We went on...you and I went back and forth a great deal on the concept that you were talking about, about how we were going to deal with license plates in this State from now on. So, that we were not going to have group after group coming in front of our Body, who you said was not the Body to be discussing in these matters, asking for a special license plate. And lo and behold less than 24 hours later, we have one of your Members coming forth with a guess what? A new license plate Bill. A new one that we weren't suppose...of yesterday we weren't suppose to be doing that. Well, what I'm trying to figure out here, is that going to be subject of one of your common sense days? Is it going to be repealing that one, so they can be done by your group that you have set up, not the Secretary of State or is this going to be something that we're going to have to just keep for those designated nonsense days, which seem to be about every other day around this place?"

Speaker Churchill: "Representative Rutherford."

Rutherford: "Would you repeat the question?"

Speaker Churchill: "Representative Dart, for some common sense repeating."

Dart: "Thank you. My question is, is your common sense days, which seem to be a day that will elude this place rather frequently as of the last year or so. Are we going to need your common sense day to straighten out the license plate confusion that has started as of, I guess today, because as of yesterday we set policy saying that we weren't going to let special interest groups come in front of us and now today we are saying the opposite? So, we are sending out

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

108th Legislative Day

March 26, 1996

completely diametrically opposed messages in the span of less than 24 hours. Are they going to be subjects of a common sense day Bill? And if so, are we going to do that soon?"

Speaker Churchill: "Representative Rutherford."

Rutherford: "Well, I'm going to try to answer your question, not sure what the specifics of it were, but in regards to the idea of Members having legislation introduced is no different than any other Members on the Democratic side of the aisle having interest in whether it be special plates or whatever. So, by no means is there any attempt to try to impinge upon an individual's ability to introduce legislation and bring it forward. But in regards to this specific legislation, there is nothing in it regarding license plates at all."

Speaker Churchill: "Representative Dart."

Dart: "Thank you, for the clarification."

Speaker Churchill: "There being no further discussion, Representative Rutherford to close."

Rutherford: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. we have nine volumes of books today in the Illinois Statutes. Those big red books that stand one foot, six and three quarters inches. we have over 13,000 pages of laws. What we are looking to do here is bring a bit of common sense to the process. We are looking to get rid of those that are being duplicated. We are looking to get rid of those that are antiquated. We are looking to try to bring a little streamlining to the government here in the State of Illinois. House Bill 3157 is a good start towards that end and I would ask for a favorable Roll Call."

Speaker Churchill: "The question is, 'Shall House Bill 3157

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

108th Legislative Day

March 26, 1996

pass?' All those in favor vote 'aye'; all those 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? Mr. Clerk, take the record. On this question there are 112 voting 'aye'; 0 voting 'no' and 0 voting 'present' and House Bill 3157 having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, announcements."

Clerk McLennand: "Corrected notice, Rules Committee will meet at noon in the Majority Leader's office, Rules Committee in the Majority Leader's Office."

Speaker Churchill: "Mr. Clerk, please read House Bill 3133."

Clerk McLennand: "House Bill 3133. A Bill for an Act that amends the Property Tax Code. Third Reading of this House Bill."

Speaker Churchill: "The Chair recognizes the Lady from Will, Representative Ciarlo."

Ciarlo: "Thank you, Mr. Speaker. House Bill 3133, amends the Property Tax Code. It removes the tax abatement of \$3 million dollars and the time frame of 10 years limitations for a development of at least 500 acres to a period not to exceed 20 years and an aggregate amount of abated taxes for all taxing districts combined, not to exceed \$12 million dollars. I bring this before the Legislature as a proponent of my Crete-Monee School District, who is the chief proponent of this Bill. Crete-Monee is searching for an expansion of the value of its tax base, in an effort to generate additional tax dollars for the school district."

Speaker Wennlund: "Representative Wennlund in the Chair. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Dart."

Dart: "Thank you, Representative. This tax abatement is going to be for how many years?"

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

108th Legislative Day

March 26, 1996

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "Twenty years."

Speaker Wennlund: "Representative Dart."

Dart: "During the course of the 20 years, what is the estimated revenue that is going to be abated?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "Not to exceed \$12 million."

Speaker Wennlund: "Representative Dart."

Dart: "And where would that \$12 million dollars go?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "Representative, it is just being abated by the various taxing districts."

Speaker Churchill: "Representative Dart."

Dart: "Well, I guess my question is, who is not going to be getting taxed for the 20 years? Who is getting the tax break?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "The developer."

Speaker Wennlund: "Representative Dart."

Dart: "So, just to make this clear for the Body. What we have here is a situation where you have a developer, who wants to put a development in your district and he has basically said that they won't put the development in your district unless we give them a tax abatement. Is that correct?"

Speaker wennlund: "Representative Ciarlo."

Ciarlo: "Yes, Representative. That is pretty much true."

Speaker Wennlund: "Representative Dart."

Dart: "So, is this...this is a \$12 million dollar tax break for this developer. Where is this developer threatening to take this development to if we don't give them the abatement?"

Speaker Wennlund: "Representative Ciarlo."

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

108th Legislative Day

March 26, 1996

Ciarlo: "She is also looking at possibly Indiana."

Speaker Wennlund: "Representative Dart."

Dart: "Now, if I recall correctly from Committee, what this is, is a development for a outlet mall that would go into your district and it can only be secured if we give them the \$12 million dollars abatement. They are threatening to go to Indiana if we don't do that. The concern that I have amongst many is the local establishments, the local malls in the area, the local retailers. Are they not going to be driven out of business by having an outlet mall opened up right next to them? Especially an outlet mall that is getting a \$12 million dollar tax abatement?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "This is an outlet mall and I would say that this is more in line with people that do 'power shopping,' where they travel and spend the day shopping as compared to the local mall, where you might run out to just purchase something individually."

Speaker Wennlund: "Representative Dart."

Dart: "Thank you. To the Bill. I understand what the Sponsor is doing. She is trying to do something for her district, but the reality of it is, that we are giving a \$12 million dollar tax break to a developer to come and put a development into her area. The developer is basically doing what quite a few other ones have done. Sticking us up and saying that if you don't give me the abatement, I'm going to leave and go elsewhere and the problem with that is numerous. One of the other ones as well, is that although this is an outlet store that they are talking about putting there, this will have an adverse impact on the rest of the industry in the area, because of the fact that they are going to be taking customers who would be

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

108th Legislative Day

March 26, 1996

going to other stores. The developer, the individual, who came in front of our committee was less than convincing to put it lightly. When he was asked whether or not this would, in fact steal business from other stores in the area, even he admitted that that was not the case. He tried to make some distinction that outlet malls will cater and target a different group than would go to retail stores. I know from just personal experience that is just not true. People, who go to an outlet mall, are people, who are looking for a bargain, so they would avoid going to a normal store in the area that charges regular prices. So it can't help but really hurt local businesses in the community. So, I had grave concerns on numerous levels: One, is how it is going to impact the local businesses. Secondly, the fact that we are giving them a \$12 million dollar abatement and finally, just the fact that it is the highway robbery principle again, that if you don't give us the tax break, we are off to another city, another state potential, which I think is a bad precedent. As I said before, I understand the Sponsor's intentions here and understand what she is trying to do, but I have some concerns with this."

Speaker Wennlund: "Further discussion? The Chair recognizes, the Gentleman from Kankakee, Representative Novak."

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

Speaker Wennlund: "She indicates that she will."

Novak: "Yeah, Representative I think that you came to me about a week ago and asked me to Cosponsor this Bill with you. Is this the Bill that we are talking about? Is the Bill for the Monee Mega Mall in Southeastern Will County?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "Yes, Sir."

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

108th Legislative Day

March 26, 1996

Speaker Wennlund: "Representative Novak."

Novak: "Well, I'm just curious why my name isn't up there with you, Flo? I would love to have my name next to yours for a big retail business that is in my district."

Speaker Wennlund: "Representative Ciarlo. I'm sure she'll accommodate."

Ciarlo: "Representative, I did turn in the slip with both your name and Representative McGuire's name on it. I'm sorry that it didn't get up there, but I did turn it in."

Speaker Wennlund: "Representative Novak."

Novak: "That is okay. I'm sure that the Speaker will agree with me, we all have a great interest in that huge mega mall proposal up in Southeastern Will County. Can I ask you, who approached you about this Bill? Anybody from Monee approach you about this Bill or some of the developers? May I ask that?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "No, it was basically the School Alliance and Crete-Monee, District 201 U."

Speaker Wennlund: "Representative Novak."

Novak: "Okay, so, Mr. Humphreys, Mr. Superintendent of the Schools, Steve Humphreys, Crete Monee. So, they were concerned about some, what...some loss of revenue prior to the passage of this Bill? Is that correct, Flo?"

Speaker wennlund: "Representative Ciarlo."

Ciarlo: "It wasn't loss of revenue. It is just that they are looking to broaden their base...you know 80% of the school district is farmland and this will give them a better base from which to draw and from this initiative they should receive almost 1.5 million dollars in revenue."

Speaker Wennlund: "Representative Novak."

Novak: "Representative, will they be abating taxes? Will they be

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

108th Legislative Day

March 26, 1996

abating their share of taxes for a certain number...for a certain time period?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "They will be abating 25%."

Speaker Wennlund: "Representative Novak."

Novak: "How long will the abatement last?"

Speaker Wennlund: "Representative."

Novak: "How many years will that abatement last?"

Ciarlo: "Not to exceed the 20 year time frame."

Speaker Wennlund: "Representative Novak."

Novak: "And, so pardon me for my ignorance here. What does this Bill do then as far as that abatement is concerned? Does it protect them...what are we doing?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "Expands limitations for the development. In other words the developer wants the mall, she is looking at long-term leasing and in order to provide that she needed that cap of the 10 years lifted and also the \$3 million in order to keep the mall viable, so it just expands those limitations."

Speaker Wennlund: "Representative Novak."

Novak: "Okay, thank you very much. I would certainly urge my colleagues to support this measure. If you have ever been to the mall in Minnesota, I guess there is a mall up there that is so big, that it is beyond comprehension. This mall is not going to be that big, but to my understanding and reading the media accounts, it is going to be one of the tenth largest malls in the entire United States of America. I don't know how many million square feet and as much as the ancillary businesses that will be along the side, hotel development. This is the interchange of Illinois I-57 and the Monee-Manhattan Road that is in my district and goes

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

108th Legislative Day

March 26, 1996

further into Representative McGuire's district and it is just a little bit west of Representative Ciarlo's district. So, I ask for your support on this important Bill. It is a major, major retail endeavor, in Southeastern Will County. Thank you very much."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Winnebago, Representative Scott."

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

Speaker Wennlund: "She indicates that she will."

Scott: "Representative Novak just personally answered my question. What is on this land right now? What is on the land right now?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "There is nothing on the land right now."

Speaker Wennlund: "Representative Scott."

Scott: "Is it being farmed now or...?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "It is undeveloped land as to whether or not it is actually being farmed at this time, I don't know, Representative."

Speaker Wennlund: "Representative Scott."

Scott: "Did the developers share with you or with the committee a prospectus showing that the \$12 million that is going to be provided over the 20 year period, is actually necessary money or else that the mall itself can't come forward? What kind of figures did they give you?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "It...the figures that were given are necessary, because without the abatement it is a \$1.60 per square foot and they need to get it down to a \$1.25 and with this particular abatement for the 20 years and the \$12 million, it will achieve that goal."

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

108th Legislative Day

March 26, 1996

Speaker Wennlund: "Representative Scott."

Scott: "Are there any Tax Increment Financing areas or enterprise Zones that are near to this particular piece of property?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "I'm sorry, I did not hear the first part of your question."

Speaker Wennlund: "Representative Scott, could you repeat the question? Ladies and Gentleman if we could give some order, the Members in the chamber could actually hear what Representative Scott is asking. Please turn the noise down so that we can move on with this important piece of legislation. Thank you. Representative Scott, you may continue."

Scott: "Thank you, Mr. Speaker. Are there any Tax Increment Financing areas or Enterprise Zones that are near to this particular property?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "Not to my knowledge."

Speaker Wennlund: "Representative Scott."

Scott: "I guess that the concern that I have is that we have gone out of our way to say that in blighted areas and areas that are not going to be developed. We have provided some mechanisms for tax abatements although, none of them go nearly as far as what you are proposing in this particular piece of legislation. Are there other developments that you are aware of where they have used this exact same type of abatement before?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "I think this is just specific to this particular development, because it does deal with the 500 acres. So, it is really very specific to this particular development."

Speaker Wennlund: "Representative Scott."

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

108th Legislative Day

March 26, 1996

Scott: "Thank you, Representative. To the Bill, Mr. Speaker. I have some real concern along the lines that Representative Dart expressed that we are now creating a new form of tax abatement for one particular business. And I guess that if we have gone out of our way to create tax incentives for businesses, who move into areas that are blighted or otherwise undevelopable; I understand that. I guess that I don't understand it as much here. It seems to me that any company could come to you and say that for our business purpose to be able to get our cost down to the point of where we need to be competitive, they can make same the argument to us and they can do it in virtually any piece of farmland in Illinois and say that to make this business viable, we need to get our cost down. That is necessary for every business, to try to get your cost down to be competitive. I don't understand what the compelling interest is here and to say that the school district doesn't mind, well of course they don't, because they levy the same amount and they are going to get the same amount of tax money regardless if this mall pays it or the people who are now owning the land actually pay it. All it means is that the other taxpayers, who are there for 20 years end up getting stuck with this portion of the Bill that would be paid otherwise by the mall. They're just aren't going to be paying their share. It is not like the school district gets less money. All it means is that those people, who are left holding the bag, are going to have to pay that portion of the mall. So, of course the school district doesn't mind holding this out in this particular case. I guess that, I guess that I'm very concerned that individual developers are going to be coming here and making this same argument for development. We are going to

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

108th Legislative Day

March 26, 1996

see it all over the place and what is to stop us from saying if it's not Indiana, why not put this mall here instead of in Rockford or why not put this mall here instead of in Bloomington-Normal. There isn't any real need that I have been seeing or been shown that has been expressed here right now that would say why this is particularly necessary here. Of course, any area is going to love to have this particular facility in their area. It brings more dollars, it brings more jobs. I understand all that. I guess what I don't understand is the need to abate taxes for 20 years and leave everybody else holding the bag in the interim."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I move the Previous Question."

Speaker Wennlund: "Representative Black has Moved the previous question be put. The question is 'Shall the main question be put?' All in favor signify by saying 'aye'; opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the previous question is put. Representative Ciarlo to close."

Ciarlo: "This is a good project for our district. It creates 3,200 permanent jobs...960 construction jobs and it will produce \$36 million dollars in sales tax for the state government each year. I think that it deserves our consideration and I certainly would ask for your 'yes' vote. Thank you."

Speaker Wennlund: "The question is 'Shall House Bill #3133 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all

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

108th Legislative Day

March 26, 1996

voted who wish? Mr. Clerk, take the record. On this question there are 76 'ayes'; 32 'nays' and 3 voting 'present' and this Bill having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3546."

Clerk McLennand: "House Bill #3546. A Bill for an Act that amends the Illinois Income Tax Act. Third Reading of this House Bill."

Speaker Wennlund: "The Chair recognizes Representative Ciarlo."

Ciarlo: "Thank you, Mr. Speaker. House Bill #3546 allows senior citizens age 65 and older to deduct from Illinois State Income Tax amounts paid for home health services that are in excess of any reimbursement received for those services. Home health services would include unreimbursed services provided by either an organization...an organized licensed under the Home Health Agency Licensing Act or a treatment prescribed by a physician or a surgeon for a illness or infirmity and provided by a licensed practical nurse or registered nurse. This legislation would enable some persons affordable home health care and therefore remain in their own homes eliminating or postponing the need for institutional care."

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

Granberg: "Thank you, Mr. Speaker. I rise on a Point of Personal Privilege, Sir. I had my light on the previous Bill that was Sponsored by Representative Ciarlo, on the \$12 million dollar tax abatement and I had some important questions to address the Sponsor will due respect. I was ignored by the Chair, because we were giving property tax abatement to properties only four miles from a proposed third airport. I had those questions that were very relevant to the

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

108th Legislative Day

March 26, 1996

Members of this Body and I object to the way that I was not allowed to answer...ask those questions of the Sponsor."

Speaker Wennlund: "Representative Granberg, I suggest that you talk to Representative Black, who had his light on for a long time and, in fact, I've called on Representative Scott, Representative Novak and Representative Dart from your side of the aisle, before I called on any Republicans and Representative Black was about to throw another gasket, so I decided I better call on him and he had moved the previous question. Discussion on this Bill? The Gentleman from Cook, the Chair recognizes Representative Dart."

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

Speaker Wennlund: "He indicates that he will."

Dart: "Representative, this is going to be an income tax exemption, that allows for a deduction for home health care services? Can you delineate what services you have in mind here?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "Yes, Representative, there is times when things are prescribed, either medication or possibly pieces of equipment that would allow a senior to function in their home setting that is not covered either by Medicare or a private insurance. And this, if when they purchase this, then they could deduct this amount from their income tax."

Speaker Wennlund: "Representative Dart."

Dart: "Do we have an estimate on how much this is going to cost? How much of a deduction this is going to end up being on an annual basis?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "No, Sir, and I don't believe the Department of Revenue would keep any of those kinds of statistics so I have no

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

108th Legislative Day

March 26, 1996

idea."

Speaker Wennlund: "Representative Dart."

