

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

58th Legislative Day

May 12, 1995

Speaker Churchill: "The House will be in order. The Members will be in their chairs. Representative Churchill in the Chair. The Chaplain for today is Pastor Dennis Ammons of the Bethel Baptist Church in St. Charles. Pastor Ammons is the guest of Representative Tom Johnson. Will the guests in the gallery, if there are any, please rise and join us in the invocation. Pastor Ammons."

Pastor Ammons: "All mighty God and our Father, we thank You for the beauty of this day, for our freedoms. I thank You for this deliberative Body. I'll pray You'll bless each person here, our elected officials. Remind them God and remind us that government comes from You and is a blessing. God, help us to render under Caesar what is his and under God what is His. I pray earnestly, Lord, that You would give wisdom to these people, each one here, and to us as citizens of this state, to obey our laws and to live peaceably and to seek Your will and Your way and Your values in our lives. Thank You, again, for the freedom to have this Body in operation today. I pray in Christ's name, amen."

Speaker Churchill: "We'll be led this morning in the Pledge of Allegiance by Representative Johnson."

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

Speaker Churchill: "Roll Call for Attendance. Representative Currie, are there any excused absences on the Democratic side of the aisle?"

Currie: "Indeed there are, Speaker. Would the record please show that Representatives Martinez and Morrow are both excused today."

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

58th Legislative Day

May 12, 1995

Speaker Churchill: "The Journal will so reflect. Representative Hoeft, any excused absences on the Republican side of the aisle?"

Hoeft: "Sorry about that. Got confused. We're all here except Representative Cross is among the missing."

Speaker Churchill: "Is that an excused missing or an unexcused missing?"

Hoeft: "He has been unexcused for years, Sir."

Speaker Churchill: "I've never excused him. But I assume Representative Cross is present somewhere and we'll find him as soon as we can. Representative Hoeft."

Hoeft: "I've been informed that Representative Noland is not present."

Speaker Churchill: "So, Representative..."

Hoeft: "Excused."

Speaker Churchill: "Noland is an excused absence. The Journal will so reflect. Mr. Clerk, take the record. There are 115 Members answering the roll and a quorum is present. The House will come to order. We'll now proceed to the Order of Senate Bills Third Reading. Mr. Clerk, please read Senate Bill 451."

Clerk McLennand: "Senate Bill 451, a Bill for an Act in relation to firearm training programs. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Department of Conservation is currently, by law, required to provide firearm safety training to those persons in Illinois between the ages of 12 and 21, and the department...This was required by law to charge a fee of \$6, which has been in effect since 1981. In truth, the

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

58th Legislative Day

May 12, 1995

department has not charged that fee at all and has been working with the Department of State Police to provide free firearm safety training for all persons. This Bill eliminates the \$6 charge because the department hasn't been charging it anyway. And this was done at the request of the Auditor General Holland, who noted that in fact the \$6 charge was not being charged to participants in the firearm safety program and safety and hunting programs. This eliminates the \$6 and allows the department to charge fees that would cover expenses and expenses only. In fact, the department has not charged the fee in it's history and is working and will continue to work with the Department of State Police to provide firearm safety training at the state police ranges. So what the Bill does, is it eliminates the provision that the department shall conduct these safety programs and says that it may conduct these safety programs. And indeed, the Director of the Department of Conservation is interested in continuing the firearm safety programs for all citizens, females, males, above the age of 21 and even under the age of 21, to provide safe hunting throughout Illinois. I'd be happy to answer any questions, Mr. Speaker."

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

Hartke: "Will the Sponsor yield? Will the Sponsor yield?"

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

Hartke: "Thank you, Mr. Speaker, Members of the House. This is eliminating a mandate that set the age of...for the training between the ages of 12 and 21. and it's my understanding this takes that away so it applies to all. It can be seniors...citizens, it could be those, what? Any

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

58th Legislative Day

May 12, 1995

age? Is there no limit on it at all?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "That's correct. There's no limit at all on the age group so that even Representative Hartke could enroll in a program, who is 51 years old - in one day, since last night - could enter the program and females and males. The Department of Conservation encourages all citizens of Illinois, male and female, senior citizens, to participate in it's firearms safety program so that we can have a safe hunting atmosphere throughout Illinois and I think that's healthy for everybody. The department encourages participation in it's safety programs."

Speaker Churchill: "Representative Hartke."

Hartke: "Well, I also understand how this is...the department has just authorized to collect costs of the program. And it's my understanding that that would be for the organization, the pamphlets you would put out, maybe advertising where these seminars are going to be held and so forth. They could recover costs. Who from?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "The Bill provides that the department may charge fees to recover expenses only from the program from those participants. In fact, the expenses have been rather minimal in the past, just for instructional materials, and have worked to provide these programs free of charge. And basically, in the past...in the past 20 years they have absorbed these costs within the department. They have only been like a \$1,000 a year for printing of instructional materials, and the department fully realizes that by eliminating the cost or keeping it as low as possible, they'll get more participants in the firearm safety."

Speaker Churchill: "Representative Hartke."

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

58th Legislative Day

May 12, 1995

Hartke: "Well, I don't know if it'll get more participants since there wasn't a cost before. Either more advertising will have to be done or something. Who is...who are the instructors for this program?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "The instructors for the program have been, by department procedure, some of the authorized programs that the department has approved, like the NRA's certified instructors, Illinois State Rifle Association's certified instructors, and department personnel that have extensive training in those type of facilities. You keep in mind that the current statute says each application to participate must be accompanied by a \$6 fee and shall be paid. This eliminates the requirement that the department collect the \$6 fee and this was at the request of Auditor General Holland."

Speaker Churchill: "Representative Hartke."

Hartke: "Well, I understand that, but if the old language says it must have and we never did collect that, I can see the need to eliminate that. But my concern is, also, that at some point in time those dollars are going to have to come from somewhere. Are they coming out of the General Revenue Fund, out of the general budget of the Department of Conservation? We're...I think we're letting and open end by not putting a cap on what could be charged. I think this legislation says they may charge a fee to cover the costs. At some point in time, could they charge \$10?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "Well, they could only charge \$10 if that, in fact, was the cost of the expense of providing the programs."

Speaker Churchill: "Representative Hartke."