Dart: "My concern is, I agree with what you're doing here, but I was thinking that as a Body we ought to have an idea of how much money this is going to take out of our coffers on an annual basis, because it could be quite substantial. Do we have any idea how many seniors are potential as far as ones who might be able to take advantage of this?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "Representative, no one keeps those statistics. But I think that the reason I care about this legislation is because I think when you talk about seniors, seniors want to stay in their homes as long as they possibly can. And I think as I look at this, I think about my mother and she was not eligible for the community care service programs and so, consequently, it meant that there were costs that she had to pay for and it became very expensive. But being able to stay in your home and do those kinds of things is really the drive behind this piece of legislation."

Speaker Wennlund: "Representative Dart."

Dart: "Representative, I couldn't agree with you more and I dare say virtually everybody, if not everybody, on this Floor would agree with you as well and for that reason I would imagine this Bill is going to get unanimous support or near unanimous support. However, as we all know around here as the Governor has the tendency to remind us that money does not fall from the skies. If we're allowing a deduction that we don't presently allow, that means there is going to be less money somewhere else. Do we know how much money for starters or, much more importantly as far as I'm concerned, is there going to be a tax to pay for this, or if not, where are we going to have the cuts come from?"

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

108th Legislative Day

March 26, 1996

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "I don't know how much it's going to cost but no there will be no tax to pay for this."

Speaker Wennlund: "Representative Dart."

Dart: "Well, then if there is not going to be a tax to pay for it, there is only one other way this money is going come about and that is through cuts somewhere else, less money somewhere else, whether it's education, prisons, or whatever. Do we know...have an idea where that's coming from?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "At this point, I don't know."

Speaker Wennlund: "Representative Dart."

Dart: "Representative, as I told you before, I can't think of a more worthy thing to do than what we're doing here right now. It is just in an effort to be fiscally responsible, do you have any...for purposes of legislative intent, do you have a suggestion of the two areas where we could cut money that would be used to appropriate this?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "We will probably have to determine what we are going to do as we see how much it costs. I know that doesn't sound like a very effective type of way of going about this, but because we don't have any figures and because those numbers haven't been kept, this is at least a beginning. And I'm hoping that we can go back and revisit that and perhaps address it at that time."

Speaker Wennlund: "Representative Dart."

Dart: "Did the Department of Revenue, I believe is neutral or are they opposed to this? They're opposed to this. Is there no group at all that came up with any estimate, whatsoever, on the population we're talking about or on the costs to

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

108th Legislative Day

March 26, 1996

the state or how we're going...no one has any idea on any of these numbers?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "No, Representative, they have no idea. No one keeps those kinds of records and from the fact sheet from the Department of Revenue they have no idea."

Speaker Wennlund: "Representative Dart."

Dart: "Just to the Bill, as I mentioned I think it's a very worthy thing we're doing here for the senior population. I just find it troubling and distressing that the Sponsor has no idea of how much of this is going to cost, where the money is going to come from, or even a ballpark figure of the population we're going to serve here. I think that as responsible Legislators with a very limited budget here, we should have a handle on that stuff because this money is not going to be falling from the trees."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Effingham, Representative Hartke."

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

Speaker Wennlund: "She indicates she will."

Hartke: "Representative Ciarlo, in reading my analysis, it says that this will be a limited deduction. What is meant by limited?"

Speaker Wennlund: "Representative Ciarlo."

Ciarlo: "A thousand dollars."

Speaker Wennlund: "Representative Hartke."

Hartke: "A thousand dollars. I would think that the Department of Revenue should be able to come up with some close estimate on what's going on because it's limited to those agencies are licensed with the State of Illinois and we should know how many clients that they do have and so we ought to get some estimate. I'm concerned too. I think

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

108th Legislative Day

March 26, 1996

it's a good piece of legislation and I intend to vote for it but I think that we ought to have some kind of handle on exactly how many dollars this is going to cost. Let's hope that by the time the Senate has actioned on this piece of legislation, maybe we could get an answer on that. And if you would, let us know, please. Thank you."

Speaker Wennlund: "There being no one seeking further recognition, the Chair recognizes Representative Ciarlo to close."

Ciarlo: "Thank you. I think this is a very good piece of legislation. I think it helps the seniors which is what we're trying to do for a lot of people down here. I urge an 'aye' vote."

Speaker Wennlund: "The question is, 'Shall House Bill 3546 pass?' All those in favor vote 'aye', all those 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? Mr. Clerk, take the record. On this question, there are 111 voting 'aye', 0 voting 'nay', 0 voting 'present'. And this Bill having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3601."

Clerk Rossi: "House Bill 3601, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Wennlund: "The Chair recognizes the Lady from Cook, Representative Jones."

Jones L.: "Thank you, Mr. Speaker, Members of the House. House Bill 3601 is a Bill for immediate eviction if a tenant does not make their apartment available for inspection. The reason for this Bill is, if you can remember, there was a fire a couple months ago in my district, at 35th and

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

108th Legislative Day

March 26, 1996

Cottage Grove, where four people lost their lives and about 16 people were hospitalized. As a result of that, the person who was in that apartment refused the city, HUD, and also management to inspect the apartment. In that apartment where the fire started, there was a lot of debris and stuff in that apartment that they seem to think that with the fire it wouldn't have been the toll that it was, taken the toll, that it was had the apartment been inspected. What this Bill actually says, if the management has tried two successful times to gain entrance to your apartment with your help successfully and they cannot gain entrance to the apartment for inspection, then you have 30 days to make your apartment available for inspection or immediate eviction. And I'll take any questions."

Speaker Wennlund: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, I simply rise to support the Lady's Bill. It's a good Bill. It's well thought out. It's well-drafted. We should pass it."

Speaker Wennlund: "There being no further...no one seeking recognition. The Chair recognizes Representative Jones to close."

Jones L.: "Thank you, Mr. Speaker, and I ask for a favorable vote."

Speaker Wennlund: "You've heard the motion. The question is, 'Shall House Bill 3601 pass?' All those in favor vote 'aye', all those 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? Mr. Clerk, take the record. On this question, there are 111 voting 'aye', 0 voting 'nay', 0 voting 'present'. And this Bill having received the Constitutional Majority, is hereby declared

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

108th Legislative Day

March 26, 1996

passed. Representative Jones, for what purpose do you seek recognition?"

Jones L.: "Thank you, Mr. Speaker. I inadvertently did not vote my switch. Would you vote me 'aye' on that Bill, please?"

Speaker Wennlund: "On your own Bill? The record will so reflect. Mr. Clerk, read House Bill 3670."

Clerk Rossi: "House Bill 3670, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Wennlund: "The Chair recognizes the Gentleman from Cook, Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3670 amends the Code of Civil Procedure. It changes the period of time from two years to 10 years that must elapse after completion of sentence before felons and certain misdemeanor sex offenders may file petitions to change their names. Police agencies track convicted felons by name and date of birth. If a convicted felon changes his or her name, police agencies would not be able to determine his or her criminal record. The Child Sex Offender Law requires sex offenders to register with local police agencies. If a defendant legally changes his or her name, the defendant could live in the area and no one would know of their criminal background. And I would urge an 'aye' vote."

Speaker Wennlund: "Is there any discussion? The Chair recognizes the Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Wennlund: "He indicates he will."

Hoffman: "Yes, Representative, what's the genesis of this Bill?"

Speaker Wennlund: "Representative Pedersen."

Pedersen: "It is just something that I thought was a good idea."

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

108th Legislative Day

March 26, 1996

Speaker Wennlund: "Representative Hoffman."

Hoffman: "Because I had a Bill that was very similar to this and I think that...but mine had my name on it, right, not your name on it. But, and I think it's part of a Committee Bill. The concern, obviously is, it's my understanding that the Sex Offender Registration Act, which we passed through this chamber after a little bit of debate, certain people had some suggestions for change. I think I was in favor of that. A lot of people in this chamber were in favor of it. But what we found out is that...I'm just trying to tell you why you have this Bill, Representative. What we found out is that you have to register under Sex Offender Registration Act for 10 years, however you could change your name in two, thereby circumventing the intention of the Sex Offender Registration Act. However, I think that maybe a loophole still exists in your Bill that maybe you can, you can address. It is my understanding that this applies to the sex offenses and all felonies. Is that correct?"

Speaker Wennlund: "Representative Pedersen."

Pedersen: "Yes."

Speaker Wennlund: "Representative Hoffman."

Hoffman: "So now people cannot change their name in order to circumvent Acts such as the Sex Offender Registration Act. Is that right?"

Speaker Wennlund: "Representative Pedersen."

Pedersen: "Yes."

Speaker Wennlund: "Representative Hoffman."

Hoffman: "Now it's my understanding, however, that if a person...that the two year limit would still apply where a person has been charged with an offense, like a sex offense as defined by the Sex Offender Registration Act and he is

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

108th Legislative Day

March 26, 1996

found guilty by reason of insanity of such offense or an attempt to commit such an offense, so the concern being is if they commit it, they get out of jail, they could still potentially change their name because they were found guilty by reason of insanity, not guilty of the offense. Do you understand what I'm saying?"

Speaker Wennlund: "Representative Pedersen."

Pedersen: "But they would still be required to register."

Speaker Wennlund: "Representative Hoffman."

Hoffman: "But, yeah that's the point, they would be required to register but they could change their name after two years thereby circumventing the registration. If they were found not guilty by reason of insanity, of committing a sex offense that they must register under Gwen Klingler's fine Bill, they could change their name after two years and thereby circumvent the intent of the Bill and of her Bill. So I would just...I'd like to be named as Cosponsor because I had a Bill that addressed that. I just think some changes need to be made to ensure that instance is taken care of."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Cook, Representative Lang."

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

Speaker Wennlund: "He indicates he will."

Lang: "Representative, I just want to clear up two quick points with you because I haven't had a chance to read the whole Bill. Is there anything in here about a Zamboni?"

Speaker Wennlund: "Representative Pedersen."

Pedersen: "You know I was over at the United Center the other day and I was talking to him about that, you know the drivers, and he wondered if maybe you weren't confusing Zamboni with Spumoni?"

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

108th Legislative Day

March 26, 1996

Speaker Wennlund: "Representative Lang."

Lang: "Well, you were no funnier than I was, Representative. Let me ask you this. When this Bill goes over to the Senate and comes back, can you assure us that if the Senate puts the Governor's Amendment, the tax increase Amendment for education on there, that you won't call it when it comes back here?"

Speaker Wennlund: "Representative Pedersen."

Pedersen: "You're probably correct in making that assumption."

Speaker Wennlund: "Representative Lang."

Lang: "Well, that's good because I want to support this Bill but I know that you and I agree that there's certainly some problems with that tax increase proposal. Thank you."

Speaker Wennlund: "There being no one further seeking recognition, the Chair recognizes Representative Pedersen to close."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have covered the specifics on this legislation. It's a good Bill and I recommend an 'aye' vote."

Speaker Wennlund: "The question is, 'Shall House Bill 3670 pass?' All those in favor vote 'aye', all those 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? Mr. Clerk, take the record. On this question, there are 112 voting 'aye', 0 voting 'nay', 0 voting 'present'. And this Bill having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read House Bill 2695."

Clerk Rossi: "House Bill 2695, a Bill for an Act to create the Bond Ordinance Hearing Act. Third Reading of this House Bill."

Speaker Wennlund: "Representative Lang, for what purpose do you

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

108th Legislative Day

March 26, 1996

seek recognition?"

Lang: "Just a point of inquiry, Mr. Speaker. May I state my point?"

Speaker Wennlund: "Please do."

Lang: "Thank you. I note that generally you've been pretty good the last couple of days about going straight through the Calendar, but I notice now we're going backwards. Could you give the Body some information as to how we're going to proceed for the rest of the day? We were at House Bill 3670. That only left seven or eight Bills on Third Reading and I see now we're going backwards. Is there any explanation for this, Sir?"

Speaker Wennlund: "Mr. Lang, generally we try to follow the Calendar in order and often times...on both sides of the aisle...a Member may not be on the Floor at the time and we may have to skip over some Bills and we try to accommodate all Members in that regard and that's what has happened in this instance and we intend to proceed. The Chair recognizes Representative Hughes on House Bill 2695. Representative Hughes."

Hughes: "Thank you, Mr. Speaker. House Bill 2695 creates the Bond Ordinance Hearing Act. Specifically what it does is provide for the...for a notice and a public hearing prior to issuance of nonreferendum or back door referendum bonds by local taxing districts. This Bill does not have a Home Rule preemption provision in it but it applies to all local taxing districts across the state. That is a summary of what the Bill does. I would be happy to answer questions."

Speaker Wennlund: "Is there any discussion? The Chair recognizes the Gentleman from Washington, Representative Deering."

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

Speaker Wennlund: "She indicates she will."

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

108th Legislative Day

March 26, 1996

Deering: "Representative, I noticed in this...in our analysis that before any bonds are issued there has to be public hearing, is that correct?"

Speaker Wennlund: "Representative Hughes."

Hughes: "This Bill applies to nonreferendum or back door referendum bonds that would affect property taxes. And yes, there would be a hearing required. That hearing specifically stated in the Bill, can be a regularly scheduled meeting of the board in question."

Speaker Wennlund: "Representative Deering."

Deering: "So, if there was going to be a back door tax increase, there would have to be a hearing. From that hearing, would there then have to be a referendum proposal or can the board go ahead and issue the bonds and do the back door tax increase after they had the hearing? Would they then be okay to do that?"

Speaker Wennlund: "Representative Hughes."

Hughes: "The Bill does not expand or limit the ability of local taxing districts to issue nonreferendum or back door referendum bonds. It merely provides for a notice and a hearing. It requires that the action on those bonds cannot take place sooner than seven days after the hearing but it would not in and of itself change any requirements for referenda in any way."

Speaker Wennlund: "Representative Deering."

Deering: "So then before a public building commission can issue bonds to build a project, they would then have to coincide with the requirements set forth in this language, is that not correct?"

Speaker Wennlund: "Representative Hughes."

Hughes: "Yes, they would be subject to the provisions of notice and hearing."

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

108th Legislative Day

March 26, 1996

Speaker Wennlund: "Representative Deering."

Deering: "And is Home Rule preempt on this Bill?"

Speaker Wennlund: "Representative Hughes."

Hughes: "Home Rule is not preempted on the Bill."

Speaker Wennlund: "Representative Deering."

Deering: "Is this for a 102 counties in the state or is one county exempted?"

Speaker Wennlund: "Representative Hughes."

Hughes: "It applies to all counties in the state with the exception of Home Rule entities."

Speaker Wennlund: "Representative Deering."

Deering: "Thank you, Madam Speaker...Mr. Speaker. Thank you, Representative."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Cook, Representative Dart."

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

Speaker Wennlund: "She indicates she will."

Dart: "Representative, in the case of districts that have already hearings set up, would this require a second hearing as well?"

Speaker Wennlund: "Representative Hughes."

Hughes: "No, we have tried to work closely with bond councils and other interested parties to assure that there is no duplication here. That what we're doing is in those instances where currently there is no notice or hearing provision, that there would be. It is not the intent to duplicate what is already provided in the statutes for notice or hearing."

Speaker Wennlund: "Representative Dart."

Dart: "Thank you, because there were quite a few concerns raised and some of them was raised on the original Bill and some of this has been changed. But just for clarification then

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

108th Legislative Day

March 26, 1996

because a lot of their concern was based on the fact that they were saying this is unnecessary, there already are hearings for most of these and that this was just going to create another layer of bureaucracy. And your saying that both the language and your intent are clear in that it is not duplitive (sic-duplicative)?"

Speaker Wennlund: "Representative Hughes."

Hughes: "To the best of my knowledge and to our ability, there is, there are no duplicative provisions in here. The intent is to assure that all bonds which do not require a referendum or are subject to a back door referendum, would have notice provisions. The intent is not to duplicate any current provisions that are out there for notice or hearing."

Speaker Wennlund: "Representative Dart."

Dart: "Thank you, my final question is, that you mentioned that Home Rule units were taken out of the Bill now. Did that remove the opposition in the City of Chicago when that was done?"

Speaker Wennlund: "Representative Hughes."

Hughes: "The City of Chicago is still registered as an opponent. The reason that was explained to me for that was, they felt that their bond council would advise them to follow the provisions of this Bill whether or not they were exempt, as a matter of extra assurance. That was the explanation that was given to me."

Speaker Wennlund: "Representative Dart."

Dart: "So, is it fair to say that their concerns were not as great now that the Bill was amended? It was more for a precautionary reasons?"

Speaker Wennlund: "Representative Hughes."

Hughes: "I received a memo expressing the concerns of the City of

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

108th Legislative Day

March 26, 1996

Chicago. Many of the concerns that they were...raised were considered. Modifications were made to the Bill and I would believe it is fair to say that because it does not apply directly to them, that their concerns are much reduced from what they were before and are based on this technical concern that they might be advised to comply."

Speaker Wennlund: "Representative Dart."

Dart: "No further questions."

Speaker Wennlund: "Thank you, there being no one further seeking recognition, the Chair recognizes Representative Hughes to close."

Hughes: "Thank you, Mr. Speaker. The Bill before you is one whose sole intent is to assure that the public is aware and has an opportunity to participate in the consideration of issuance of bonds which will in the end affect their property tax bills. That is the sole intent and I believe this is a Bill that reflects good government for everyone. Thank you for your support."

Speaker Wennlund: "The question is, 'Shall House Bill 2695 pass? All those in favor vote 'aye', all those 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? Mr. Clerk, take the record. On this question, there are 104 voting 'yes', 1 voting 'no', 7 voting 'present' and this question having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3614."

Clerk Rossi: "House Bill #3614, a Bill for an Act that amends the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Wennlund: "The Chair recognizes the Gentleman from Champaign, Representative Winkel."

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

108th Legislative Day

March 26, 1996

Winkel: "Thank you, Mr. Speaker. House Bill 3614 amends the AFDC Article of the Public Aid Code. It requires that a JOBS Program participant earn a high school diploma or a high school equivalency certificate within two years. I'd be glad to answer any questions."

Speaker Wennlund: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Schakowsky."

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

Speaker Wennlund: "He indicates he will."

Schakowsky: "This makes a requirement of the JOBS Program that people get a GED or a high school diploma but I wanted to ask you, presumably, because this will help people advance. I'm wondering if you have any evidence at all that...or data that suggests that Aid recipients who receive a high school diploma or a GED have had a significantly better chance of achieving full employment with health benefits and other benefits?"

Speaker Wennlund: "Representative Winkel."

Winkel: "Yes, Representative, there was a 1992 National Adult Literacy Survey that was conducted by the educational testing service. That indicated that in the adult population as a whole, the likelihood of being on welfare goes up as literacy levels go down and that the two situations are inextricably intertwined."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "Thank you. Do you know how many JOBS participants are actually finding jobs in Illinois?"

Speaker Wennlund: "Representative Winkel."

Winkel: "Representative, I'm told that about 25% of those enrolled in the JOBS Program are finding employment."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "My understanding is that in 1993 only 2.3% of the

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

108th Legislative Day

March 26, 1996

JOBS participants actually found jobs."

Speaker Wennlund: "Representative Winkel."

Winkel: "I'm told that 25% of those in the JOBS Program are actually...who are on AFDC have found employment."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "Do you know what kind of employment? Do you have any data on what kind of jobs they are actually finding?"

Speaker Wennlund: "Representative Winkel."

Winkel: "No, I do not have specific breakdown of the types of employment."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "My understanding is that nearly half of the participants that found jobs were paid less than five dollars an hour and were not eligible for other benefits such as health care benefits or pension plans. In many ways the JOBS Program is not achieving its goal."

Speaker Wennlund: "Representative Winkel."

Winkel: "Representative, I think that it's very important to realize, I think, that with that sort of job situation sure, some of the people enrolled in this program can find a job without a high school diploma or a GED or some sort of equivalent. The problem is, is that when you look to the long term, their employability really is in jeopardy. They have no sort of mobility in the job market and if the job that they have that does not now require a high school diploma or equivalency, if that were to disappear, the likelihood of their being able to find reemployment is much less because they don't have the education. This simply is meant to increase their employability and looking to the long term and getting them off the Public Aid Roll."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "I'm certainly not against trying to encourage people

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

108th Legislative Day

March 26, 1996

to increase their education but we have a program called the JOBS Program that is intended to help people to achieve their goals, not simply to put demands on them. My concern is that this program has been a failure and that right now we're saying...and what you're Bill is saying is putting yet another demand on people to get their...while they're trying to find a job, to work, to raise a family and now you're putting another demand on a failed program, one that is not helping people."

Speaker Wennlund: "Further discussion, the Chair recognizes the Lady from St. Clair, Representative Younge."

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

Speaker Wennlund: "He indicates he will."

Younge: "What is the position of the Illinois Department of Public Aid on this Bill?"

Speaker Wennlund: "Representative Winkel."

Winkel: "The Illinois Department of Public Aid is opposed."

Speaker Wennlund: "Representative Younge."

Younge: "Why is it opposed to this Bill?"

Speaker Wennlund: "Representative Winkel."

Winkel: "The Department is concerned about the initial impact of the implementing this education component. They're concerned about the short term fiscal impact. Long term, however, this will help, I think, improve this program greatly. The previous questioner was pointing out that this program is not very successful. The reason why I'm interested in carrying this Bill, in large, part is because I think by adding this education component, I think it will make this program much more successful and help people move on from their dependence on this sort of JOBS Program."

Speaker Wennlund: "Representative Younge."

Younge: "Did the Department of Public Aid indicate that it does

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

108th Legislative Day

March 26, 1996

not have the capacity to train all the people that would be eligible for your Bill? Did it say that to you?"

Speaker Wennlund: "Representative Winkel."

Winkel: "Representative, under this Bill, House Bill 3614, there is no requirement that the Illinois Department of Public Aid actually do those things. The only requirement under this legislation, is that within the two year period that they obtain a high school diploma or its equivalency."

Speaker Wennlund: "Representative Younge."

Younge: "In other words, the recipient would be on their own to meet the requirements of your Bill with no help from the Department of Public Aid. Is that what you've said, Representative?"

Speaker Wennlund: "Representative Winkel."

Winkel: "The Illinois Department of Public Aid certainly could help to the extent that they could make referrals and help find placements but this would put a requirement, an educational component requirement, on the recipient. If that recipient is receiving Public Aid and is employable and is in the JOBS Program, then this is simply requiring that for two years, they also...they retool so they can become independently employable outside of the JOBS Program."

Speaker Wennlund: "Representative Younge."

Younge: "Are there any exceptions under your Bill? Are there any exceptions? Would everybody in Aid to Dependent Children programs have this requirement?"

Speaker Wennlund: "Representative Winkel."

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

Speaker Wennlund: "Ladies and Gentlemen, let's give the Members who wish to speak on this issue the courtesy of keeping the noise down and allowing them to speak. It was difficult

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

108th Legislative Day

March 26, 1996

for Representative Winkel to hear Representative Younger's question. Representative Younger, if you would repeat the question, and I would ask the Members to please hold the noise level down. Representative Younger, proceed."

Younger: "Yes, as I understand the Bill, the recipient would have two years in which to complete their GED. What about the person who is illiterate? I'm wondering, is there any exception to your Bill? Would an illiterate have to be...pass his GED in two years? How would he do that?"

Speaker Wennlund: "Representative Winkel."

Winkel: "Representative, the Bill in the last paragraph does provide that for good cause shown, if you cannot complete this program, this education component, then that can be waived or extended. That could be done by rules and regulations promulgated by the Illinois Department of Public Aid. Also, to be eligible for this, you have to be employable. That's also set forth in the rules and regulations that could be promulgated by the Illinois Department of Public Aid. So exceptions and waivers can be made through the rule making process by the department. Certainly, if you have somebody that has an elementary grade school level education, we can't expect them to complete a high school equivalency within two years and certainly it is my intent as a Sponsor of this Bill to consider that to be good cause which clearly could be shown to the department and an exception or waiver given in a specific case by case basis."

Speaker Wennlund: "Representative Younger."

Younger: "Specifically, is illiteracy a good cause exception to the rule in reference to acquiring the GED under your Bill?"

Speaker Wennlund: "Representative Winkel."

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

108th Legislative Day

March 26, 1996

Winkel: "Well, certainly we want each recipient to be working towards a high school equivalency. And if somebody is starting out at the illiteracy level as long as they're making progress toward literacy and eventually toward a high school equivalent in education and is satisfying his education component, sure it may take longer than two years."

Speaker Wennlund: "Representative Younge."

Younge: "So that is an exception to the two year requirement? Is that what you're saying, Representative?"

Speaker Wennlund: "Representative Winkel."

Winkel: "I'm saying that under those circumstances, that could well qualify under rules promulgated by the department to be good cause shown."

Speaker Wennlund: "Representative Younge."

Younge: "I don't think the Bill clearly draws out what your intention is. The Bill is written in such a way that it provides no exceptions and I want to know is the Bill in compliance with Federal Law? What is the Federal Law on this question and do you intend to apply for a federal waiver? What is the situation there?"

Speaker Wennlund: "Representative Winkel."

Winkel: "Representative, the possibilities for exceptions and showing good cause for failure to complete the education component are set forth in the last paragraph of House Bill 3614. You know as well as I that there is a rule making process that occurs after a Bill is passed and signed into law. And certainly you and every other Member of this General Assembly is free to contribute suggestions..."

Speaker Wennlund: "Representative Winkel."

Winkel: "Is free to contribute and make suggestions to the Illinois Department of Public Aid to make sure this is

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

108th Legislative Day

March 26, 1996

implemented in a fair and equitable manner and that is certainly the intent."

Speaker Wennlund: "Representative Younge, please bring your remarks to a close. I've given you an additional minute and that makes it seven unless there's somebody else who wishes to..."

Younge: "Thank you, Mr. Speaker. I appreciate your generosity but the point is the Bill is very vague as to what the Sponsor intends. It does not have any exceptions and there are situations in which, for example, people who can't read or write. Would we be subjecting them to a requirement that they get their GED in two years? Of course that is absolutely absurd. And there are persons with IQs that can't pass GED tests and I think that the Bill..."

Speaker Wennlund: "Representative Younge, Representative Granberg wishes to relinquish his five minutes and so you may proceed. Representative Younge."

Younge: "For those reasons I think that the Bill should not be passed. It is not fair and equitable and it is too vague and indefinite. The Sponsor never did say whether or not it is in compliance with Federal Law and whether or not he would be seeking a waiver. And I think that the vagueness for a good cause shown leaves too much ...it's too indefinite. The Department of Public Aid is against this Bill because it does not have the capacity to enroll the people or to train the people or to help the people. And so, for those reasons I think that we ought to oppose this Bill."

Speaker Wennlund: "Thank you, further discussion. The Chair recognizes the Lady from Cook, Representative Davis."

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

Speaker Wennlund: "He indicates he will."

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

108th Legislative Day

March 26, 1996

Davis M.: "Representative Winkel, my understanding is that this Bill says, 'Participants of the JOB Program of the Department of Public Aid have a maximum of two years in which to obtain a GED or a high school diploma or lose the benefits from the benefits of the Department of Public Aid.' Is that correct?"

Speaker Wennlund: "Representative Winkel."

Winkel: "The answer to that is 'yes,' unless they fall within the provision that allows for good cause to be shown as to why they cannot achieve that."

Speaker Wennlund: "Representative Davis."

Davis M.: "Representative, approximately how many participants do you think will be in need of the services of a GED class or a diploma program? How many participants are you expecting who should be eligible to apply to these programs?"

Speaker Wennlund: "Representative Winkel."

Winkel: "On average, Representative, it's my understanding from the numbers that I have that there are about 30 thousand individuals enrolled in the JOBS program monthly. About half of the people enrolled within the JOBS Program do not have a high school diploma."

Speaker Wennlund: "Representative Davis, can I interrupt one second for an announcement? I would encourage all of the Members to order as much food and beverages as possible from the Rathskeller today. We have three lovely young ladies, Abigail, Julie, and Christine, daughters of the Majority Leader, Bob Churchill. So be generous with your tips and be sure to place plenty of orders. Representative Davis, you may proceed."

Davis M.: "Thank you, Mr. Speaker. I hope you'll give me another minute or two here. Thank you, Sir, very much."

Speaker Wennlund: "You bet. You bet."

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

108th Legislative Day

March 26, 1996

Davis M.: "Representative Winkel, so according to your figures, it could be 15 thousand or more people who would need the availability of GED classes or high school diploma programs. Where, Representative Winkel, have you worked with the State Board of Education, city colleges, or high school programs to make sure these classes are open and available to the needy recipients?"

Speaker Wennlund: "Representative Winkel."

Winkel: "Well, there are places available at the community colleges. There's adult continuation programs that the state contributes funding to, as an example, that's a line item in our budget. That's going to continue to be a line item in our budget and I ...what are looking at here is attempting to get this problem under control. We're talking about 50% now. If we bite the bullet and add this education component, over the next couple years I think we're going to benefit a great deal of people who can get their high school equivalent and that percentage is going to go down. And I think that is very important."

Speaker Wennlund: "Representative Davis."

Davis M.: "Have you...are these facilities under contract with the state to provide the GED program or the high school equivalency program? I mean have you made sure there are people who are given the contracts to make those services available?"

Speaker Wennlund: "Representative Winkel."

Winkel: "There are various programs that are available and one of them I have mentioned. In fact, the Governor in his budget proposal adds three million new dollars to that program, adult education...adult continuing education. You know that is one example."

Speaker Wennlund: "Representative Davis."

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

108th Legislative Day

March 26, 1996

Davis M.: "The Governor's budget, does it specify that that is for these clients. I mean, does it specify or is that for the current general population that is using those services today?"

Speaker Wennlund: "Representative Winkel."

Winkel: "The Governor's budget makes no reference, whatsoever, to House Bill 3614."

Speaker Wennlund: "Representative Davis."

Davis M.: "In other words, Representative Winkel, no provisions have been made for the current providers of GED or high school diplomacy...diploma services to be available to take care of this 15 thousand mandated students, 15 thousand or more students will be mandated to get a GED or high school diploma. But we have not made any provisions to make sure those services are readily available to them. Now I do know that, currently some of the city college programs are available and some of them are already filled up. Representative, I have a problem when we don't mandate college students who get government grants be required to complete their degrees in four years. I have a problem, Representative, when we're not mandating that employers hire people with GED certificates. You see it's really a farce, it's a farce that a GED certificate opens up a whole new world to people. Employers are looking for people with skills. They want to know, what can you do? So I mean it's a...I don't object to anybody encouraging others to get a high school diploma or a GED certificate, but that's really not what an employer truly wants. They want people who can read, people who can write, people who can compute, people who can understand and speak English well, people who can get along well with others, people who can use a computer, people who can be carpenters, people who know how

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

108th Legislative Day

March 26, 1996

to fix windows, put in window panes, do brick masonry, so why is it that your program is excluding..."

Speaker Wennlund: "Representative Davis, please...I did give you an extra minute, incidentally, and some additional time on top of that and please conclude your remarks, if you will."

Davis M.: "You gave me my time already?"

Speaker Wennlund: "Representative Pugh wishes to yield his five minutes to Representative Davis. Proceed."

Davis M.: "Thank you. So, Representative Winkel, there are a lot of things that we could have mandated for these welfare recipients. A lot of things we could mandate in order to prepare them for the world of work. My question to you is, why did you choose this particular and only one?"

Speaker Wennlund: "Representative Winkel, you may respond if you wish. I don't know if there is a question there."

Winkel: "Representative, we have made a commitment in this General Assembly to welfare reform. In fact, Senate Bill 10, we put in two education components, they already exist. The first requires welfare teen parents to be enrolled in education programs or be sanctioned. The second focused on children of welfare recipients in grades K through sixth, having chronic truancy problems. The Illinois Reform Package that we passed, Senate Bill 10 last Session, did not include this. I think it's an oversight. I think it's extremely important that we have an education component for the people enrolled in the JOBS program, otherwise it's long term. That's the whole point of welfare reform, that we encourage people to have education so they have employability so they can act on their own personal responsibility to go out into the job market, show that they are literate, that they can do math, that they can read, that they can write, that they can get a job and hold

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

108th Legislative Day

March 26, 1996

a job and be productive. I think that is the whole goal of welfare reform and for you to stand before this Assembly and tell us that it makes no difference whether you have a high school diploma or not, I think is ludicrous. I think we need to encourage people to get their education if they're going to be getting state funds for Public Aid and I'll tell you what, if there are no places in the community college or the adult education system, then I think, certainly, Representative, wouldn't you think that would be good cause shown as to why they can't satisfy that requirement? I think so."

Speaker Wennlund: "Representative Davis."

Davis M.: "Representative Winkel, I think it's unfair for you to take up my time asking you questions for you to make a speech. But I'd like for you to know that my father did not have a high school diploma and no one convinced him that he was a failure because he didn't have a GED. He worked at the United States Steel Mill and he learned to do things with steel, in other words, he had a skill. And that skill allowed him to raise and educate nine children. You want to convince welfare recipients that their only option of getting employment or having a job is going through a GED program and it is false. It just is not true. Of course it is a good start, but it is not true. According to the Department of Public Aid, this Bill will cost the department \$100 thousand for every 1 thousand eligible recipients. Why? Because there are child care problems that have to be dealt with. There's transportation and there are other costs. That's why the Department of Public Aid is opposed to your Bill. Because it's going to cost the taxpayers much more money than just that GED class. It's going to be responsible for

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

108th Legislative Day

March 26, 1996

transportation, because you're mandating that students go here. Now, I agree people should get an education, but I do not think welfare recipients should have a time limit of two years on getting their education where college students from the State of Illinois going to school on a grant, they can go to school on a grant for eight years. They can go for 12 years. But people who don't have many means, you're saying they're limited to two years to get on their feet. What happens when someone in their family gets sick and they can't go to school any longer, Representative Winkel? What happens when they themselves have child care problems and they need someone to take care of their babies so they stay home and don't get it in two years, Mr. Winkel? What happens to these poor families? I think this legislation is mean spirited. I don't think it's well thought out. I think it is dipping into the pockets of the State of Illinois in ways that you don't see but that the Department of Public Aid surely does see. I think this Bill is giving a false sense of hope to welfare recipients that after two years and getting a GED program, you're going to get a job. You're not going to get a job if you haven't learned to do anything. If you have not learned to really read and use the things that you have been taught, no one is going to hire you. The record in Illinois for hiring GED recipients is abysmal and I think you need..."

Speaker Wennlund: "Further discussion. The Chair recognizes the Lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Winkel, what does the JOBS program JOBS, what is that an acronym for?"

Speaker Wennlund: "Representative Winkel."

Winkel: "Job Opportunities and Basic Skills."

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

108th Legislative Day

March 26, 1996

Speaker Wennlund: "Representative Flowers."

Flowers: "Representative Winkel, I did not hear you. Would you please say that louder so all the Members of this House can hear you, please?"

Speaker Wennlund: "Representative Winkel."

Winkel: "Jobs Opportunities and Basic Skills."

Speaker Wennlund: "Representative Flowers."

Flowers: "Thank you very much, Representative Winkel. You're legislation here, what type of basic skills is required, considering that you just said that the acronym is for Job Opportunity for Basic Skills?"

Speaker Wennlund: "Representative Winkel."