Hartke: "Well, this is an ongoing annual program, so I guess you

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

58th Legislative Day

May 12, 1995

really don't...you really wouldn't know what your program would be, your program costs, until the end of the year. And would you go back then and charge those participants or would that establish the cost for the next year, or what are you suggesting?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "Last year the total costs were \$1,000 and it was completely absorbed into their GRF funding from the Wildlife Fund, which is where...which is where the program operates out of."

Speaker Churchill: "Representative Hartke."

Hartke: "Well, to the Bill. I think it's a pretty good idea. I'm concerned about the open-endedness of this just a little bit, but I don't want to stop the firearm training course because I think it's a very good program, developed by and put forth by the Department of Conservation and I urge your support."

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

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

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

Dart: "Thank you. Representative, just a couple of real quick questions. On the issue of the fees, how much would be allowed to be charged as regards to fees in this Bill?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "The current statute is mandatory. It says the department shall charge each applicant \$6 for participation in the program. This Bill eliminates that and says that the department can charge what it costs to put the program on. Last year, the total costs of putting these programs on was \$1,000 and if you divide that by about 350,000 participants, the charge is minimal and that's what the

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

58th Legislative Day

May 12, 1995

charge would be. Maybe 35¢ an individual or less."

Speaker Churchill: "Representative Dart."

Dart: "What...Given that it only costs a \$1,000, what we're they doing with the excess if they were charging \$6 before? What was going...what would happen with the excess?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "You just hit the heart of the Bill. The statute said we must charge \$6. The department was not charging \$6. The purpose is to encourage more participation in firearm safety training, and so the department was working with the Department of State Police to provide cooperative programs to put these programs on for nothing."

Speaker Churchill: "Representative Dart."

Dart: "I just have a quick question about...at the beginning of the Bill where it talks about the department on...in cooperation with public and private associations that are interested in promoting safety and firearm handling, may promote and develop programs for training. The language that had been in there said that they shall initiate and they went on to say training for persons between 12 years and 21 years of age. From my reading of that, it seems as if they were required, 'they shall initiate'. They were required to have these programs for people between 12 and 21 and we're removing that requirement? Is there...is that the proper reading of that?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "Currently, people in those age groups are mandated by law to take hunter safety courses before they can in fact get their hunting license. And what this Bill does is it opens it up so that all age groups can participate and hopefully that would encourage those who desire, who are over 21, who desire to participate in the great American

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

58th Legislative Day

May 12, 1995

sport of hunting, to take firearm safety training before they do so."

Speaker Churchill: "Representative Dart."

Dart: "So, Representative, was that language there where they talk about 'shall initiate' and the deleted language dealing with the age of those individuals? Was that extraneous language that was sort of just stating what was already in the law in another Section?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "Well, the elimination of the words 'shall initiate' and replaced it with 'may'. In the elimination of 12 to 21, was to open up the program for all citizens of Illinois, the young and the old. Even those as old as Representative Hartke."

Speaker Churchill: "Representative Dart."

Dart: "So, I guess just to be clear then, this does not stop the requirement that the underage, between 12 and 21, does not remove that requirement that they get training because they're already required to do that under existing law elsewhere?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "That requirement already exists. This is to open it up so the people like Representative Pankau can participate in these programs at her very tender age."

Speaker Churchill: "Representative Dart."

Dart: "No further questions."

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

Hoffman: "Yes, will the Sponsor yield?"

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

Hoffman: "Representative, with regard to the mandate in this Bill, it's my understanding that the department, and I



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

58th Legislative Day

May 12, 1995

apologize, I came in a little bit late, so. The Department of Conservation may instead of shall develop these firearm training programs? Have you talked with the department? Are they going to continue the programs cause I think they're really important."

Speaker Churchill: "Representative Wennlund."

Wennlund: "Yes, indeed. I spoke directly with the Director and this is a department initiative, incidentally. I've spoken directly with the Director. In fact, they're going to increase the program and on the 17th of this month, and I encourage you to attend along with Representative Pankau and Hartke, a fats demonstration of a new hunter safety equipment training program that the department hopes to expand throughout the state to make fats machines available throughout the state, which is a laser, computerized device to teach hunter safety throughout the State of Illinois for young and old. And the department is launching a new initiative and going to be spending, together with the Legislative Sportsmen Caucus, a lot of money to expand this program and to make all hunting grounds in Illinois a safer place for everyone."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Why, I certainly applaud you and I thank you for your efforts. My only concern is, I want to ensure that we, in the future, continue to have these programs and we don't allow them to go by the wayside simply by making a change from making something mandatory to permissive. And I think that otherwise I certainly support your Bill. I think it's a good Bill and I'll be voting 'aye'."

Speaker Churchill: "Being no further discussion, Representative Wennlund to close."

Wennlund: "Thank you very much, Mr. Speaker. This is a

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

58th Legislative Day

May 12, 1995

Department of Conservation initiative. They are completely dedicated to bringing about the increased use of machines like the fats machine and I invite you all to participate on the 17th of May and to see what this new hunter safety training machine is all about and it'll be here in the Capitol on the 17th. I encourage you to stop by. The department is definitely committed towards making hunting grounds in Illinois a lot safer for everyone and I urge your 'aye' vote."

Speaker Churchill: "The question is, 'Shall Senate Bill 451 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 107 'ayes', 5 'nays' and 3 'present'; and this Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Churchill: "Mr. Clerk, please read Senate Bill 452."

Clerk McLennand: "Senate Bill 452, a Bill for an Act that amends the Radiation Protection Act of 1990. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 452 amends the Radiation Act of 1990 to permit the Department of Nuclear Safety to exercise the power, duties and responsibilities of an accreditation body under the Federal Mammography Quality Standards Act of 1992, and it would allow them to implement a state program to carry out certification program requirements under that Act. If enacted, the department then may implement a state program to carry out the certification program requirements

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

58th Legislative Day

May 12, 1995

provided for in the Mammography Quality Standards Act of '92 and also establish, by rule, a reasonable inspection fee to be paid to the department by mammography installations. The Mammography Quality Standards Act of '92, requires all mammography facilities that conduct breast screening or diagnosis after October 1st, '94, to be certified by the United States Food and Drug Administration. The certification process requires each facility to be accredited by an accrediting body approved by the FDA. This would provide a statutory foundation for the Illinois Department of Nuclear Safety to initiate and pursue proposals in order to become an accrediting body and a certifying body, pursuant to the Federal Mammography Quality Standards Act of '92. This passed out of Senate Committee with a unanimous vote; it passed out of the Senate with a unanimous vote; it passed out of the House Committee, Registration and Regulation, by a unanimous vote. If we are to adopt this, we'll actually be lowering a fee cause the State of Illinois can... will have a lower fee for inspection, certification, than what the Federal Government does and we can improve the response time from what we have now. We probably have about a 30 day turnaround time if it was conducted by the Illinois department, compared to several months when it's regulated by the Federal Government. Be happy to answer any questions."