Winkel: "These are minimum requirement jobs. There is no question about that and there's no question that we certainly don't want to perpetuate illiteracy, we don't want to perpetuate the dependence on these basic skill jobs, what we want to do is add an education component so that somebody can maybe move on to a higher skilled requirement job or maybe if they lose their lower basic skilled job, that maybe they can find another one. I mean, let's face it, it's much easier if you can read and write and do math if you have a high school equivalency to have some job mobility and employability."

Speaker Wennlund: "Representative Flowers."

Flowers: "Representative Winkel, can you please share with me any information that you may have to say that a GED would be equivalent to job training? Can you please explain that to me? And let me preference my remarks to you, Sir, by saying that I think that education is most important and I think that everybody should have education but we're talking about your Bill now so...and this is supposed to be a JOBS Program. Is there any type of federal waiver in your

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

108th Legislative Day

March 26, 1996

legislation, Sir, since this is a federal Bill? This is a federal program. Is that in your Bill?"

Speaker Wennlund: "Representative Winkel."

Winkel: "Are you asking whether a waiver is in my Bill?"

Speaker Wennlund: "Representative Flowers."

Flowers: "Do you have to get a waiver for this particular program that you are trying to implement?"

Speaker Wennlund: "Representative Winkel."

Winkel: "That may well be the case, a waiver may be required but it does not have to be in the legislation."

Speaker Wennlund: "Representative Flowers."

Flowers: "Sir, is this in compliance with federal law?"

Speaker Wennlund: "Representative Winkel."

Winkel: "Certainly."

Speaker Wennlund: "Representative Flowers."

Flowers: "So you can use federal exemptions in regards to this?"

Speaker Wennlund: "Representative Winkel."

Winkel: "We do have some flexibility under this federal program.

The state government does administer it. Sixty percent of the funding is federal, 40% comes from the state. We do have some discretion to add a education component but if we want to add a sanction, that may well require the Illinois Department of Public Aid to apply for waiver from the federal government."

Speaker Wennlund: "Representative Flowers."

Flowers: "Representative Winkel, federal exceptions says, 'Mother at home with newborn.' Are those also your intentions?"

Speaker Wennlund: "Representative Winkel."

Winkel: "I think that would be an exemption from the JOBS Program itself. This Bill, you've got to understand...let me complete my answer. Is that okay? This program only applies to people who are actually in the JOBS Program that

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

108th Legislative Day

March 26, 1996

are deemed employable by the Department of Public Aid and they're actually receiving Public Aid."

Speaker Wennlund: "Representative Flowers."

Flowers: "Federal Law gives some type of discretion, Sir, as to what that age would be, up to age three, up to age six, what does your Bill say?"

Speaker Wennlund: "Representative Winkel."

Winkel: "This House Bill 3614 certainly would be implemented in complete compliance with whatever the federal statutes and regulations require."

Speaker Wennlund: "Representative Flowers."

Flowers: "Representative Winkel, this is your Bill. What is your intention?"

Speaker Wennlund: "Representative Winkel."

Winkel: "I think clearly under this Bill 3614, we are not changing eligibility requirements whatsoever. I am not here today to advocate that we change JOBS eligibility requirements. House Bill 3614 makes no changes to JOBS eligibility requirements. It adds an education component if you do satisfy those eligibility requirements. I'm not proposing that we change those requirements...."

Speaker Wennlund: "Representative Flowers, please bring your remarks to a close."

Flowers: "You are changing it, Sir, because you've put a two year limit on it. So that is a change within itself."

Speaker Wennlund: "Representative Winkel."

Winkel: "To be eligible, those requirements are clearly set forth. All we're doing is adding an eligibility requirement which, if implemented, may be deemed a sanction and if it is deemed a sanction, then the Illinois Department of Public Aid would have to apply for a waiver to implement that."

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

108th Legislative Day

March 26, 1996

Speaker Wennlund: "Representative Flowers."

Flowers: "Representative Winkel, how many participants do you have in the JOBS Program today and how effective has it been?"

Speaker Wennlund: "Representative Winkel."

Winkel: "It has been marginally effective as I understand it. I think that this education component would make it much better."

Speaker Wennlund: "Representative Flowers."

Flowers: "Is it not true that you have to maintain a level of participation and in putting this mandate on the people that you would be...Is it not true, Sir, that in order for you to continue to get your federal dollars, in order to implement this program that there must be maintained a level participation and we are not at that level and by mandating this, we will then be in compliance? Because right now that program is in jeopardy and you are about to use the people of the State of Illinois by pretending that they are going to get a job by getting this GED program."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Logan, Representative Turner."

Turner J.: "Thank you, Mr. Speaker, I move the question."

Speaker Wennlund: "Representative Turner has now moved the previous question be put. The question is, 'Shall the main question be put?' All those in favor signify by saying 'aye', opposed by saying 'nay', and in the opinion of the Chair, the 'ayes' have it. The main question shall be put. Representative Winkel is recognized to close."

Winkel: "Speaker, many of the jobs in Illinois, even the lowest paying require a high school diploma for employment. This Bill addresses the fact that it is very obvious, I think to most of us, that if over half of the Illinois adults lack a

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

108th Legislative Day

March 26, 1996

high school diploma, or its equivalent, it will be extremely difficult for them to find employment, to maintain employability. This is a common sense addition of an education component to Public Aid. It makes sense. We need to do it to be consistent with our object of encouraging personal responsibility in making Public Aid a temporary situation. I urge a 'yes' vote."

Speaker Wennlund: "The question is, 'Shall House Bill 3614 pass?' All those in favor vote 'aye', all those 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? Mr. Clerk, take the record. On this question there are 82 'ayes', 18 'nays', and 4 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3447."

Clerk Rossi: "House Bill 3447, an Act concerning vegetative filter strips. Third Reading of this House Bill."

Speaker Wennlund: "The Chair recognizes the Gentleman from Springfield, Representative Poe."

Poe: "Mr. Speaker and fellow Members of the House, I bring you House Bill 3447. It provides a property tax incentive for creation of filter vegetation filter strips. This is a Bill that's a good clean water Bill and a Bill that's an incentive to be environmentally good to our water supplies and our drinking around the State of Illinois and I'd welcome any questions."

Speaker Wennlund: "The Chair calls on a fellow farmer, the Representative from Effingham, Representative Hartke."

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

Speaker Wennlund: "He indicates he will."

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

108th Legislative Day

March 26, 1996

Hartke: "Representative Poe, you and I talked earlier. When an individual farmer has put farmland next to streams and so forth, this vegetative strip in, they have the right to go to the local assessor and apply for a tax credit, I believe one-sixth of the value of that assessed valuation on that land. Is that not correct?"

Speaker Wennlund: "Representative Poe."

Poe: "Yes, Sir. The forms are being developed by the Department of Revenue so, it will be uniform around the State of Illinois that every Soil and Water Conservation will be able to use the same form."

Speaker Wennlund: "Representative Hartke."

Hartke: "You and I also talked about the possible confusion of the assessor's office. Where do the assessors stand on this piece of legislation?"

Speaker Wennlund: "Representative Poe."

Poe: "They have not registered any opposition at this time."

Speaker Wennlund: "Representative Hartke."

Hartke: "Is there any requirement in this piece of legislation that the individual landowner apply for this on an annual basis or is it there for all eternity?"

Speaker Wennlund: "Representative Poe."

Poe: "This will be done through...like I said earlier, a form developed through the Department of Revenue of Soil and Water Conservation will approve it and the applicant will take this to the assessor's office. The Soil and Water Conservation will monitor this through their normal way they monitor other programs when they are out in the field."

Speaker Wennlund: "Representative Hartke."

Hartke: "Is it then up to the farmer to report if he destroys his vegetative strip near streams or is it up to the Soil and

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

108th Legislative Day

March 26, 1996

Water Conservation to report to the assessor's office that that vegetative strip is no longer in place?"

Speaker Wennlund: "Representative Poe."

Poe: "It's part of a conservation plan that they have to qualify and I...the intent is that the Soil and Water Conservation monitor that plan."

Speaker Wennlund: "Representative Hartke."

Hartke: "You didn't answer the question. The question is, is it up to the Soil and Water Conservation district to report to the assessor any change in condition of the filter strip?"

Speaker Wennlund: "Representative Poe."

Poe: "The applicant has to file the form to certify that it was done correctly with the Soil and Water Conservation."

Speaker Wennlund: "Representative Hartke."

Hartke: "Does he do this on an annual basis or is it good for a five year period of time or a 10 year period of time?"

Speaker Wennlund: "Representative Poe."

Poe: "It will be rules that are set up by the individual assessor's office how they want to administer the program."

Speaker Wennlund: "Representative Hartke."

Hartke: "I don't know if I like that answer, Representative Poe. I think that there should be some provision in this legislation that would give direction to the assessor's office. I got a call from an assessor in a county in a collar area that had no idea what a vegetative strip was. And so they called me to ask me because of my familiarization with one of the individuals that works in that office. They had no idea how they would implement this Bill or what position they would take, however, the Bill is very vague. Is there any penalty for destroying this filter strip once that reduction in property taxes is given?"

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

108th Legislative Day

March 26, 1996

Speaker Wennlund: "Representative Poe."

Poe: "Not at this time. I think some of the concerns your assessor had is why that we had the Amendment and the concerns that the Department of Revenue would have a uniform document to fill out statewide, so there wouldn't be confusion from county to county."

Speaker Wennlund: "Representative Hartke."

Hartke: "I stand in support of this legislation, the concept at least, but I think there are some real technical problems that we ought to have worked out before we put this Bill forward. I know and hope that when it gets to the Senate that the Senate takes a little time and takes a look at it. I think that the vegetative strips would be a plus because of the loss of revenue that may occur may also enhance many of the municipalities and their water supplies to keep their water pure and clean. I have a question. Is there any estimate of how much this may cost units of local government?"

Speaker Wennlund: "Representative Poe."

Poe: "Since it is a volunteer program, there was no way to measure the fiscal impact."

Speaker Wennlund: "Representative Hartke."

Hartke: "This will affect a lot of taxing districts throughout the State of Illinois. Is there any limit on what farms would qualify?"

Speaker Wennlund: "Representative Poe."

Poe: "Being from agriculture, I'm sure you understand that this is limited in scope to the size of the amount of acreage would actually apply for this. Generally a 66 foot filter strip would not take in that many acres, so I don't think it will be that much of an impact to the county because we are talking about a limited scope of a program."

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

108th Legislative Day

March 26, 1996

Speaker Wennlund: "Representative Hartke."

Hartke: "Well, I would think that would depend on the county and the topography of the real estate involved. Some counties may have more, some may have less. A filter strip in Champaign County would be different than that in Clay County or Effingham County or even here in Sangamon County. As I stated earlier, I'm in general agreement with the concept of the Bill..."

Speaker Wennlund: "Representative Hartke, please proceed."

Hartke: "I'm going to vote for this piece of legislation but I really hope the Senate takes a good look at it and maybe adds a few technical changes to it which would satisfy everyone concerned."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Washington, Representative Deering."

Deering: "Thank you, Mr. Speaker. On the last Bill, House Bill 3614, the Public Aid Bill, I wasn't available to hit my switch. I was recorded as 'absent.' I'd like the record to reflect that had I voted, I would have voted 'yes' on that Bill."

Speaker Wennlund: "The record will so reflect with respect to Representative Deering, Mautino, and Novak. Further discussion. The Gentleman from Williamson, Representative Woolard."

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

Speaker Wennlund: "He indicates he will."

Woolard: "Representative Poe, I know that the farmers have always been recognized as one of the greatest conservationists in this state and I think this is another example of them stepping forward, trying to accomplish something for the benefit of their neighbors. Is there anything in your

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

108th Legislative Day

March 26, 1996

legislation that would prohibit you from accepting some modifications down the road if, in fact, they are necessary?'

Speaker Wennlund: "Representative Poe."

Poe: "Yeah if, at that time, we consider any changes and some of the concerns that Representative Hartke had, I will gladly work with the Senate Sponsor."

Speaker Wennlund: "Representative Woolard."

Woolard: "Would there be anything that you see at this time that you would be able to amend or adjust that would make it easier for the assessor to identify the size and have some kind of consistency throughout the various regions of taxing authorities across the state?"

Speaker Wennlund: "Representative Poe."

Poe: "I think we've formulated a good Bill with several different agencies and interest groups and agriculture groups that have taken this into consideration. I don't think they see this as that big of an impact on the tax base in different parts of the state."

Speaker Wennlund: "Representative Woolard."

Woolard: "To the Bill. I stand in strong support of this piece of legislation. I think that this, once again, is showing responsibility of the farming community. I think that each and every one of us recognize that we have some genuine concerns for our continued good water supply and if we can do anything that will make it better, we should be about that business. I would encourage each and every one of the participants in this Body to support this piece of legislation. I think it's a good piece of legislation."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Rock Island, Representative Boland."

Boland: "Thank you, Mr. Speaker. I rise in very strong support

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

108th Legislative Day

March 26, 1996

of this legislation. I think that often times we hear in the news media of the conflicts between farmers and environmentalists, between environmentalists and the chemical industry and I think this is an excellent example of how we can by working together, getting together all three of those components, the farm community, the environmental community and the chemical industry and come up with good solutions that can help the environment and also result in good clean water and so forth. I commend the Sponsor and urge a 'yes' vote on this Bill."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. My light has been on since Lou Jones presented a Bill an hour and a half ago at least you're an equal opportunity ignorer, I'll say that, but I'll move the previous question, Sir."

Speaker Wennlund: "Representative Black has moved the previous question. The question is, 'Shall the main question be put?' All those in favor signify by saying 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the previous question is put. The Chair recognizes Representative Poe to close."

Poe: "I just ask for a supportive vote. I think this is a pilot program that has a sunset. I think it's an environmental Bill that we ought to go ahead and pass and it's good legislation for clean water in the State of Illinois so I urge a 'yes' vote."

Speaker Wennlund: "The question is, 'Shall House Bill 3447 pass?' All those in favor vote 'aye', all those 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? Mr. Clerk, take the record. On this

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

108th Legislative Day

March 26, 1996

question, there are 108 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3677."

Clerk McLennand: "House Bill #3677, a Bill for an Act that amends the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Wennlund: "The Chair recognizes the Gentleman from Sangamon, Representative Poe."

Poe: "Mr. Speaker and Ladies and Gentlemen of the House, I bring to you House Bill 3677, agn exemption for haulers of agriculture products and Commercial Drivers License and also exception to CDL to the township snowplowers in the wintertime for part-time employees."

Speaker Wennlund: "You've heard the Gentleman's description. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Dart."

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

Speaker Wennlund: "He indicates he will."

Dart: "Representative, now with the removal of the requirement of the CDL, does that not also remove the requirement that these drivers have drug testing done on them as well?"

Speaker Wennlund: "Representative Poe."

Poe: "Currently, what this does is remove the requirements for the CDL license for farmers and what that does is when it's a Commercial Drivers License was first went into effect it was for a...it was a Federal Law that went across state lines. Illinois is right now currently exempt on agriculture husbandry vehicles and what this will do is add one more which would be the tractor trailer."

Speaker Wennlund: "Representative Dart."

Dart: "So then your Bill is just going to waive the annual drug

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

108th Legislative Day

March 26, 1996

testing for all these folks, correct?"

Speaker Wennlund: "Representative Poe."

Poe: "Yes, it would just be that section. It would still require that they go through the same testing through the Secretary of State and they would take all the same tests that the regular CDL license they would just be farm use instead of Commercial Drivers License. This would be for their own products that they grow their own self. It wouldn't be for hire and it would be a limited radius of miles that they could drive their trucks and deliver their own products."

Speaker Wennlund: "Representative Dart."

Dart: "So then a farmer can drive an eighteen wheeler as long as...he can drive it a 140 miles without knowing how to drive an eighteen wheeler because he doesn't need to have a CDL, right?"

Speaker Wennlund: "Representative Poe."

Poe: "They would still take the same test with the Secretary of State. There CDL test will be the same test, only thing is that it would have a farm classification instead of a Commercial Drivers License."

Speaker Wennlund: "Representative Dart."

Dart: "Where is that at, Representative? Because the portion of your Bill I'm looking at shows an exemption from the CDL requirements."

Speaker Wennlund: "Representative Poe."

Poe: "The intent is to maintain the same skills and knowledge for the testing and as we talked about in committee that we would still be taking the same test in the...where the Secretary of State set up, it's the A B C D license and when they take those heavy weight license you have those same tests."

Speaker Wennlund: "Representative Dart."

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

108th Legislative Day

March 26, 1996

Dart: "Well, Representative, that's all good and fine what your intent might be but unless I'm missing something and I would love for you to point it out to me here, the letter of your law, and that's how the courts will interpret the law, the courts will interpret the strict meaning of the law, not what your intent was here today. But the plain letter of the law is the removal from the CDL requirement here. Can you show me where these other tests you are talking about are in your Bill, not in your head?"

Speaker Wennlund: "Representative Poe."

Poe: "When you take a test in the State of Illinois, you go down and apply right now, I don't know what your classification is, but it is on the amount of weight of the truck you will be driving. So when you go in to the Secretary of State they give you different tests. I think it's an 'A' test that you would need to take if you were going to drive a semi. And that's the test you will still have to take. That's the same test that's the CDL."

Speaker Wennlund: "Representative Dart."

Dart: "Well that's based on the CDL law which you're now exempting them from."

Speaker Wennlund: "Representative Poe."

Poe: "No, that's on...determines on the weight of the vehicle you're driving of what license you're carrying in your pocket right now."

Speaker Wennlund: "Representative Dart."

Dart: "Well, Representative, that is not what your Bill is saying. The other part of it, too, Representative, where you're talking about snow removal drivers, now we're waiving any requirements for CDLs for them as well. So now these people, who are going to be operating these large trucks with plows on them, can be called into service

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

108th Legislative Day

March 26, 1996

without a CDL whenever the people in the area need additional help. So there will be no drug testing of these folks either who are...alcohol testing or any of it who are going to be driving huge vehicles whenever the additional help is needed due to snow. Is that correct?"

Speaker Wennlund: "Representative Poe."

Poe: "That's consistent with federal regulations but what you've got to understand in the Bill, it says, 'In townships less than three thousand people and it's for emergency snow use only', So you're talking about a lot of times in different areas it might be a person's a retired truck drivers or retired farmers. These are generally in rural areas and they hire someone maybe two or three days a year to go out and help move the snows off the country roads and that's what we're talking about here."

Speaker Wennlund: "Representative Dart."

Dart: "Representative, the alcohol level for a CDL is .04. By removing that requirement it's going to be back to the legal one, .09. So now you're basically saying that on a Friday night if there's a snowstorm, they can pull people out of bars. They no longer have to have any requirements and they can go drive a plow."

Speaker Wennlund: "Representative Dart, please bring your comments to a close."

Dart: "Yeah, thank you. I'm just trying to get some clarification here because basically from the letter of the law..., I understand what the Representative is talking about for snow emergencies in small areas so they can try to deal with a problem that comes about as an emergency; however, what you're doing is, you are waiving requirements that are there for safety because snow plows are not something that we want anybody and everybody who knows how

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

108th Legislative Day

March 26, 1996

to drive a car hopping in and driving. Especially we do not want them waiving provisions that deal with the amount of alcohol level you can have in there. And in your language, quite frankly, Sir, it is very ambiguous as far as who makes the decision as far as when they need additional assistance? If someone just decides, 'Okay, we need a couple more people out there,' they can call anybody they want and throw them in a truck. There are no provisions, whatsoever, for dealing with that. I think we're making a very dangerous decision here that is not very wise and could cost some people their lives by the people we are now going to be putting behind these big trucks."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Jackson, Representative Bost."

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

Speaker Wennlund: "He indicates he will."

Bost: "Yes, Representative, is it not true that the CDL was put in place by federal regulations and that at that time the Secretary of State did not remove any laws that required the testing of people with tractor trailer licenses in the state?"

Speaker Wennlund: "Representative Poe."

Poe: "That's true."

Speaker Wennlund: "Representative Bost."

Bost: "Yes, there are certain endorsements that come on to the CDL and when in committee, I asked you about the endorsements that were required by the CDL. I had some questions about that. Would you agree to work with me on working with the Secretary of State to make sure those endorsements were covered at some future time?"

Speaker Wennlund: "Representative Poe."

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

108th Legislative Day

March 26, 1996

Poe: "Yes, I would."

Speaker Wennlund: "Representative Bost."

Bost: "To the Bill, Mr. Speaker. Ladies and Gentlemen, this is a good piece of legislation. What we've got is we have farmers that are required by the federal government to have a lot of unnecessary burdens placed upon them which are very expensive burdens. Drug testing that ... they're testing themselves for...required by this law to test themselves for drugs. Also, they are required to keep log books. They're required to keep a lot of unnecessary information so that the federal government can come in and check the farmers for something that someone...that is using these trucks for hire should be checked for. The other part of this Bill deals with the fact that townships, townships are having to carry these expenses of all these drug tests and the expenses of keeping logs and the expenses of keeping all these past records that are not necessary because these drivers are only driving about five times a year. Ladies and Gentlemen, this is important legislation. It's beneficial to the farmers. It's beneficial to the...your township road commissioners. I'd appreciate your support. I want to just let you know how important this legislation is and I ask for your support and I appreciate the Sponsor carrying it. Thank you."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Washington, Representative Deering."

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

Speaker Wennlund: "Yes, he indicates he will."

Deering: "Representative, why do we want to exempt the farming community from the CDL requirements?"

Speaker Wennlund: "Representative Poe."

Poe: "This was a federal regulation and originally this was a

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

108th Legislative Day

March 26, 1996

Commercial Drivers License set up for large trucking firms that truck things across the United States. Agriculture around the...in the surrounding states that adjoin us, it was set up where you didn't have to be covered under CDL for agriculture in the State of Illinois back when it was enacted in earlier, is they were suggested 'Well you do the semis.' Every state around the State of Illinois now does not have it. I think the difference is if you have 3 or 4 hundred truck drivers there's...you don't know who those people are and this is a way to monitor their actions and the kind of people you've got working for you. The CDL license for agriculture, is generally a father-son or other family members or other retired farmers or someone that's probably worked in your farm operation several years. It's people you know, it's someone you're around everyday and you can make those good judgement calls of who's driving your trucks."

Speaker Wennlund: "Representative Deering."

Deering: "So, basically you're saying, in your opinion, then that farmers or the farming community would be exempted because small amount of employees, a lot of time, it's a family operation and probably seasonal operation where they're not on the road or on the highways that much, so you feel that they would be a safer entity to be out there with those vehicles. Would you not agree with that analogy?"

Speaker Wennlund: "Representative Poe."

Poe: "It's a...farm operations, one that's hauling the produce that they've raised theirself, they're delivering it to a depot or a river site and I think if you've been around any agriculture people, they are very well qualified as driving. They probably work on their trucks, so they know trucks safety wise, better than most people do because they

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

108th Legislative Day

March 26, 1996

own the truck, they have to maintain it and take care of it."

Speaker Wennlund: "Representative Deering."

Deering: "Okay, take this case in point. I operate a little saw mill that employs about two people ...my brother and I, we run a sawmill. We don't do anything. We don't haul our logs; they're hauled in. We don't do anything as far as trucking is concerned with the exception that maybe one time in the...one time throughout the year we want to hop into a tandem axle dump truck and take a load of sawdust a mile down the road to some farmer's place so they can use it for bedding. Now, why would I then be required to have a CDL license under that scenario and a farmer not have it when he or she may be hauling a heavier loads or more loads than we haul? Why should we exempt them when that other scenario is in place?"

Speaker Wennlund: "Representative Poe."

Poe: "Because you're hauling for hire."

Speaker Wennlund: "Representative Deering."

Deering: "I'm taking the sawdust free of charge. I'm giving it to the guy, yet I have to have a CDL and the farmer doesn't. Why?"

Speaker Wennlund: "Representative Poe."

Poe: "Because it's federal regulations."

Speaker Wennlund: "Representative Deering."

Deering: "Federal regulations is permissive, it doesn't say that we have to grant this exemption. Is that not correct?"

Speaker Wennlund: "Representative Poe."

Poe: "I'd be happy to work with you if you want to pursue your brother-in-law hauling that."

Speaker Wennlund: "Representative Deering."

Deering: "Why? Can you answer this, why is the Midwest

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

108th Legislative Day

March 26, 1996

Truckers' opposed to this?"

Speaker Wennlund: "Representative Poe."

Poe: "They currently, they have a consortium and the farmers join that and they monitor the drug testing and alcohol testing through that. So I'm not sure if that's why it would be a lack of business they have or I'm not really sure. I think they might consider it might be a safety problem or they were concerned about the testing which I think we reassured that the testing would be the same."

Speaker Wennlund: "Representative Deering."

Deering: "What's the Department of Transportation's stance on this issue?"

Speaker Wennlund: "Representative Poe."

Poe: "At this time they are opposed to it."

Speaker Wennlund: "Representative Deering."

Deering: "What about Secretary of State?"

Speaker Wennlund: "Representative Poe."

Poe: "The last I knew they were opposed to it. They were thinking about going neutral, but I'm not sure which way they ended up."

Speaker Wennlund: "Representative Deering."

Deering: "And what about State Police?"

Speaker Wennlund: "Representative Poe."

Poe: "The State Police are opposed to it."

Speaker Wennlund: "Representative Deering."

Deering: "Thank you, Representative, no further questions."

Speaker Wennlund: "Further discussion. The Chair recognizes the other big guy in the House of Representatives, the Gentleman from Grundy, Representative Spangler."

Spangler: "Thank you, Mr. Speaker, to the Bill. I strongly support this legislation. It's common sense legislation. When we talk about our small townships, of which I'm a

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

108th Legislative Day

March 26, 1996

trustee of one of those small townships. It's very necessary in inclement weather, particularly heavy snowfalls, to be able to get those roads opened up for some of our aged farmers and some of our retired farmers that are out in the country so that an ambulance or a fire apparatus would be able to get through. And certainly talking about the other portion of the Bill, the federal regulations had no intent on regulating farmers in the State of Illinois or any of the other states in our surrounding area. We're one of the last states left that have to deal with this issue and I'd just like to say this is a good common sense Bill and makes sense for our farmers and makes sense for our townships. The people are very well qualified. They know how to operate this equipment. Township officials are not going to jeopardize their liabilities by having inexperienced drivers in these vehicles. Generally, they are more qualified than some of the other individuals. And when we talk about drivers being from an agricultural base owning their own equipment, having their own commodities that they haul, you cannot equate that in any way, shape or form to commercial over the road long-haul truckers. I would appreciate and support an 'aye' vote from all of my colleagues. Thank you."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Williamson, Representative Woolard."

Woolard: "Will the Sponsor yield for a question?"

Speaker Wennlund: "He indicates he will."

Woolard: "Representative, are you aware that the Federal Government is in the process, at this time, of applying an exemption very similar to the Bill that you are proceeding with?"

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

108th Legislative Day

March 26, 1996

Speaker Wennlund: "Representative Poe."

Poe: "Yes, I think that we recognize that great minds think alike."

Speaker Wennlund: "Representative Woolard."

Woolard: "There's a definite possibility then that this Bill won't be necessary but, in fact, if something does slow down in the process at the federal level, this will take care of our farmers come spring. Hopefully we will clear up the confusion that's been forthcoming from the Bill as it proceeded from the federal level. Is that correct?"

Speaker Wennlund: "Representative Poe."

Poe: "That's true."

Speaker Wennlund: "Representative Woolard."

Woolard: "To the Bill. I stand in support of this legislation. I think that it will be corrected at the federal level probably before we go through the entire process here in the state. But if, in fact, it doesn't, this will at least allow us to allow those farmers in their own equipment, doing their own work, not for hire, to be exempted from a rule that's a little bit foolish for them. Thank you."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Logan, Representative Turner."

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

Speaker Wennlund: "He indicates he will."

Turner J.: "Representative Poe, there's been some concern about the safety factor. Is it not true that farmers who drive these CDLs will be under the same regulations and laws that apply as to DUI? In other words, if they are driving at a .10 the laws would apply to them as well?"

Speaker Wennlund: "Representative Poe."

Poe: "Yes, Sir."

Speaker Wennlund: "Representative Turner."

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

108th Legislative Day

March 26, 1996

Turner J.: "Is it also not true that that same measure would apply then to township officials? In other words, if they are driving under the influence of alcohol, or on a .10 then that law would apply to them as well?"

Speaker Wennlund: "Representative Poe."

Poe: "Yes."

Speaker Wennlund: "Representative Turner."

Turner J.: "Is it not also true that in spite of what their blood alcohol concentration may be, if they are driving impaired so as not to be able to think and act with ordinary care, that they will be in violation of the law?"

Speaker Wennlund: "Representative Poe."

Poe: "Yes they will be."

Speaker Wennlund: "Representative Turner."

Turner J.: "So would you agree, therefore, that there is nothing in this measure that affects the safety in the rural areas or other areas where these drivers will be operating these vehicles?"

Speaker Wennlund: "Representative Poe."

Poe: "There is no intent to impair the safety of anybody."

Speaker Wennlund: "Representative Turner."

Turner J.: "In fact, is it not true that in regard to the emergency situations when the township officials cannot find a driver to open up the roadways, that by passing this legislation they will afford them the opportunity to find drivers that can open up roadways that would be otherwise dangerous?"

Speaker Wennlund "Representative Poe."

Poe: "Yes, that's very true."

Speaker Wennlund: "Representative Turner."

Turner J.: "To the Bill. I rise in support of this measure. It is unfair to parallel farmers with commercial drivers so

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

108th Legislative Day

March 26, 1996

with regard to that particular part of it, I certainly am supportive. As to the township officials, if you pass this legislation you will be lifting, yes, one of those unfunded mandates because the way it is right now, without passing this legislation, it is an unfunded mandate on townships below three thousand. So in conclusion, Representative Poe, I certainly commend you for Sponsoring this legislation. It's ...I think a fine Bill and I would urge Members on both sides of the aisle to support it. Thank you."

Speaker Wennlund: "Further discussion. The Chair recognizes the Gentleman from Madison, Representative Davis."

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

Speaker Wennlund: "He indicates he will."

Davis, S.: "Representative Poe, I spent 14 years as Highway Commissioner in Wood River Township and it's a much bigger township than these 3 thousand person townships. But I am curious as to where you came up with the figure of townships with 3 thousand or less that would be exempt from the CDL. Where did that figure come from? Why not townships of 5 thousand or less or 10 thousand or less?"

Speaker Wennlund: "Representative Poe."

Poe: "That was suggested by the township officials group and I think or I'm not really sure, if you're talking about county government or county highways, this is actually township."

Speaker Wennlund: "Representative Davis."

Davis, S.: "I'm aware that we're talking about township roads and I'm aware that we're talking about rural township roads. And I personally don't have any problem with exempting some of these rural townships from CDL licenses because they're going to be driving more or less dump trucks on rural

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

108th Legislative Day

March 26, 1996

two-lane roads and I don't see a danger factor there. And I certainly have no problem with that part of the Bill. But I do have a problem with the exemption for farmers to drive these 80 thousand pound semitruck vehicles. Now let me ask you something. You spoke about the cost to the farmer who owns one truck. He's the sole owner of the truck and the cost of drug testing and the cost of the CDL license. What about the cost to an owner-operator? Now are the owner-operators, people who own one rig? Are they subject to CDL licensing in the State of Illinois?"

Speaker Wennlund: "Representative Poe."

Poe: "I think they probably travel a lot more miles and I think they're probably going for hire, they hauling for hire."

Speaker Wennlund: "Representative Davis."

Davis, S.: "Well, I would agree with that, that yes, they are going for hire. But we were talking about a couple of things. We're talking about costs to the farmers and the cost of drug testing. These owner-operators have the same costs and they pay the cost of drug testing and they pay the cost of CDL licenses. I don't know why the farmer should be exempt from that. The other thing is this. These owner-operators and these truckers, they spend every single day on the road driving these vehicles. Now you're talking about giving farmers the ability to go out once or twice a year and drive semitrucks and they have absolutely no experience driving a semitruck. Is that correct? Only on a part-time basis?"

Speaker Wennlund: "Representative Poe."

Poe: "No, I think they have very much experience driving large equipment and a semitruck is not that much difference. I think that if you've been around agriculture at all very much, you know that they're quite capable operators and as

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

108th Legislative Day

March 26, 1996

they work on this equipment, they know that equipment well and I think that they can run a semi just as safe as any trucker on the road."

Speaker Wennlund: "Representative Davis."

Davis, S.: "Well, these farmers who own these semis, do they go out and do they co-op with these semis and the trailers? They go out and help their fellow farmers and haul their grain or is this if they only haul their own grain that they're exempt?"

Speaker Wennlund: "Representative Poe."

Poe: "They can't go out and haul for hire, according to this Bill. If they go out and start hauling for hire for their neighbors, they got to buy the CDL license and comply just like every other trucker."

Speaker Wennlund: "Representative Davis."

Davis, S.: "Yes, let me ask you this. What's the feasibility, how many days does it take for them to get their crops into the semitrucks and to the market? How many days a year would they be driving these semis?"

Speaker Wennlund: "Representative Poe."

Poe: "This is, course depends on how much they farm. But I think anywhere from probably two months to three months a year."

Speaker Wennlund: "Representative Davis."

Davis, S.: "On a daily basis, seven days a week for three months a year?"

Speaker Wennlund: "Representative Poe."

Poe: "Farmers recognize weekends so they generally only go five days a week when the terminals are open. So, no, probably two to three months when the five days a week."

Speaker Wennlund: "Representative Davis."

Davis, S.: "To the Bill, Mr. Speaker. I have to oppose the Bill on the grounds that I think it is ridiculous that we have

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

108th Legislative Day

March 26, 1996

to give the farmers an exemption for the CDL license. I see absolutely no reason why farmers should not be subject to drug testing and alcohol testing, just like anybody else who drives these big semi rigs. I understand that the farm economy is essential to us here in the State of Illinois, but this is one issue I think that the Representative is wrong on. And I would urge a 'no' vote. Thank you."

Speaker Wennlund: "There being no one further seeking recognition, the Chair recognizes Representative Poe to close."

Poe: "I would urge your...the opponents was pointed out earlier and I like to say that the Illinois Farm Bureau supports this. The township officials of Illinois and Illinois Pork Producers. So this is a good Bill for agriculture and the township officials and I'd urge a 'yes' vote."

Speaker Wennlund: "The question is, 'Shall House Bill 3677 pass?' All those in favor vote 'aye'; all those 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? Mr. Clerk, take the record. On this question, there are 65 voting 'yes', 46 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Reports."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman from the Committee on Rules, to which the following Joint Action Motions were referred, action taken on March 26th, 1996, reported the same back 'do approve for consideration' to the Floor; Floor Amendment #18 to House Bill 1249; Floor Amendment #2 to House Bill 2518; Floor Amendment #1 to House Bill 2555; Floor Amendment #5 to House Bill 2735; Floor Amendment #2 to House Bill 2794;

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

108th Legislative Day

March 26, 1996

Floor Amendment #1 to House Bill 3048; Floor Amendment #1 to House Bill 3396; and Floor Amendment #2 to House Bill 2805; have all been 'approved for consideration'. Attention Members, Committee Notice. At 3:30, the following Committees will meet: Judiciary for Criminal Law in Room D-1. And Cities and Villages in Room C-1. Again, Judiciary Criminal Law in D-1 at 3:30. Cities and Villages Committee will meet in Room C-1 at 3:30."