Speaker Wennlund: "Representative Wennlund in the Chair. Excuse me. The Chair recognizes Representative Currie for an announcement. Representative Currie."

Currie: "Thank you, Speaker. Representative Ralph Capparelli is excused today because of illness. And so if the record would please reflect that new piece of information."

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

58th Legislative Day

May 12, 1995

Speaker Wennlund: "The record will so reflect. Thank you very much, Representative. Is there any discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg."

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

Speaker Wennlund: "He indicates he will."

Granberg: "Representative Moffitt, I heard that explanation and I...but I just have a couple of questions. First of all, who would be impacted by your legislation, Representative?"

Speaker Wennlund: "Representative Moffitt."

Moffitt: "Representative, the... certainly the citizens of Illinois, by receiving better health care, in this situation will be reducing a cost to provide health services, as the fees that would be charged by the Illinois department would be less than what the Federal Government charges. So we would be...the people impacted would be the citizens of Illinois, anyone who uses the mammography facility who would have a breast exam, and it would provide better service at a lower cost and quicker response time."

Speaker Wennlund: "Representative Granberg."

Granberg: "You indicated, Representative, that this would lower the fee. It's my understanding that the fee remains the same or in fact initiates a new fee. Would you please comment on that."

Speaker Wennlund: "Representative Moffitt. Representative Moffitt."

Moffitt: "Representative, again I think that's an excellent question, but it would replace an existing fee. So it's not...it's just simply that the fee would be paid to the state instead of the Federal Government, and so it's replacing a fee not what I would call creating a new one. And it's creating a replacement fee that is lower than the

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

58th Legislative Day

May 12, 1995

present fee. The... Illinois, as far as certification, it would be capable of assessing an inspection fee of about 25% lower than the \$1,178 facility fee now being charged by the FDA. So we're talking a 25% reduction in fee. Twenty-five percent, that is. Illinois would be capable of assessing an accreditation fee approximately 30% or more below the current \$700 facility fee that is now charged by the American College of Radiology. So in both cases it's replacing a fee with a lower fee."

Speaker Wennlund: "Representative Granberg."

Granberg: "Representative, what happens with the radiation... radiation installation? Isn't there a \$25 per radiation machine fee for the department?"

Speaker Wennlund: "Representative Moffitt."

Moffitt: "Representative, that's a fee that would be eliminated under the state program so that they're not double assessed."

Speaker Wennlund: "Representative Granberg."

Granberg: "Well, my analysis indicates that it deletes the \$25 inspection and testing fee for radiation machines used for mammography; however, it requires a radiation installation to pay the \$25 per radiation machine fee. Is that not correct?"

Speaker Wennlund: "Representative Moffitt."

Moffitt: "Representative, currently a fee is being paid to the FDA and a separate fee is being paid to the Illinois Department of Nuclear Safety. If the Illinois Department of Nuclear Safety takes this task over, this responsibility over, that fee would be eliminated. They will not be being paid both times, both ways. Another advantage of this legislation is that it will reduce the number of inspections. Currently, they have two inspections and

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

58th Legislative Day

May 12, 1995

this...there will be one consolidated inspection if this is done by the Illinois Department of Nuclear Safety."

Speaker Wennlund: "Representative Granberg."

Granberg: "So it appears that you're attempting to give the Department of Nuclear Safety these... the ability to collect these fees due the testing and take that out of the federal purview. The Federal Government would allow the department, the state department, to do these functions, to collect these fees and that would not be in contradiction to their policy or their standards for the application of these types of testing?"

Speaker Wennlund: "Representative Moffitt."

Moffitt: "Yes, Representative, it was the Mammography Quality Standards Act of '92, actually had provisions in to allow this to happen. The fact that it's in there, they knew that there was a good possibility. In effect, it's even... it's encouraged just by... being encouraged by the fact that it was put in there as an option that could be adopted by the state. Again, I would remind you by doing this, it reduces the fee and there's a quicker response time. We think that with the state doing it, the inspections could be completed within 30 days after application, where now it really takes months. So we would have a faster turnaround time once a facility requested an inspection or to help get them up and running sooner."

Speaker Wennlund: "Representative Granberg."

Granberg: "Would the fees collected by the state be deposited in a dedicated fund administered by the states, or would there be a pass through to the federal agency after the fund... after the fee is collected by the state. I assume the state would collect all fees and then transfer it to the state, or would there be any federal... federal policy

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

58th Legislative Day

May 12, 1995

involved at all where those dollars would have to go to the Federal Government?"

Speaker Wennlund: "Representative Moffitt."

Moffitt: "Representative, the fees generated..."

Speaker Wennlund: "Representative Moffitt."

Moffitt: "Representative, the fees generated by this program would be deposited into what's called the Radiation Protection Fund, which is a state fund and would be kept there. They would not be passed on to the Federal Government. It would remain... it would be into that fund."

Speaker Wennlund: "Thank you. This matter is on Short Debate. Representative Moffitt is recognized to close."

Moffitt: "Well, thank you, Mr. Speaker. Again, I remind you that this is unanimous vote in Senate Committee and House Committee, unanimous vote in the Senate. It improves the health care that we can deliver to the citizens of Illinois, particular, the women of Illinois. It will provide better service, better inspection at a lower price, so we will be reducing... actually reducing the cost of health care. I think that's important to consider. We'll reduce the number of inspections from two to one, so we've made more efficient government. Keeping in mind that it would provide better health care, more local control, quicker response, I would simply ask a favorable vote."

Speaker Wennlund: "The question is, 'Shall Senate Bill 452 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 113 voting 'aye', none voting 'nay', none voting 'present'; and this Bill, having received the

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

58th Legislative Day

May 12, 1995

Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 453."

Clerk McLennand: "Senate Bill 453, a Bill for an Act that amends the State Employee's Group Insurance Act of 1971. Third Reading of this Senate Bill."