Speaker Wennlund: "The Chair recognizes the Gentleman from Adams, Representative Tenhouse. What purpose do you seek recognition?"

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's with a heavy heart that I stand before you and announce that today is Raymond Poe's birthday and we we're going to have a cake for him today, but there's a group of farmers over here and until they get a Federal Farm Bill, we're concerned about whether or not we're going to have enough money to be able to buy the cake. So we're taking up a collection, but in the meantime, we would hope that you would at least congratulate Representative Poe and considering the fact that he's passed two Bills today, this has been a super good birthday for him. And we know that Representative Black will be in charge of soliciting all the contributions for his birthday."

Speaker Wennlund: "I'm sure all Members of the House join you and me in wishing Representative Poe a happy birthday. Representative Granberg, the Gentleman from Clinton, for what purpose do you seek recognition?"

Granberg: "Thank you, Mr. Speaker. A point of personal privilege. We want to congratulate Representative Poe and it's our understanding that although he did not get a cake, there is a present coming from the Speaker. Representative

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

108th Legislative Day

March 26, 1996

Poe is the Sponsor of the Constitutional Amendment for the tax increase for education."

Speaker Wennlund: "We doubt that that will be possible since the Minority Leader has indicated his support of that Constitutional Amendment and he's expected to be the Sponsor, so we'll move on. On the Order of House Bills Third Reading, Mr. Clerk read House Bill 2616. Representative Schakowsky, for what purpose do you seek recognition?"

Schakowsky: "Thank you, Mr. Speaker. I just wanted to say that on House Bill 2695, it had been my intention to vote 'yes' and I mistakenly pushed the wrong button."

Speaker Wennlund: "The record will so reflect. Thank you. Mr. Clerk, read House Bill 2616."

Clerk McLennand: "House Bill #2616, a Bill for an Act to amend the Illinois Pension Code. Third Reading of this House Bill."

Speaker Wennlund: "The Lady from Sangamon, Representative Klingler."

Klingler: "Thank you, Mr. Speaker. House Bill 2616 affects those state employees and state university employees who are already retired and who are at the lowest end of the pension scale. I would emphasize that this Bill is identical to a Bill that we passed last year for retired teachers. This Bill is not a major cost factor to the State of Illinois. However, it is a very major Bill to those state employees who are already retired and receiving the minimum amount. And I'd like to emphasize those minimum amounts these employees are receiving. For employees that have Social Security, the pension is now \$160.86 and this Bill would increase that amount to \$290 a month. For those retired state employees and state

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

108th Legislative Day

March 26, 1996

university employees that do not have Social Security, they're currently receiving only \$276 a month and that would increase to \$448.75 a month. I think that in the sense of fairness, this Bill was passed last year for our retired teachers. We should pass it this year for our retired state employees and retired state university employees."

Speaker Wennlund: "Is there any discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Will the Lady yield?"

Speaker Wennlund: "She indicates she will."

Granberg: "Representative Klingler, what is the estimated cost of the impact of this legislation?"

Klingler: "Cost? The cost to the state for the first year is \$232,375 dollars. I would add that there are about 2,200 affected state employees and about the same number of retired university employees."

Speaker Wennlund: "Representative Granberg."

Granberg: "What would be the first year pay out by the employment retirement system, State Employment Retirement System?"

Speaker Wennlund: "Representative Klingler."

Klingler: "About \$4.4 million dollars."

Speaker Wennlund: "Representative Granberg."

Granberg: "How much would your legislation increase the accrued liability of the system?"

Speaker Wennlund: "Representative Klingler."

Klingler: "Representative, the pension formula in this Bill would follow the pension formula funding that was passed in 1994. One point that I would like to mention, is that these employees are estimated to be in their late 60's and 70's at this point in time because they have retired over 10 years ago. The actuary has in fact estimated that the

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

108th Legislative Day

March 26, 1996

employees, the last employee affected would have died by the year 2018. We're talking about a fairly limited retirement annuity."

Speaker Wennlund: "Representative Granberg."

Granberg: "Yes, but my question was, Madam, how much does this increase the accrued liability to the system?"

Speaker Wennlund: "Representative Klingler."

Klingler: "The accrued liability under the State Employment Retirement System would be \$29.4 million and the accrued under the State University Retirement System would be \$28.7 million dollars."

Speaker Wennlund: "Representative Granberg."

Granberg: "Representative, is there a Senate Bill pending that would accomplish the same thing as this House Bill?"

Speaker Wennlund: "Representative Klingler."

Klingler: "I believe that the Senate Bill has addressed state employees only and not state university employees. I think in the sense of fairness that we need to cover the entire spectrum. We've already covered retired teachers. This adds both state university employees and state employees."

Speaker Wennlund: "Representative Granberg."

Granberg: "Has the administration indicated they would be in support of this Bill?"

Speaker Wennlund: "Representative Klingler."

Klingler: "We have not indicated any opposition to the Bill and in fact, the Director of the State Employee Retirement System is on the floor."

Speaker Wennlund: "Representative Granberg."

Granberg: "Will the Director of the State Employment System indicate...recommend the Governor sign this Bill if it's called for a vote in the Senate?"

Speaker Wennlund: "Representative Klingler."

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

108th Legislative Day

March 26, 1996

Klingler: "The Director indicates that the Governor would sign this Bill."

Speaker Wennlund: "Representative Granberg."

Granberg: "And who is the Senate Sponsor of this Bill going to be, Representative?"

Speaker Wennlund: "Representative Klingler."

Klingler: "That would be up to the President of the Senate."

Speaker Wennlund: "Representative Granberg."

Granberg: "If this Bill successfully passes the House, will it be called for a vote in the Senate?"

Speaker Wennlund: "Representative Klingler."

Klingler: "That would be up to the President of the Senate."

Speaker Wennlund: "Representative Granberg."

Granberg: "Well, Representative, what we don't want to do is raise false expectations on behalf of these people who are in their 80's and give them the encouragement they're going to receive money that they will not. Because I'm very much concerned that this Bill will not be called in the Senate. We're doing this strictly for public relations purposes and that's really a disservice to the people that would be the beneficiaries under the system. So again, the Director would indicate that the Governor would sign it, but we do not know if the Senate will even call this Bill for a vote."

Speaker Wennlund: "Representative Klingler."

Klingler: "Representative, I believe that the Senate Committee passed out a Bill affecting state employees only and I think that there's no reason to assume that they would ignore the needs of state university retired employees."

Speaker Wennlund: "Representative Granberg."

Granberg: "So you think the Senate will ignore the plight of these beneficiaries if they don't call the Bill? And that

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

108th Legislative Day

March 26, 1996

would be Senator Bomke's Bill?"

Speaker Wennlund: "Representative Klingler."

Klingler: "I think it's very important for fairness that we include all of these retired employees by the State of Illinois which includes both university and state employees."

Speaker Wennlund: "Representative Granberg."

Granberg: "Representative, I have Sponsored this Bill in the past and I was the Sponsor of the Bill that actually funded the pensions, but I'm afraid we're perpetrating a fraud on the beneficiaries of this system because this Bill is not going to pass the Senate and the Governor is not going to sign it. So we're raising these expectations and it's unfair to these people, because these people surely deserve this money and we're actually playing politics with them and it's just not fair to them."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I hope you've been listening to the discussion. What we're talking about, according to the Economic and Fiscal Commission's Report on this Bill, the first year payout actually, according to them, is \$4.5 million dollars that will have to come out of the state budget. And I will remind you that Representative Klingler, who represents a large portion of the employees that this will affect, is doing what is important to her constituents and we have to respect that in the Sponsor of this Bill. But be aware that the overall unfunded liability of this Bill would be \$29 million dollars. Now it was a year ago we stood on the floor of the House and discussed the issue of a repayment schedule on unfunding all the pension Bills. I can tell

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

108th Legislative Day

March 26, 1996

you over the course of the last three or four years that we have had many senior citizens come to the pension meetings very upset that there wouldn't be enough money in the pension system to pay their benefits. And we've assured them that by Constitution, whatever we pass here, we must fund even if we don't have the money in the pension system, it's got to, then, come out of the General Revenue Fund because under the Constitution, it must be paid. So here we go again. We're going to vote to present another pension Bill, well-founded, needed, but it incurs another unfunded liability. Just two years ago, we put a repayment program in. Over 50 years to start making it right so that there is money up there, up to 90%. Ladies and Gentlemen, this is the wrong time to be putting this Bill out. This is not something we ought to be doing. We ought to take a look at how we're progressing in terms of paying our pension Bills. I would ask the Body to vote 'no' on this Bill and I think it's time for us to continue to wait to see how well we are in paying. Because, remember, under the new law that we passed two years ago, pension payments must come first. They're not appropriated. They have to be paid and here we go increasing the unfunded liability. This is a mistake and we should not be doing this."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Sangamon, Representative Poe."

Poe: "Mr. Speaker and Ladies and Gentlemen of the House, I would urge a 'yes' vote. This is very good Bill."

Speaker Wennlund: "Please turn on Representative Poe's microphone, please."

Poe: "Mr. Speaker, Ladies and Gentlemen of the House, I'd urge your support. There's all too often, many times in our life we neglect the people that's retired before us. As

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

108th Legislative Day

March 26, 1996

inflation rates, it's hard to keep up with. And I would just ask you to vote 'yes' for this Bill. It's a very good for past retirees and their loyal service to the State of Illinois."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, I would just like to speak to, not the previous individual's comments, but the one before him. I think that all too often you're right. We have to look at budgetary concerns, but most importantly, we have to look at how the people have served this state. And the people that have served this state deserve a minimum amount of retirement benefits. The minimum monthly benefit for employee with 30 years of service would be \$750. My goodness, my goodness, we're just giving them too much. We're giving away the store by giving them \$750 dollars. That's ridiculous. What I say is they deserve it. They deserve every single penny of it and it's time we vote 'yes' for this legislation. I just hope it passes in the Senate and gets signed into law."

Speaker Wennlund: "There being no one further seeking recognition, the Chair recognizes Representative Klingler to close."

Klingler: "Mr. Speaker, Members of the Body, I would urge all of your support this Bill. This is a good Bill. In the sense of fairness, we've supported the retired teachers. I think we need your support those elderly state employees and state university employees who are at the very lowest end of the pension system. This is a Bill which would be of major benefit to them. Thank you very much."

Speaker Wennlund: "The question is, 'Shall House Bill 2616 pass?' All those in favor vote 'aye'; all those opposed vote

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

108th Legislative Day

March 26, 1996

'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. And on this question, there are 109 voting 'yes', 2 voting 'no', 1 voting 'present'. And this Bill, having received the Constitution Majority, is hereby declared passed. Now to the order of House Bills Second Reading. Mr. Clerk, please read House Bill 1249."

Clerk McLennand: "House Bill #1249, a Bill for an Act that amends the Criminal Code of 1961. Second Reading of this House Bill. Committee Amendments #1 and 2 were referred to Committee. Committee Amendments #3 through 11, 13 through 15, and 17 were adopted. Committee Amendments #12 and 16 were withdrawn. Floor Amendment #18, offered by Representative Tom Johnson, has been 'approved for consideration'."

Speaker Wennlund: "Let's take this Bill out of the record. Mr. Clerk, please read House Bill 2524."

Clerk McLennand: "House Bill #2524, a Bill for an Act that amends the Illinois Pension Code. Second Reading of this House Bill. Committee Amendment #1 was referred to Rules. A Fiscal Note and a Pension Impact note have been requested on the Bill and have been filed."

Speaker Wennlund: "Third Reading. Mr. Clerk, please read House Bill 2555."

Clerk McLennand: "House Bill #2555, a Bill for an Act concerning the enclosure of private swimming pools. Bill's been read a second time previously. Floor Amendment #1 is offered by Representative Woolard."

Speaker Wennlund: "Representative Woolard is recognized on the Amendment. Representative Woolard."

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

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

108th Legislative Day

March 26, 1996

Body. I would like for each one and every one of you who had concerns with my swimming pool Bill a few days ago to understand that we tried to address those concerns. We're eliminating the terminology that included jacuzzies, and we're also saying that those above ground pools which have 42 inches of height would be exempt from the regulation as well, no fence intended. So, you know, if there's any questions, be glad to try to answer them. I think that this makes a good Bill even better."

Speaker Wennlund: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Schakowsky."

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

Speaker Wennlund: "He indicates he will."

Schakowsky: "So then there's no...your Amendment then addresses all of the concerns that were raised in the last debate about this, Representative?"

Speaker Wennlund: "Representative Woolard."

Woolard: "Yes."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "Is it your intention that your Amendment apply to all above ground pools?"

Speaker Wennlund: "Representative Woolard."

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

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "Is it your intention that your Amendment apply to all above ground pools?"

Speaker Wennlund: "Representative Woolard."

Woolard: "Yes."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "This is regardless of the size of that above ground pool?"

Speaker Wennlund: "Representative Woolard."

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

108th Legislative Day

March 26, 1996

Woolard: "What we're talking about is all of those that have 42 inches of height, including the depth of the pool or the height of the sidewalls and/or any fence that might be attached to it."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "Thank you, Representative."

Speaker Wennlund: "There being no one further seeking recognition, Representative Woolard to close."

Woolard: "Just appreciate your support for this Amendment."

Speaker Wennlund: "The question is, 'Shall Floor Amendment #1 be adopted?' All those in favor signify by saying 'aye'; all those opposed signify by saying 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Any further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Wennlund: "Third Reading. Mr. Clerk, please read House Bill 2725."

Clerk McLennand: "House Bill #2725, a Bill for an Act that amends the Environmental Protection Act. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. Fiscal Note and State Mandate's Note have been filed on the Bill."

Speaker Wennlund: "Third Reading. Mr. Clerk, please read House Bill 2735."

Clerk McLennand: "House Bill #2735, a Bill for an Act concerning township officers. Second Reading of this House Bill. Committee Amendments #1, 2, and 3 were adopted. Committee Amendment #4 was referred to Rules. Floor Amendment #5, offered by Representative Hughes, has been 'approved for consideration'."

Speaker Wennlund: "The Chair recognizes Representative Hughes on Floor Amendment #5."

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

108th Legislative Day

March 26, 1996

Hughes: "Thank you, Mr. Speaker. Floor Amendment #5 is a technical correction that I brought to the attention of the Committee when the Bill was presented for its full consideration. This is attempting to clarify and address a problem that was created last year when we passed legislation dealing with when salaries were set for local government officials. Because township assessors take office at a period of time, considerably distant from the point of time they're elected, they were left in a gap, in a hole with this legislation. So this Amendment finally gets the proper wording to take care of that. I would ask for your adoption."

Speaker Wennlund: "Representative Granberg, for what purpose do you seek recognition?"

Granberg: "Thank you, Mr. Speaker. Parliamentary Inquiry."

Speaker Wennlund: "State your inquiry."

Granberg: "I don't believe Amendment #5 has been printed and distributed, Mr. McLennand."

Speaker Wennlund: "Mr. Clerk?"

Clerk McLennand: "Amendment #5 is on the computer system."

Speaker Wennlund: "Representative Granberg. So with modern technology, you have to bring yourself up to date. See if you can pull it up on your computer."

Granberg: "So we don't have to have it distributed? Just put it on the computer system?"

Speaker Wennlund: "If the Amendment is on the computer system, we're saving trees and it is deemed to be printed and distributed because it is on every Member's desk. Representative Granberg."

Granberg: "Mr. Speaker, does that conform with the House Rules, though? When was the Amendment put on?"

Speaker Wennlund: "Provisions were made in House Rules for the

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

108th Legislative Day

March 26, 1996

plans to go to a computerized House and a paperless House. Distribution by electronic device is provided for in the Rules. You may recall that early discussions when the Rules were adopted that it was the intention to go to a paperless House. With all environmental concerns, we did provide for electronic transmission of Bills and Amendments and when the Amendment is in the system and able to be pulled up in front of you on your handy dandy little computer, it is deemed to have been printed and distributed. Representative Granberg."

Granberg: "Mr. Speaker, could you please cite the Rule to me, Sir?"

Speaker Wennlund: "5-4, subsection d. Representative Granberg."

Granberg: "Thank you, Speaker. I'll be drug, dragging and screaming into the new century. Thank you, Mr. McLennand."

Speaker Wennlund: "You're certainly welcome. Representative Granberg, do you wish to address the Amendment? Your light is still blinking."

Granberg: "Thank you, Mr. Speaker. I'd like to thank you for distributing Amendment #5 now."

Speaker Wennlund: "You're welcome."

Granberg: "So why are you distributing the Amendment if there is a provision made for in the Rules that we're going to do this electronically? So now I'm rescinding my comments because this is much better."

Speaker Wennlund: "We made a special effort in your instance, Representative Granberg, and we're always happy to accommodate. I regret the fact that we had to cut down another tree to satisfy you in delivering you a hand copy of it, but if you hit the print button on your machine, you can get a hard copy. So, you know, I would suggest taking further computer courses that are offered by the Clerk's

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

108th Legislative Day

March 26, 1996

office so that you can be able to operate in this paperless House. Thank you. Is there any discussion on the Amendment? Representative Granberg."

Granberg: "Yes, there is and I want to thank you because you making those efforts on my behalf. I've seen similar efforts made by the Chair on my behalf and they weren't very pleasing. So sorry if I'm a little cynical about your actions, but thank you, Mr. Speaker."