Speaker Wennlund: "The Chair recognizes Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker, Members of the Assembly. This is Bill...House...Senate Bill 453 is a Bill that reflects the changing nature of our families. In 1971, the Illinois State Employee Group Insurance Act was created. And in the Act it said that people would be covered, guardians would be covered under this Act, if in fact, their parents were dead or declared unfit by the court. There are a number of situations in the state each year where people have guardianship of children and they do not want to place their own children or some other member in the embarrassing situation to be declaring unfit. This is a Bill that has passed unanimously out of the Senate Committee and Senate and out of the House floor. It is a humanitarian act and I would ask for passage."

Speaker Wennlund: "And speaking of children, the Chair would like to recognize the students from Fairview South Elementary School from Skokie, Illinois. They are the guests of Representative Lou Lang and Ralph Capparelli. Welcome. Is there any discussion? And with that, the Chair recognizes Representative Lang."

Lang: "Thank you. First, Mr. Speaker, we have the requisite number to remove this from Short Debate."

Speaker Wennlund: "I don't see seven hands."

Lang: "Well, do you see them now?"

Speaker Wennlund: "Oh, yes, yes. Okay, thank you."

Lang: "Okay."



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

58th Legislative Day

May 12, 1995

Speaker Wennlund: "It'll be so removed."

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

Speaker Wennlund: "He indicates he will."

Lang: "Representative, can you give me an example of how this change in the the State Employee's Group Insurance Act would work?"

Speaker Wennlund: "Representative Hoeft."

Hoeft: "Yes, I could."

Speaker Wennlund: "Representative Hoeft."

Lang: "Well, I appreciate that nice succinct answer. Now would you give me that example?"

Speaker Wennlund: "Representative Hoeft."

Hoeft: "Sir, you asked if I could and I can. Now, you ask if I will. Certainly. Give an example; for a grandparent takes a child whose parent, single parent is placed in a mental institution. The institution indicates that it is going to be a two, three, four year stay in the hospital. They want the child covered under the Act. They do not want the parent dragged into court. They do not want the child harmed by the procedure, which would declare the parent unfit. So during that period of hospitalization, the state would cover. This is again only done if the courts declare legal guardianship to the individual who is an employee of the state."

Speaker Wennlund: "Representative Lang."

Lang: "Were there any opponents to this Bill at all in committee either in the House or in the Senate?"

Speaker Wennlund: "Representative Hoeft."

Hoeft: "Absolutely none."

Speaker Wennlund: "Representative Lang."

Lang: "Just one or two additional questions, Representative. CMS is reducing their budget this year and this will cost, not

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

58th Legislative Day

May 12, 1995

very much money, but it still has a cost to it. Considering the fact that CMS is lowering their budgetary requirements, can we afford this program?"

Speaker Wennlund: "Representative Hoeft."

Hoeft: "I would look at the cost in terms of what it does to a state employee. A good state employee, focusing on their job, they have a guardian come to their home, a tragedy has occurred. This will allow them to focus on their job without having to go through the grueling process of having a loved one declared unfit. I think that it would create a much safer, a much more dedicated staff, and that would far exceed the \$20,000, which is the estimate cost."

Speaker Wennlund: "Representative Lang."

Lang: "Are there other changes on other Bills that CMS is proposing in the State Employee's Insurance Program?"

Speaker Wennlund: "Representative Hoeft."

Hoeft: "Yes."

Speaker Wennlund: "Representative Lang."

Lang: "Well, why don't we handle these in a comprehensive way, rather than having several different Bills that each tackle some small portion of the changes that you'd like to make in the State Employee's Insurance Program? Why don't we... why do we have to do this piecemeal? Why don't you just take all of it and put it on this Bill and let's take a look at all of it at once?"

Speaker Wennlund: "Representative Hoeft."

Hoeft: "Don't have a clue."

Speaker Wennlund: "Representative Lang."

Lang: "Well, the Gentleman from CMS is standing right behind you. We'd be happy to wait while you confer with him."

Speaker Wennlund: "Representative Lang, is that a question?"

Lang: "Yes. Add a question mark to the end of that, Mr.

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

58th Legislative Day

May 12, 1995

Speaker."

Speaker Wennlund: "Thank you. Representative Hoeft."

Hoeft: "Unfortunately, if the agency person speaks, you immediately ask that we pass the mike to them. I'd like to carry this myself, Sir. It is obvious that this is a good positive step to help our employees."

Speaker Wennlund: "Representative Lang."

Lang: "Well, back to the Bill. Is there some mechanism by which CMS determines if the grandparents are still, as the procedure goes on, the legal guardian? Perhaps they're no longer the legal guardian. Perhaps they've gone back to the parent, or perhaps someone else has become the legal guardian in the meantime. How does CMS make sure that the program is being administered properly?"

Speaker Wennlund: "Representative Hoeft."

Hoeft: "They have to, in order to do this, have court ordered documents. This is what initiates their ability to pay. The court ordered documents would have time frames dealing with this. Unfortunately, most of these cases, once they are declared a guardian, they do not return."

Speaker Wennlund: "Representative Hoeft... Representative Lang."

Lang: "And so those court documents would then stay in place until they receive new court documents. So then CMS would continue to assume that the grandparents are the legal guardians until they got some other court document that superseded that. Is that what the plan would be?"

Speaker Wennlund: "Representative Hoeft."

Hoeft: "That is the knowledge that I have. Yes, Sir."

Speaker Wennlund: "Representative Lang."

Lang: "Have you discussed this with AFSCME? Do they have any opinion about this?"

Speaker Wennlund: "Representative Hoeft."

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

58th Legislative Day

May 12, 1995

Hoelt: "No."

Speaker Wennlund: "Representative Lang."

Lang: "No, you haven't discussed it with them or no, they don't have an opinion about it?"

Speaker Wennlund: "Representative Hoelt."

Hoelt: "You asked two questions. I answered the first. Have I discussed it with them? No. The second question is, they have no problems with this, they're encouraging it."

Speaker Wennlund: "Representative Lang."

Lang: "So AFSCME is in full support of this measure?"

Speaker Wennlund: "Representative Hoelt."

Hoelt: "Yes."

Speaker Wennlund: "Representative Lang."

Lang: "Well, why didn't you say so in the first place? Sounds like a good piece of legislation, Representative."

Speaker Wennlund: "Thank you. Further discussion? The Chair recognizes Representative Krause."

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

Speaker Wennlund: "Representative Krause has moved that the previous question be put. All those in favor signify by saying 'aye'. All those opposed signify by saying 'nay'. The 'ayes' have it. Representative Hoelt is recognized to close."

Hoelt: "This is a good Bill. Help our workers, let's pass it."

Speaker Wennlund: "The question is, 'Shall Senate Bill 453 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 114 voting 'aye', none voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr.

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

58th Legislative Day

May 12, 1995

Clerk, read Senate Bill 457."

Clerk McLennand: "Senate Bill 457, a Bill for an Act that amends the Personnel Code. Third Reading of this Senate Bill."

Speaker Wennlund: "The Chair recognizes Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 457 would change some reporting procedures within Central Management Services. When the state's payroll system became computerized, Central Management Services had to change it's procedures for certified payrolls because a precertification of payrolls was no longer practical. What is now being asked for, is to be able to do this post-payroll, since the computerization between the Comptroller's Office and CMS can interface quite well. There was also two Amendments added to it in the Senate. The one that may be of question, in particular, is in regards to transferring approximately 100 employees from the Department of Transportation into the Department of Natural Resources. This Amendment, as adopted in the Senate, would put them under the Personnel Code of the State of Illinois. I'd be glad to answer any questions."

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

Granberg: "Okay, thanks."

Speaker Wennlund: "He's on the telephone."

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

Speaker Wennlund: "He indicates he will."

Granberg: "Representative Rutherford, who would be impacted by your Bill, the number of people, in what capacity?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "Representative, if you're referring to the Amendment

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

58th Legislative Day

May 12, 1995

2 of the Senate that was adopted, there'd be approximately 100 people. And what this would be is from the Department of Natural... the new Department of Natural Resources, which will go into effect by executive order July 1st, they are transferring certain people from various departments such as the Department of Conservation, Department of Transportation and so forth. It's approximately 100 people that would be impacted because of that."

Speaker Wennlund: "Representative Granberg."

Granberg: "Will those parties be under the Civil Service Code?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "Yes, Representative, that's what this legislation would do is to put them under the Personnel Code."

Speaker Wennlund: "Representative Granberg."

Granberg: "So they would be included in the Personnel Code. Would there be any exceptions to that?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "Those... Representative, those that would fall under certain professional categories, particularly engineers, will be excluded from the portion in regards to examinations. And this is already being done today for other professions such as lawyers and physicians. The criterion for the processes, if they have certain professional license, then they would not go through the examination process of Central Management Services."

Speaker Wennlund: "Representative Granberg."

Granberg: "Would we be expanding the current law to allow for that exception?"

Speaker Wennlund: "Representative Granberg."

Rutherford: "Yes, Representative, we would be expanding the law to include these people under the Personnel Code, and because of their professional license, they would not have

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

58th Legislative Day

May 12, 1995

to take the exams."

Speaker Wennlund: "Representative Granberg."

Granberg: "And the reason for expanding this classification at this point in time, Representative, is because they had already... they have already sought licensure and so that should be deemed sufficient for purposes of the Personnel Code?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "To make sure I'm answering your question correctly, there's two parts of it. One of them is they will be under the Personnel Code that would require the postings for promotions and hiring... or firing and so forth. The portion in regards to taking the exams is being expanded. This is something that they would already have their license in. If they have the specific license, then they would be exempt of having to take the CMS exams."

Speaker Wennlund: "Representative Granberg."

Granberg: "Representative, I'm wondering why this legislation came before us now. Apparently, there was some audit problems with CMS through the Office of the Auditor General. Is that correct?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "Representative, you are... again, if you're talking about the underlying Bill before the two Senate Amendments; yes, that is in response to an Auditor General's finding of a few years ago and we're trying to rectify this statutorily."

Speaker Wennlund: "Representative Granberg."

Granberg: "This was an Auditor General's recommendation a few years ago and the department is taking the initiative now? Is that... is my understanding correct?"

Speaker Wennlund: "Representative Rutherford."

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

58th Legislative Day

May 12, 1995

Rutherford: "A few years ago, potentially six to seven, perhaps."

Speaker Wennlund: "Representative Granberg."

Granberg: "Representative Rutherford, I didn't hear that. Could you repeat that, please?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "It was one of these partial statements with a question mark at the end of it, meaning, yes, a few years ago. Perhaps six to seven."

Speaker Wennlund: "Representative Granberg."

Granberg: "Obviously, this is of a pressing need to the department. So what prompted them to bring this into the Legislature this year as opposed to six or seven years ago when the findings were determined?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "A Republican controlled House."

Speaker Wennlund: "Representative Granberg."

Granberg: "They had never sought to introduce this legislation previously, or they have been told that there was no way that a Democrat controlled House would go along with moving this from one item to another, one line item to another?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "I'm confident, Representative, it wasn't by any excuse of a Democrat controlled House. But now that I'm here and have the opportunity to help carry legislation forward to meet the Auditor General's findings and clarify statutorily things that are important for the people of Illinois, I'm here to provide that for you and in cooperation with you, Representative."

Speaker Wennlund: "Representative Granberg."

Granberg: "Thank you. What would be the cost of this, Representative?"

Speaker Wennlund: "Representative Rutherford."



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

58th Legislative Day

May 12, 1995

Rutherford: "Representative, that is a... there would be a negligible cost at all."

Speaker Wennlund: "Representative Granberg."

Granberg: "If we had actually initiated the recommendations of the Auditor General six or seven years ago, would that have saved the state any money during the past... during that same course of time?"

Speaker Wennlund: "Representative Rutherford."

Rutherford: "No."

Speaker Wennlund: "Thank you. Representative Granberg, please bring your remarks to a close. Your time is up."

Granberg: "Thank you, Representative. I believe Representative Ronan was going to designate her time to me once she was recognized, Mr. Speaker."

Speaker Wennlund: "When she's recognized for that purpose. At this time, I would ask the Members of the House to welcome the students from Grant Elementary School from Elgin, Illinois. The students from Grant Elementary School are guests of Representative Hoeft and Representative Lindner. Welcome. Welcome to the House floor. Welcome to Springfield. At this time the Chair recognizes Representative McGuire."