Speaker Wennlund: "You're certainly welcome. There being no discussion, the Chair recognizes Representative...Representative Granberg?"

Granberg: "Whoa, I'm asking about the Amendment, Mr. Speaker."

Speaker Wennlund: "I'm sorry, Representative. Representative Hughes indicates she will yield."

Granberg: "Thank you, Representative. Representative, is this Amendment at the request of the township officials?"

Speaker Wennlund: "Representative Hughes."

Hughes: "Yes."

Speaker Wennlund: "Representative Granberg."

Granberg: "And the township officials have worked with you on the agreed language to this Bill? Because it was my understanding there was some concern initially, but apparently that's been taken care of?"

Speaker Wennlund: "Representative Hughes."

Hughes: "Yes, township officials have worked with me on this language. We've had to go through several attempts to get it correct, but I believe we've got it now."

Speaker Wennlund: "Representative Granberg."

Granberg: "So this in no way will set the amount of compensation, but it allows them to set the compensation themselves. Is that correct?"

Speaker Wennlund: "Representative Hughes."

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

108th Legislative Day

March 26, 1996

Hughes: "It doesn't change in any way the setting of compensation in terms of how much. It merely says at what time compensation shall be set."

Speaker Wennlund: "Representative Granberg."

Granberg: "And that compensation is limited to not less than \$100 dollars and not more than a \$1 thousand dollars. Is that also correct?"

Speaker Wennlund: "Representative Hughes."

Hughes: "That would apply to road district treasurers? Yes, that's correct."

Speaker Wennlund: "Representative Granberg."

Granberg: "Thank you, Representative Hughes."

Speaker Wennlund: "There being no one further seeking recognition, the Chair recognizes Representative Hughes to close on Floor Amendment #5."

Hughes: "Again, I just urge an 'aye' vote. It's a technical correction is all."

Speaker Wennlund: "The question is, 'Shall Floor Amendment #5 be adopted?' All those in favor signify by saying 'aye'; opposed signify by saying 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Wennlund: "Third Reading. Mr. Clerk, please read House Bill 2745."

Clerk McLennand: "House Bill #2745, a Bill for an Act concerning sanitary districts. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. A State Mandate's Note and a Fiscal Note have been filed on the Bill and a Home Rule Note has been filed on the Bill."

Speaker Wennlund: "Third Reading. Mr. Clerk, please read House

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

108th Legislative Day

March 26, 1996

Bill 2518."

Clerk McLennand: "House Bill #2518, a Bill for an Act that amends the Code of Criminal Procedure of 1963. Second Reading of this House Bill. Amendment #1 was adopted in Committee. Floor Amendment #2, offered by Representative Zickus, has been 'approved for consideration'."

Speaker Wennlund: "The Chair recognizes Representative Zickus on Floor Amendment #2."

Zickus: "Thank you, Mr. Speaker. Floor Amendment #2 changes the effective date when the Bill was originally drawn, it had a date of 1995 and this Amendment merely changes that date to 1996."

Speaker Wennlund: "You've heard the Motion. Is there any discussion? Seeing none, Representative Zickus to close."

Zickus: "I'd just ask for your support to adopt Amendment #2. Thank you."

Speaker Wennlund: "The question is, 'Shall Floor Amendment #2 be adopted?' All those in favor signify by saying 'aye'; opposed signify by saying 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments, Mr. Clerk."

Clerk McLennand: "No further Amendments, but a Fiscal Note and a State Mandate's Note have been requested on the Bill 'as amended' and have not been filed."

Speaker Wennlund: "Hold the Bill on Second, Mr. Clerk. Mr. Clerk, please read House Bill 3048."

Clerk McLennand: "House Bill #3048. A Bill for an Act in relation to criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 is offered by Representative John Turner and has been 'approved for consideration'."

Speaker Wennlund: "The Chair recognizes Representative Turner on

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

108th Legislative Day

March 26, 1996

Floor Amendment #1. Mr. Clerk, take the Bill out of the record. Mr. Clerk, please read House Bill 3396."

Clerk McLennand: "House Bill #3396, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Biggert, has been 'approved for consideration'."

Speaker Wennlund: "The Chair recognizes Representative Biggert on Floor Amendment #1."

Biggert: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Floor Amendment #1 is a technical Amendment which actually has been proposed by the other side of the aisle and it is a technical Amendment to make the dates consistent for consistency purposes. And I would ask for a favorable consideration."

Speaker Wennlund: "Discussion on the Amendment? The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Will the Lady yield?"

Speaker Wennlund: "She indicates she will."

Granberg: "Representative Biggert, does this Amendment address the situation our staff brought up in Committee?"

Speaker Wennlund: "Representative Biggert."

Biggert: "No, it addresses a situation that your technical staff in reviewing the general revisionary Bill came up with."

Speaker Wennlund: "Representative Granberg."

Granberg: "So they only found that one problem, which is the subject of this Amendment?"

Speaker Wennlund: "Representative Biggert."

Biggert: "That's correct."

Speaker Wennlund: "Representative Granberg."

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

108th Legislative Day

March 26, 1996

Granberg: "Thank you. I just want to thank our technical review staff."

Speaker Wennlund: "Any further discussion? There being none, the Chair recognizes Representative Biggert to close."

Biggert: "I would hope for your favorable consideration."

Speaker Wennlund: "The question is, 'Shall Floor Amendment #1 be adopted?' All those in favor signify by saying 'aye'; opposed signify by saying 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Any further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments. A Fiscal Note has been requested and has been filed."

Speaker Wennlund: "Third Reading. Mr. Clerk, please read House Bill 3161."

Clerk McLennand: "House Bill #3161, a Bill for an Act amending Environmental Protection Act. Second Reading of this House Bill. Committee Amendment #1 was adopted. Committee Amendment #2 was referred to Rules. A Fiscal Note and a State Mandate's Note have been filed on the Bill."

Speaker Wennlund: "Third Reading. Mr. Clerk, please read House Bill 3507."

Clerk McLennand: "House Bill #3507, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of this House Bill. Committee Amendment #1 was referred to Rules. No Floor Amendments. Fiscal Note and Judicial Note have both been filed on the Bill."

Speaker Wennlund: "Third Reading. Mr. Clerk, please read House Bill 3281."

Clerk McLennand: "House Bill #3281, a Bill for an Act amending Illinois Vehicle Code. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. A Fiscal Note and a Correctional Budget and

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

108th Legislative Day

March 26, 1996

Impact Note have been filed on the Bill."

Speaker Wennlund: "Third Reading. Mr. Clerk, please read House Bill 3617."

Clerk McLennand: "House Bill #3617, a Bill for an Act concerning drug induced infliction of aggravated battery to a child athlete. Second Reading of this House Bill. Committee Amendment #1 was adopted. No Floor Amendments. A Fiscal Note and a Correctional Budget and Impact Note have been filed as requested."

Speaker Wennlund: "Third Reading. Clerk, please read House Bill 3048."

Clerk McLennand: "House Bill #3048, Bill's been read a second time previously. Floor Amendment #1 is offered by John Turner and is 'approved for consideration'."

Speaker Wennlund: "The Chair recognizes Representative Turner on Floor Amendment #1."

Turner, J.: "Thank you, Mr. Speaker. The Amendment simply makes a technical change. This is the frivolous lawsuit Bill and it makes it clear that if a frivolous lawsuit is filed by a prisoner up to 180 days, can be revoked, instead of a mandatory 180 days, has to be revoked."

Speaker Wennlund: "Ladies and Gentlemen of the House, please give the Sponsor of the Amendment and the respondent your attention. The level of noise is so, that the House can barely hear the questions and answers. For discussion on the Amendment, the Chair recognizes the Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Wennlund: "He indicates he will."

Hoffman: "As you know, I'm totally in favor of this Bill. However, I think you may have a technical drafting error in the Amendment that our staff found. In one place of the

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

108th Legislative Day

March 26, 1996

Bill, it indicates that if a frivolous lawsuit..."

Speaker Wennlund: "Representative Turner."

Hoffman: "No, I didn't ask a question. My mike just went off.

If indeed a lawsuit was found to be frivolous, then it would revoke up to 180 days and I'm looking for it, I'll find it in just one second."

Speaker Wennlund: "Representative Turner."

Turner: "I'm sorry, Representative Hoffman, was that a question or were you just in the process of completing your inquiry?"

Speaker Wennlund: "Representative Hoffman."

Hoffman: "Okay, on page 32 in the Amendment, it makes the change and it says because of the Amendment, what it does is it says, 'You will revoke up to 180 days.' But in the second part of the Bill on page 39, it doesn't do the same thing. So there are inconsistencies in the Amendment. I don't think that was your intent. I think what you want...our intent, I'm a Sponsor of the Bill. I think our intent was to revoke that amount, not up to. You see, understand the inconsistencies? So maybe what you want to do is get Amendment #2 and then just make the changes tomorrow or as soon as possible, because I'm in favor of this Bill."

Speaker Wennlund: "Representative Turner."

Turner, J.: "I believe you're right, Representative."

Speaker Wennlund: "Representative Turner, is it your desire to take the Bill out of the record at this time?"

Turner, J.: "Yes, Mr. Speaker."

Speaker Wennlund: "Thank you. Take this Bill out of the record, Mr. Clerk. Clerk, please read House Bill 3676."

Clerk McLennand: "House Bill #3676, a Bill for an Act that amends the Regional Transportation Authority Act. Second Reading of this House Bill. Committee Amendment #1 was adopted.

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

108th Legislative Day

March 26, 1996

No Floor Amendments. A Fiscal Note and a State Mandate's Note have been requested and have been filed."

Speaker Wennlund: "Third Reading. Mr. Clerk, please read House Bill 1287."

Clerk McLennand: "House Bill #1287, a Bill for an Act that amends a Public Community College Act. Second Reading of this House Bill. Committee Amendment #1 was adopted. Committee Amendment #2 was referred to Rules. No Floor Amendment. Fiscal Note and a State Mandate's Note have been filed."

Speaker Wennlund: "Third Reading. Clerk, please read House Bill 3638."

Clerk McLennand: "House Bill #3638, a Bill for an Act that amends the Counties Code. Second Reading of this House Bill. Committee Amendments #1 and 2 were adopted. No Floor Amendments. Fiscal Note has been filed."

Speaker Wennlund: "Third Reading. Mr. Clerk, what is the status of House Bill 3662?"

Clerk McLennand: "House Bill #3662, a Bill for an Act concerning business, technology, and other development. Third Reading of this House Bill."

Speaker Wennlund: "Please return the Bill to the order of Second Reading, Mr. Clerk. We'll now proceed to the order of House Bills Third Reading. Mr. Clerk, please read House Bill 3396."

Clerk McLennand: "House Bill #3396, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections. Third Reading of this House Bill."

Speaker Wennlund: "The Chair recognizes the Sponsor, Representative Biggert."

Biggert: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3396 is the first 1996 General Revisionary Act. And this combines multiple versions of

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

108th Legislative Day

March 26, 1996

sections amended by more than one Public Act, renumbers sections of various Acts to eliminate duplication, corrects obsolete citations and technical errors and makes stylistic changes. In other words, this Bill which is 950 pages, really is, as a result of all the Bills that we have passed in 1995 and it is to make changes so that our statute books are in conformity and the language is correct with all the Bills that we have passed. There are several articles of this legislation. Article 1 contains general provisions explaining the nature of the Bill. Article 2 contains combining and renumbering revisionaries and most of these are based on materials which were enacted during the first year of the 89th General Assembly. It also makes technical changes in some of the sections included in it. Article 3 makes technical corrections. It deletes obsolete material, corrects technical errors, makes stylistic changes, and revises obsolete and incorrect citations and cross references. Article 4 includes an immediate effective date and provides that the revisionary Act does not accelerate the taking of effect of any section with a later effective date. The revisory Bills are prepared and submitted by the Legislative Reference Bureau in accordance with section 5.04(h) of the Legislative Reference Bureau Act and are exempt from the Single Subject Rule under Article 4, Section 8(d) of the Illinois Constitution. And I'd be happy to answer any questions."

Speaker Wennlund: "Is there any discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg. Do you wish to address this Revisory Act, Representative Granberg?"

Granberg: "Yes, I wish to address this Revisory Act."

Speaker Wennlund: "Thank you. Proceed."

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

108th Legislative Day

March 26, 1996

Granberg: "Representative Biggert, this has all been agreed to. Our staffs have gone over all the details. I just want to make sure, that's all. We just made the one change and that's been it? Everybody is in complete agreement?"

Speaker Wennlund: "Representative Biggert."

Biggert: "Correct, Representative Granberg. I think that our technical staff, five people have gone over this and I think your technical staff spent a lot of time going over it and did make that one change, which we appreciate."

Speaker Wennlund: "Representative Granberg."

Granberg: "I want to compliment your technical staff as well. They work so well together. But thank you and this actually we have to avoid the single subject matter, much like we did with the Underground Tank Bill and the Child Sexual Offender Notification Act."

Speaker Wennlund: "Representative Biggert."

Biggert: "I think this is a little bit different."

Speaker Wennlund: "Representative Granberg."

Granberg: "Thank you."

Speaker Wennlund: "Being no one else seeking recognition on this Bill, Representative Biggert is recognized to close."

Biggert: "Thank you very much, Mr. Speaker. This is the General Revisory Act and I know of no opposition and I think that the staffs on both sides of the aisle worked very closely on this. And I would urge 'do passage.'"

Speaker Wennlund: "The question is, 'Shall House Bill 3396 pass?' All those in favor vote 'aye'; all those 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? Mr. Clerk, take the record. On this question, there are 112 'ayes', 0 'nays', 0 voting 'present'. And this Bill, having received a Constitutional

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

108th Legislative Day

March 26, 1996

Majority, is hereby declared passed. Turn to the Order of Resolutions, found on page 14 of the Calendar. The Chair recognizes the Sponsor of HJR 85, Representative Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution 85 deals with some of the problems we're having throughout the state with the issue of portable scales. The outlay of portable scales are dictated by the Department of Transportation and the Department of State Police helps the Department of Transportation pull over trucks and other pieces of equipment when they weigh these scales to check the weights on the roads. The problem that we're having in a lot of areas is, the portable scales, as well as the platform scales, in the State of Illinois are monitored and inspected by the Department of Ag. They're certified scales. If I have and in many cases, many of us in our districts have had trucks weighed on a platform scale that are legal. They travel some distance on a highway, get stopped by a portable scale, and a lot of times they're overweight on the portables. We want to set up a task force that would possibly come up with some legislative ideas on how we can correct these discrepancies and make the portables much more tolerant to the standards that the platform scales have, thereby easing some of the costs and problems that we have in the state. I would be more than happy to try to answer any questions regarding this Resolution."

Speaker Wennlund: "You've heard the explanation. Is there any discussion? The Chair recognizes the Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker. I rise in support of this Resolution. I think it's important for the Members of the

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

108th Legislative Day

March 26, 1996

House to know that as the portable scales have been set up around this state over the last many years that they've been in existence, we demand certain things whenever we are selling items or that we have people in the retail business out there. We have scales set up for them and their scales are required to meet certain standards. Some of the scales that are used in the portable system are marked on the side, 'Not to be used for legal trade.' But yet, it's legal trade when we take money from these business owners, from these farmers, from these people that are out there trying to make a living with these vehicles. Now if they are in violation, they should be penalized. But quite often, what happens is you weigh, as the Representative said before, you weigh at a legal scale. You go off and you're pulled over, you take valuable time away from the day that you're trying to make a living for your family, to stop, get weighed by this scale from the state, from the State Police, only to find out that one scale says you're legal and the next scale says you're not. Then you take another day and you go into court and you have to argue this in court and quite often you can prove that by comparing the two tickets that you were clearly not in violation. But, yet it takes valuable time. There's a lot of problems that are existing right now in our portable scales. All this does is it sets up a task force to go out and try to find out what these problems are, try to cure these problems and try to help the business people, the farmers that are working in the State of Illinois. We want these scales to be fair. We want these scales to be accurate. And right now, it's showing that they're not. And hopefully this task force will get this problem straightened out. I hope that everyone supports this

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

108th Legislative Day

March 26, 1996

Resolution."

Speaker Wennlund: "There being no one further seeking recognition, the Chair recognizes Representative Deering to close."

Deering: "Thank you, Mr. Chairman. I just would like to ask for a favorable Roll Call."

Speaker Wennlund: "The question is, 'Shall the House adopt HJR 85?' All those in favor vote 'aye'; all those 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? Mr. Clerk, take the record. And on this question, there are 111 'ayes', 0 'nays', and 0 voting 'present'. And the House does adopt HJR 85. Mr. Clerk, Introduction of Bills."

Clerk McLennand: "Introduction of Resolutions. House Resolution #89, offered by Representative Lang, referred to the Rules Committee. Introduction and First Reading of Senate Bills. Senate Bill #1312, offered by Representative Lachner, a Bill for an Act concerning letters of credit. Senate Bill #1353, offered by Representative Boland, a Bill for an Act to amend the Rights of Crime Victims and Witnesses Act. Senate Bill #1414, offered by Representative Boland, a Bill for an Act to amend the Bingo License and Tax Act. Senate Bill #1467, offered by Representative Boland, a Bill for an Act to amend the Criminal Code of 1961. Senate Bill #1761, offered by Representative Boland, a Bill for an Act to amend the General Assembly Organization Act. Introduction and First Reading of these Senate Bills."

Speaker Wennlund: "The Chair recognizes the Gentleman from Adams, Representative Tenhouse. For what purpose do you seek recognition?"