McGuire: "Thank you, Mr. Speaker. I just want to rise on a point of personal privilege. I've got a fruit plate over here. Today, May the 12th, is my twin brother's birthday and I'd like you to share it with him. Thank you."

Speaker Wennlund: "Happy birthday. At this time the Chair recognizes Representative Brunsvold for an announcement. We'll get back to that. At this time the Chair recognizes...Further discussion? The Chair recognizes Representative Kaszak."

Kaszak: "Thank you, Mr. Speaker. I just wanted to share with the

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

58th Legislative Day

May 12, 1995

floor that we considered this Bill in the... State Elections and State Government Committee and there was extensive discussion about the transfer of the IDOT employees to the new Department of Natural Resources, and after this extensive discussion, it was really clear to me that this is a good government Bill. It basically expands the number of people that would be covered by the Personnel Code. If we do not pass this Bill, there will be a group of engineers who will not be subject to any regulations, standing and working side by side with people who are subject to the regulations of the Personnel Code. I think that this is a sound decision and after extensive discussion and questioning, I feel very comfortable with it and I'd urge your support. Thank you."

Speaker Wennlund: "Further discussion? Representative Krause."

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

Speaker Wennlund: "Representative Krause has moved the previous question be put. All those in favor signify by saying 'aye'. Opposed same sign. The previous question is put. Representative Rutherford is recognized to close."

Rutherford: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill has been extensively discussed in the committee. There were some questions that some Members of the committee did have about this. I tried to address them to them personally and hopefully was responded to adequately for them. This is a good government Bill and I'd appreciate your favorable roll call. Thank you."

Speaker Wennlund: "The question is, 'Shall Senate Bill 457 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

58th Legislative Day

May 12, 1995

question there are 114 voting 'aye', none voting 'nay', none voting 'present'; and this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 459."

Clerk McLennand: "Senate Bill 459, a Bill for an Act relating to common carriers by pipeline. Third Reading of this Senate Bill."

Speaker Wennlund: "The Chair recognizes Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker, Members of the House. Senate Bill 459 moves the statutory provision under which the Illinois Commerce Commission regulates common carriers by pipeline. And it moves it from the Illinois Commercial Transportation Law to the Public Utilities Act. The common carriers by pipeline for the last several years have been regulated by the Illinois Commerce Transportation Law which deals primarily with the interstate trucking as opposed to the Public Utilities Act which deals with public utilities. Congressional action in the fall of 1994 preempted state regulation of most aspects of interstate trucking industry, including many of the provisions in the ICTL. It is appropriate to remove the regulation of interstate transportation by pipeline common carrier from the ICTL and to place it in the Public Utilities Act. The law under which pipelines are historically regulated. Now the expertise to handle cases involving common carriers by pipeline resides in the public utilities area of the commission. The intent behind Senate Bill 459 is simply to move the commission's regulation of common carriers by pipeline in it's current form from the ICTL to the PUA. Common carriers by pipeline will continue to regulate under the PUA as they have been under the ICTL. There was a Senate Amendment which makes several technical and fine

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

58th Legislative Day

May 12, 1995

tuning changes to more accurately accomplish this without impact to the common carrier."

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: "When I first looked at this Bill I thought that maybe some mistake had been made and put it not leaving the regulation of pipelines, not having them under the Public Utilities Act, but then when I looked at the legislative history, I saw that in 1987 the regulation of pipelines was actually moved to the Illinois Vehicle Code. And I'm just wondering what, at the time, the rationale was to have the pipelines regulated under the Illinois Vehicle Code?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "Under Public Act 85-553, Section 2, placed the common carrier by pipeline regulation in the commercial transportation law when the pipelines were deregulated, when the pipelines were deregulated, undoubtedly caused...because pipeline safety provisions at the federal level are found within the federal transportation law. I think that's the reason was because of the deregulation. It created a change."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "And then what is the rationale now for moving it from that at... regulation under that Act, to regulation under the Public Utilities Act."

Speaker Wennlund: "Representative Wirsing."

Wirsing: "Okay. Let me see if I can explain this. Because of recent federal action in 1994, it has now created a situation where for the sake of safety, the regulation of safety, that under the current law there is concern that

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

58th Legislative Day

May 12, 1995

the ability to regulate from that safety aspect of the pipeline carrier and so this law would change it over to the Public Utility Act for continuity so that the ICC can continue to be there as that safety regulator of the pipeline. And once again, this is due to federal law change which is trying to bring Illinois in line if for no other reason, simply from the safety feature."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "There does seem, though it may not have a fiscal impact... Well, will this cost the state anything to change this over?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "Your question was, is there a fiscal impact? Well, there's a fiscal impact, but it's something that's already... it has been in place for some time. It does allow the commission to impose a .1% rate which the common carrier pays. Okay? Which that's the common carrier that pays that. But that has been in place, that's not something new that's been added under this proposed piece of legislation."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "But isn't it true that that tax will now be deposited in the Utility Fund rather than in the Transportation Fund? And just what are the implications of that change?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "Yes, your absolutely right. It will be... that transfer will occur and historically, in 1994, that amounted to about \$48,000. A little over 48,000. There will be no impact, no ramifications from making that change."

Speaker Wennlund: "Representative Schakowsky."

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

58th Legislative Day

May 12, 1995

Schakowsky: "Does that \$48,000 fully cover the state's cost in regulating or monitoring as you say, the safety of these pipelines? Is there any additional costs to the state for the function that the \$48,000 is intended for?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "My understanding is that the 48,000 plus does cover the cost."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "What is the... what... for what purposes are the funds in the Utility Fund used?"

Speaker Wennlund: "Representative Wirsing. Representative Wirsing."

Wirsing: "Yes, that fund pays for the cost within the public utilities realm for gas or water or whatever. So that's where those dollars are used."

Speaker Wennlund: "Representative Schakowsky."

Schakowsky: "Thank you. To the Bill, Mr. Speaker. This Bill seems to me just changes the authority for regulating pipelines from the Illinois Vehicle Code to the Illinois Public Utilities Act. A change that will have virtually little impact on consumers and taxpayers and seems to be sensible in light of changes in federal law, so I urge it's support."

Speaker Wennlund: "Further discussion? The Chair recognizes the Lady from Cook, Representative Shirley Jones."

Jones, S.: "Will the Sponsor yield?"

Speaker Wennlund: "He indicates he will."

Jones, S.: "Sponsor..."

Speaker Wennlund: "Representative Jones."