Tenhouse: "Mr. Speaker, we are just absolutely thrilled with the

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

108th Legislative Day

March 26, 1996

incredible response to our concern about the Raymond Poe birthday fund and we're happy to announce that because of the hard work of Representative Bill Black, we've been able to collect enough money that we have some cake over here from Representative Raymond Poe, over here in the corner. So come on over and grab it because with the way the farm economy is, we're going to need all the help we can get."

Speaker Wennlund: "Is the cake also 52 years old?"

Tenhouse: "We're not sure, but we do know as far as his age, but we tried to cut him in two and see in terms of counting the rings, but it was too thick. We have some idea though, because he said something about 'being older than...he remembers that he is older than when Lassie was a puppy.' I don't know. I don't understand all the things he's talking about. Goes something though, I think he said that he voted for we're not sure which Roosevelt, whether it's Ted or Franklin, but nevertheless, it goes back a long, long way."

Speaker Wennlund: "Thank you."

Tenhouse: "We're pretty sure it's Theodore Roosevelt though, because I don't think that he's ever voted for a Democrat."

Speaker Wennlund: "Well, I know that the fire marshal has prohibited the lighting of the candles so we can take it from there. The Chair recognizes the Gentleman from Vermilion, Representative Black. For what purpose do you seek recognition?"

Black: "Thank you very much, Mr. Speaker. For purposes of two announcements. Number one, the group called, would like you to bring their clock back before the week's over. Number two, don't everybody rush over here to get a piece of cake because we only collected \$2.37, so it isn't a very big cake."

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

108th Legislative Day

March 26, 1996

Speaker Wennlund: "Thank you, Representative Black. Returning to the Order of House Bills Second Reading. Mr. Clerk, please read House Bill 1249."

Clerk McLennand: "House Bill #1249, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill."

Speaker Wennlund: "Mr. Clerk, leave the Bill on the Order of Second Reading. Mr. Clerk, please read House Bill 2406."

Clerk McLennand: "House Bill #2406, a Bill for an Act that amends the University of Illinois Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. State Mandate's Note and a Fiscal Note have been filed on the Bill."

Speaker Wennlund: "Third Reading. Mr. Clerk, please read House Bill 2413."

Clerk McLennand: "House Bill #2413, a Bill for an Act that amends the Metropolitan Water Reclamation District Act. Second Reading of this House Bill. Committee Amendment #1 was adopted. Fiscal Note and a State Mandate's Note have been requested."

Speaker Wennlund: "Leave the Bill on the Order of Second Reading, Mr. Clerk. Mr. Clerk, please read House Bill 2794."

Clerk McLennand: "House Bill #2794, Bill's been read a second time previously. Amendment #1 was adopted in Committee. Floor Amendment #2, offered by Representative Kubik, is 'approved for consideration'."

Speaker Wennlund: "Mr. Clerk, leave the Bill on the Order of Second Reading. Mr. Clerk, Consent Calendar."

Clerk McLennand: "Consent Calendar. House Bill #3238, a Bill for an Act concerning congregate living arrangements. Second Reading of the ..."

Speaker Wennlund: "Third Reading. Ladies and Gentlemen of the

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

108th Legislative Day

March 26, 1996

House, it's the Chair's intent to remain in Perfunctory Session so that the Clerk can read all Bills on the Order of Second Reading a second time. Representative Black now moves that the House stand adjourned until Wednesday, March 27th, 1996 at the hour of 9:00 a.m. All those in favor signify by saying 'aye'; opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and allowing perfunctory time for the Clerk, the House now stands adjourned until Wednesday, March 27th, 1996 at the hour of 9:00 a.m."

Clerk McLennand: "Members are reminded at 3:30, Judiciary Criminal Law's meeting in Room D1 and Cities and Villages is meeting in Room C1."

Clerk McLennand: "House Perfunctory Session will be in order. Second Reading of House Bills. Second Reading of House Bills for the purpose of leaving them on the Order of Second Reading. Senate Bill #14, a Bill for an Act to amend the Criminal Code. House Bill #17, a Bill for an Act in relation of property taxes. House Bill #18, a Bill for an Act in relation of property taxes. House Bill #22, a Bill for an Act to amend the Illinois Public Aid Code. House Bill #24, a Bill for an Act to amend the Illinois Public Aid Code. House Bill #87, a Bill for an Act to amend the Workers' Compensation Act. House Bill #88, a Bill for an Act to amend the Unemployment Insurance Act. House Bill #205, a Bill for an Act to amend the Child Sex Offender Registration Act. House Bill #235, a Bill for an Act in relation to public welfare reform. House Bill #322, a Bill for an Act to amend the Illinois Pension Code. House Bill #346, a Bill for an Act to amend the Juvenile Court Act. House Bill #416, a Bill for an Act to amend the Illinois Insurance Code. House Bill #418, a Bill for an Act to amend the State Finance Act. House Bill #422, a

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

108th Legislative Day

March 26, 1996

Bill for an Act to amend the Civil Administrative Code of Illinois. House Bill #526, a Bill for an Act to amend the Airport Authorities Act. House Bill #588, a Bill for an Act to amend the Secretary of State Act. House Bill #1286, a Bill for an Act to amend the Educational Partnership Act. House Bill #1471, a Bill for an Act to amend the Illinois Aeronautics Act. House Bill #1476, a Bill for an Act to amend the General Obligation Bond Act. House Bill #1477, a Bill for an Act relating to bond authorizations. House Bill #2206, a Bill for an Act to amend the State Finance Act. House Bill #2412, a Bill for an Act to amend the Regional Transportation Authority Act. House Bill #2414, a Bill for an Act to amend the Election Code. House Bill #2421, a Bill for an Act to amend the Election Code. House Bill #2557, a Bill for an Act in relation to post partum care. House Bill #2595, a Bill for an Act to amend the Unemployment Insurance Act. House Bill #2606, a Bill for an Act to amend the Professional Engineering Practice Act. House Bill #2621, a Bill for an Act to amend the Counterfeit Trademark Act. House Bill #2632, a Bill for an Act concerning temporary support services. House Bill #2655, a Bill for an Act concerning fire resistant compartmentalization of units in multi-family dwellings. House Bill #2721, a Bill for an Act to amend the Criminal Code. House Bill #2737, a Bill for an Act to amend the Counties Code. House Bill #2763, a Bill for an Act to amend the Illinois Pension Code. House Bill #2800, a Bill for an Act to amend the Lead Poisoning Prevention Act. House Bill #2817, a Bill for an Act concerning intergovernmental planning. House Bill #2859, a Bill for an Act to amend the Airport Authorities Act. House Bill #2880, a Bill for an Act to amend the Illinois Vehicle

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

108th Legislative Day

March 26, 1996

Code. House Bill #2909, a Bill for an Act to amend the Child Care Act. House Bill #2915, a Bill for an Act to amend the Unified Code of Corrections. House Bill #2963, a Bill for an Act to amend the Criminal Code. House Bill #3026, a Bill for an Act to amend the Environmental Protection Act. House Bill #3041, a Bill for an Act to amend the Park District Code. House Bill #3081, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. House Bill #3090, a Bill for an Act to amend the IL Purchasing Act. House Bill #3136, a Bill for an Act to amend the Unified Code of Corrections. House Bill #3141, a Bill for an Act concerning units of local governments. House Bill #3151, a Bill for an Act to amend the Watershed Improvement Act. House Bill #3158, a Bill for an Act concerning obsolete and dated laws. House Bill #3199, a Bill for an Act to amend the Liquor Control Act. House Bill #3309, a Bill for an Act in relation to health care. House Bill #3414, a Bill for an Act to amend the Illinois Municipal Code. House Bill #3420, a Bill for an Act to amend the Code of Criminal Procedure. House Bill #3426, a Bill for an Act to amend the School Code. House Bill #3441, a Bill for an Act to amend the Cemetery Care Act. House Bill #3448, a Bill for an Act concerning criminal law. House Bill #3449, a Bill for an Act in relation to persons who commit offenses against children. House Bill #3455, a Bill for an Act to amend the Criminal Code. House Bill #3510, a Bill for an Act to amend the Unified Code of Corrections. House Bill #3511, a Bill for an Act to amend the Unified Code of Corrections. House Bill #3603, a Bill for an Act to amend the Election Code. House Bill #3604, a Bill for an Act to amend the Election Code. House Bill #3623, a Bill for an Act to amend the Illinois

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

108th Legislative Day

March 26, 1996

Public Aid Code. House Bill #3655, a Bill for an Act to amend the Illinois Governmental Ethics Act. House Bill #3658, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of these House Bills. These Bills will be held on the Order of Second Reading. Introduction - First Reading of Senate Bills. Senate Bill #1351, offered by Representative Lang, a Bill for an Act in relation to Criminal Law. Senate Bill #1326, offered by Representative Lopez, a Bill for an Act to amend the Emergency Medical Services Systems Act. Senate Bill #1327, offered by Representative Lopez, a Bill for an Act to amend the Emergency Medical Services Systems Act. Senate Bill #1354, offered by Representative Parke, a Bill for an Act to amend the Criminal Code. Senate Bill #1503, offered by Representative Maureen Murphy, a Bill for an Act to amend the Illinois Income Tax Act. Senate Bill #1604, offered by Representative Biggert, a Bill for an Act to amend the County Jail Act. Senate Bill #1681, offered by Representative Poe, a Bill for an Act to amend the Emergency Telephone Systems Act. Introduction - First Reading of these Senate Bills. Being no further business, the House Perfunctory Session stands adjourned. The House will reconvene in full Session on Wednesday, March 27th at the hour of 9:00 a.m."

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

97/05/06
09:54:41

MARCH 26, 1996

HB-0017	HELD ON SECOND	PAGE	184
HB-0018	HELD ON SECOND	PAGE	184
HB-0022	HELD ON SECOND	PAGE	184
HB-0024	HELD ON SECOND	PAGE	184
HB-0087	HELD ON SECOND	PAGE	184
HB-0088	HELD ON SECOND	PAGE	184
HB-0205	HELD ON SECOND	PAGE	184
HB-0235	HELD ON SECOND	PAGE	184
HB-0322	HELD ON SECOND	PAGE	184
HB-0346	HELD ON SECOND	PAGE	184
HB-0378	THIRD READING	PAGE	4
HB-0416	HELD ON SECOND	PAGE	184
HB-0418	HELD ON SECOND	PAGE	184
HB-0422	HELD ON SECOND	PAGE	184
HB-0427	THIRD READING	PAGE	8
HB-0431	THIRD READING	PAGE	12
HB-0526	HELD ON SECOND	PAGE	184
HB-0588	HELD ON SECOND	PAGE	184
HB-0739	SECOND READING	PAGE	2
HB-1249	HELD ON SECOND	PAGE	182
HB-1249	OUT OF RECORD	PAGE	164
HB-1285	THIRD READING	PAGE	20
HB-1286	HELD ON SECOND	PAGE	184
HB-1287	SECOND READING	PAGE	175
HB-1290	THIRD READING	PAGE	25
HB-1471	HELD ON SECOND	PAGE	184
HB-1476	HELD ON SECOND	PAGE	184
HB-1477	HELD ON SECOND	PAGE	184
HB-2028	SECOND READING	PAGE	2
HB-2206	HELD ON SECOND	PAGE	185
HB-2406	SECOND READING	PAGE	183
HB-2412	HELD ON SECOND	PAGE	185
HB-2413	HELD ON SECOND	PAGE	183
HB-2414	HELD ON SECOND	PAGE	185
HB-2421	HELD ON SECOND	PAGE	185
HB-2518	SECOND READING	PAGE	170
HB-2518	HELD ON SECOND	PAGE	171
HB-2524	SECOND READING	PAGE	164
HB-2529	SECOND READING	PAGE	2
HB-2555	SECOND READING	PAGE	164
HB-2555	RECALLED	PAGE	78
HB-2557	HELD ON SECOND	PAGE	185
HB-2576	HELD ON SECOND	PAGE	3
HB-2579	OUT OF RECORD	PAGE	32
HB-2595	HELD ON SECOND	PAGE	185
HB-2606	HELD ON SECOND	PAGE	185
HB-2612	OUT OF RECORD	PAGE	32
HB-2616	SECOND READING	PAGE	4
HB-2616	THIRD READING	PAGE	157
HB-2621	HELD ON SECOND	PAGE	185
HB-2632	HELD ON SECOND	PAGE	185
HB-2651	SECOND READING	PAGE	3
HB-2655	HELD ON SECOND	PAGE	185
HB-2670	THIRD READING	PAGE	32
HB-2691	THIRD READING	PAGE	38
HB-2695	THIRD READING	PAGE	110
HB-2721	HELD ON SECOND	PAGE	185
HB-2725	SECOND READING	PAGE	166
HB-2735	SECOND READING	PAGE	166
HB-2737	HELD ON SECOND	PAGE	185
HB-2745	SECOND READING	PAGE	170
HB-2763	HELD ON SECOND	PAGE	185
HB-2794	HELD ON SECOND	PAGE	183
HB-2799	THIRD READING	PAGE	49

MARCH 26, 1996

HB-2800 HELD ON SECOND	PAGE	185
HB-2817 HELD ON SECOND	PAGE	185
HB-2859 HELD ON SECOND	PAGE	185
HB-2880 HELD ON SECOND	PAGE	185
HB-2909 HELD ON SECOND	PAGE	185
HB-2915 HELD ON SECOND	PAGE	185
HB-2963 HELD ON SECOND	PAGE	185
HB-3026 HELD ON SECOND	PAGE	185
HB-3041 HELD ON SECOND	PAGE	185
HB-3048 SECOND READING	PAGE	174
HB-3048 OUT OF RECORD	PAGE	175
HB-3057 THIRD READING	PAGE	60
HB-3081 HELD ON SECOND	PAGE	185
HB-3090 HELD ON SECOND	PAGE	186
HB-3133 THIRD READING	PAGE	90
HB-3136 HELD ON SECOND	PAGE	186
HB-3141 HELD ON SECOND	PAGE	186
HB-3151 HELD ON SECOND	PAGE	186
HB-3157 THIRD READING	PAGE	82
HB-3158 HELD ON SECOND	PAGE	186
HB-3161 SECOND READING	PAGE	173
HB-3199 HELD ON SECOND	PAGE	186
HB-3227 HELD ON SECOND	PAGE	3
HB-3233 THIRD READING	PAGE	64
HB-3238 SECOND READING	PAGE	183
HB-3281 SECOND READING	PAGE	173
HB-3305 SECOND READING	PAGE	4
HB-3309 HELD ON SECOND	PAGE	186
HB-3348 SECOND READING	PAGE	3
HB-3396 SECOND READING	PAGE	171
HB-3396 THIRD READING	PAGE	176
HB-3414 HELD ON SECOND	PAGE	186
HB-3420 HELD ON SECOND	PAGE	186
HB-3426 HELD ON SECOND	PAGE	186
HB-3441 HELD ON SECOND	PAGE	186
HB-3447 THIRD READING	PAGE	133
HB-3448 HELD ON SECOND	PAGE	186
HB-3449 HELD ON SECOND	PAGE	186
HB-3455 HELD ON SECOND	PAGE	186
HB-3507 SECOND READING	PAGE	173
HB-3510 HELD ON SECOND	PAGE	186
HB-3511 HELD ON SECOND	PAGE	186
HB-3546 THIRD READING	PAGE	99
HB-3547 THIRD READING	PAGE	78
HB-3601 THIRD READING	PAGE	105
HB-3603 HELD ON SECOND	PAGE	186
HB-3604 HELD ON SECOND	PAGE	186
HB-3614 THIRD READING	PAGE	115
HB-3617 SECOND READING	PAGE	173
HB-3623 HELD ON SECOND	PAGE	186
HB-3635 SECOND READING	PAGE	3
HB-3638 THIRD READING	PAGE	176
HB-3655 HELD ON SECOND	PAGE	186
HB-3658 HELD ON SECOND	PAGE	186
HB-3662 RECALLED	PAGE	176
HB-3668 SECOND READING	PAGE	4
HB-3670 THIRD READING	PAGE	106
HB-3676 SECOND READING	PAGE	175
HB-3677 THIRD READING	PAGE	139
SB-0014 HELD ON SECOND	PAGE	183
SB-1312 FIRST READING	PAGE	181
SB-1326 FIRST READING	PAGE	186
SB-1327 FIRST READING	PAGE	187
SB-1351 FIRST READING	PAGE	186

MARCH 26, 1996

SB-1353 FIRST READING	PAGE	181
SB-1354 FIRST READING	PAGE	187
SB-1414 FIRST READING	PAGE	181
SB-1467 FIRST READING	PAGE	181
SB-1503 FIRST READING	PAGE	187
SB-1604 FIRST READING	PAGE	187
SB-1681 FIRST READING	PAGE	187
SB-1761 FIRST READING	PAGE	181
HR-0089 FILED	PAGE	181
HJR-0085 ADOPTED	PAGE	181
HJR-0085 RESOLUTION OFFERED	PAGE	178

SUBJECT MATTER

HOUSE TO ORDER	PAGE	1
SPEAKER DANIELS IN THE CHAIR	PAGE	1
PRAYER - REVEREND SERRANO	PAGE	1
PLEDGE OF ALLEGIANCE - REPRESENTATIVE LOPEZ	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
REPRESENTATIVE CHURCHILL IN THE CHAIR	PAGE	8
GUEST - MARIA RITA	PAGE	48
GUEST - THERESA NUDO	PAGE	48
REPRESENTATIVE WENNLUND IN THE CHAIR	PAGE	90
HOUSE ADJOURNED	PAGE	183
HOUSE PERFUNCTORY SESSION	PAGE	183
HOUSE PERFUNCTORY SESSION ADJOURNED	PAGE	187