Jones, S.: "Do you have any opposition to this Bill? Was..."

Speaker Wennlund: "Representative Wirsing."

Wirsing: "My understanding is that there is no opposition to this

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

58th Legislative Day

May 12, 1995

Bill."

Speaker Wennlund: "Representative Jones."

Jones, S.: "So you're saying that all the utility companies was in favor of this Bill?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "Yes."

Speaker Wennlund: "Representative Jones."

Jones, S.: "Will this change the regulations of the motor carriers?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "I'm sorry. You want to repeat that question."

Speaker Wennlund: "Ladies and Gentlemen, please give the speakers your attention. Representative Jones."

Jones, S.: "Will this change the motor carrier regulations?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "Thank you. No, it will not."

Speaker Wennlund: "Representative Jones."

Jones, S.: "And what did the Amendments do?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "Senate Amendment 1 was a series of technical corrections that kind of cleaned the Bill up, made it work, designed it, better prepared it for the job that it's intended to do. My understanding is that the initial Senate Bill had... needed that and that was the purpose for the Senate Amendment."

Speaker Wennlund: "Representative Jones."

Jones, S.: "Could you tell me what effect that that would have on the regulations?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "The Bill itself was so long as they went through it, after it was initially...They just found a series of, you know, some... some 'i's' that weren't dotted or 't's' that

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

58th Legislative Day

May 12, 1995

weren't crossed or whatever that... So it truly was a technical. It didn't make any dramatic change in the underlying Bill."

Speaker Wennlund: "Representative Jones."

Jones, S.: "Didn't Amendment 2 become the Bill?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "No, the Amendment did not become the Bill. The Amendment was technical corrections to the underlying Bill."

Speaker Wennlund: "Representative Jones."

Jones, S.: "Will this effect the five member public utilities regulatory?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "No."

Speaker Wennlund: "Representative Jones."

Jones, S.: "And what's the fiscal impact on this?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "Those dollars go from the Transportation Fund to the Public Utility Regulatory Fund."

Speaker Wennlund: "Representative Jones."

Jones, S.: "And what do the common carriers of the pipeline do?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "Well, I think 'common carriers' is a term used. Pipelines are a form of carrying product and that makes them a carrier. You know, and that comes under the realm, that terminology under... of oil and liquified petroleums. So it's just a terminology. I know when I was first looking at this and read the word 'carrier', you think of a truck, not pipeline."

Speaker Wennlund: "Representative Jones."

Jones, S.: "Could you just name a few companies of who carried the pipelines?"



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

58th Legislative Day

May 12, 1995

Speaker Wennlund: "Representative Wirsing."

Wirsing: "Yes, there's a pretty extensive list. Amoco pipeline, Ashland pipeline, Marathon pipeline. I'm trying to pick out some. Mobil pipeline, Phillips pipeline, Texaco pipeline, Trans-Ohio, Westshore, Williams-Bay, Wolverine pipeline. There's a pretty extensive list of those."

Speaker Wennlund: "Representative Jones."

Jones, S.: "And how are these carriers... care of federally?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "I'm sorry. Can you repeat that again, please?"

Speaker Wennlund: "Representative Jones."

Jones, S.: "How are they regulated federally?"

Speaker Wennlund: "Representative Wirsing."

Wirsing: "They're regulated because it's interstate... pipelines run interstate. Okay, that's where the federal aspect comes into. But they are regulated within the state."

Speaker Wennlund: "Representative Jones."

Jones, S.: "How do the transportation... commercial transportation laws effect them?"

Speaker Wennlund: "Representative Wirsing. Representative Wirsing."

Wirsing: "The transportation law, it's future is uncertain. Okay? And that's why this legislation, so that it's transferring it into the public utilities which is an entity that is going to be there because of some things that have happened in 1994 federally, that has made this...coming under this realm an uncertainty. And rather than living with that, it seemed more appropriate to go ahead and make this move now."

Speaker Wennlund: "Representative Jones, your time is expired. Please bring your remarks to a close."

Jones, S.: "Representative Wirsing, I think that this is a good

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

58th Legislative Day

May 12, 1995

Bill and I think in the committee that this Bill did come out with the leave of Attendance Roll Call, so I encourage the people on this side of the aisle to vote 'aye'. Thank you."

Speaker Wennlund: "No one further seeking recognition, the Chair recognizes Representative Wirsing to close."

Wirsing: "Well, just a couple quick comments. And I think that the fact that it came out of the Senate with a unanimous vote, came out of the House Committee with a unanimous vote - it's a piece of legislation that's addressing an issue that's here and now and rather than waiting until an emergency situation where the transportation no longer has the safety factor. And I think's that the bottom line, is the regulation and the concern about the safety of moving product through pipeline. I think this is a good government Bill and I would encourage your 'yes' vote."

Speaker Wennlund: "The question is, 'Shall Senate Bill 459 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 114 voting 'aye', none voting 'nay', none voting 'present'; and this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Brunsvold for an announcement. Representative Brunsvold. Have we got him June 10th or June 11th?"

Brunsvold: "Thank you, Mr. Speaker. We'd like to announce the Democrats would like to caucus at 11 o'clock."

Speaker Wennlund: "Thank you very much. Mr. Clerk, read Senate Bill 460."

Clerk McLennand: "Senate Bill 460, a Bill for an Act that amends

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

58th Legislative Day

May 12, 1995

the Environmental Protection Act. Third Reading of this Senate Bill."

Speaker Wennlund: "The Chair recognizes Representative Persico."

Persico: "Thank you, Mr. Speaker and Members of the House. Senate Bill 460 is a Bill that was suggested by the Illinois EPA, and basically, it amends the Environmental Protection Act to provide that in any state implementation plan for ozone containment an emissions reduction market system in which marketable emission trading units may be averaged, banked, and exchanged by the participating sources. It further requires the Environmental Protection Agency to provide for the emissions reduction market system and it's state implementation plan for ozone attainment submitted to the U.S. EPA. The U.S. EPA has given us written assurance of it's support for the adoption of the market based approaches for ozone non-attainment areas, and this approach is consistent with those recognized by the U.S. EPA as suitable for severe non-attainment areas such as the City of Chicago. I ask for your 'aye' vote and would be happy to answer any questions."

Speaker Wennlund: "Is there any discussion? The Chair recognizes Representative Novak."

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

Speaker Wennlund: "He indicates he will."

Novak: "Yes, Representative Persico, I know in committee we studied the... or discussed this Bill in detail. For the edification of the Members who weren't in committee, could you just explain what a emissions reduction market system is?"

Speaker Wennlund: "Representative Persico."

Persico: "Yes, thank you, Representative. Basically, what it does, it lets the sources trade emissions back and forth.

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

58th Legislative Day

May 12, 1995

To... provides them flexibility to do this."

Speaker Wennlund: "Representative Novak."

Novak: "Yes. Thank you. So it lets the... lets who trade? Businesses, industries, smokestack industries, I guess. Can I assume, or what?"

Speaker Wennlund: "Representative Persico."

Persico: "That's correct, Representative. The businesses will be trading these emissions."

Speaker Wennlund: "Representative Novak."

Novak: "Well, do these... are they called credits?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, right now they're called emissions trading units."

Speaker Wennlund: "Representative Novak."

Novak: "Units. You mean, do they have numerical value? Cash value? I mean, what do you mean by a trading unit?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, they probably will have some monetary value, but as of yet, they do not. When we set up the guidelines, that may happen."

Speaker Wennlund: "Representative Novak."

Novak: "So we could assume that if a company has a very efficient plan in reducing, let's say sulphur dioxide as an example, which often creates acid rain. If they have a very efficient plan that reduces their sulphur dioxide emissions below the acceptable levels from the IEPA or the U.S. EPA, then they'll get sort of credits or units and they can trade these on the open market with companies that, let's say are a little bit above their SO2 emissions. Is that correct?"

Speaker Wennlund: "Representative Persico."

Persico: "You're absolutely correct on that, Representative

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

58th Legislative Day

May 12, 1995

Novak."

Speaker Wennlund: "Representative Novak."

Novak: "Mr. Speaker, thank you very much. To the Bill. I certainly rise... I know I am one of the hyphenated Sponsors and I think this is a very timely and efficient manner in how we can instill incentives in our industries to reduce pollution. Pollution is a very very serious public health matter, and any type of market based system that we can provide rather than some type of a blanket mandate that makes things very unreasonable for businesses and industries to work with, I think this system is going to be successful. It hasn't been tested yet, but I think as we go into the... into the next century, I would hope that this system becomes very effective. And, you know, should it... there be some flaws, I'm sure we can always come back and make some corrections. But I think we should encourage this type of a emissions market system amongst business and industry in the State of Illinois and I ask my colleagues to support this measure."

Speaker Wennlund: "Further discussion? The Chair recognizes the Gentlemen from Clinton, Representative Granberg. 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."

Davis, M.: "Representative, what is the national... is it the national ambient air quality standard. What is that standard for Chicago?"

Speaker Wennlund: "Representative Persico."

Persico: "I have no idea, Representative."

Speaker Wennlund: "Representative Davis."

Davis, M.: "You don't... do you know what it is for the rest of

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

58th Legislative Day

May 12, 1995

the state?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, I would be happy to provide this information and I will get back to the EPA... Illinois EPA on this and get this... these questions answered for you."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Representative, do you know how such is determined? Do you know how we determined the standard... the standard national ambient air quality? How is that determined?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, there are studies done by the U.S. EPA that determine these standards and what is acceptable in that."

Speaker Wennlund: "Representative Davis."

Davis, M.: "These studies are done at a local level, at a state level?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, it's done all across the state, but mainly in the City of Chicago and other areas surrounding that."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Representative, what is... do you know what a non-attainable area means?"

Speaker Wennlund: "Representative Persico."

Persico: "It means non-attainment for the ozone."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Exactly what are we talking about when we say that it's non-attainable?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, there's a certain level established by, basically, the U.S. EPA and the IEPA for attainment purposes."

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

58th Legislative Day

May 12, 1995

Speaker Wennlund: "Representative Davis."

Davis, M.: "Representative, what is a suitable ozone control season. A suitable ozone control season. What is that?"

Speaker Wennlund: "Representative Persico, if you know."

Persico: "Representative, if a suit... or the ozone attainment level starts in about March and ends in mid-August, around that time, and you have to be within certain standards."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Representative, why is this not done year-round considering that different conditions exist during different seasons or times of the year? Why would we not do that all year-round?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, this is done year-round, except that during this particular... or during these seasons, we're... it's a higher standard."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Do we have certain companies being given different seasonal allotments? You know, during the different seasons they're given different amounts of allotments based on those seasons."

Speaker Wennlund: "Representative Persico."

Persico: "Representative, what this Bill will do will set up the guidelines for this program. And once we receive... once we have these guidelines, then we're going to... they'll be... the rules will be adopted by the Pollution Control Board."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Well, Representative, I've asked you about certain conditions or requirements in this piece of legislation, but you don't seem to know what they mean. And if we're going to pass such an important Environmental Bill, we

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

58th Legislative Day

May 12, 1995

should know what we're asking to occur in this state and at the local level. That's the question. Why would we pass this Bill and you don't seem to have the answers to these very significant questions of Sections in this piece of legislation."

Speaker Wennlund: "Representative Persico."

Persico: "Representative, this is a highly technical Bill suggested by the Illinois EPA. If you would like, I will proceed to run through the different provisions of this particular Bill and I'll do that now. And these are guidelines that are going to be set up by the EPA and then they will... these regulations will be adopted by the Illinois Pollution Control Board. One, it assures that the compliance with the required emission reductions under this program are at a minimum as cost effective as the traditional regulatory control requirements in existence in Illinois. Two, it assures that the emissions reductions will not be mandated under the program unless required by a federal law or regulation. Three, it assures that sources will not be required to reduce emissions to an extent which exceeds their proportionate share of the total emissions reductions required of all emission sources to attain and maintain compliance for the Chicago non-attainment areas. Four, it assures that credit is given for reduction of hazardous air pollutants as if they occurred after the initiation of the program. Five, it assures that unusual or abnormal operational patterns can be accounted for in the source's baseline from which reductions would be made. Further, it assures that relative economic impact and technical feasibility of emissions reductions under the program, as compared to other alternatives, is considered. And finally, it assures that the feasibility of measuring



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

58th Legislative Day

May 12, 1995

and quantifying emissions is considered in developing and adopting the program."

Speaker Wennlund: "Representative Persico, have you completed your... Representative Davis, I gave you an additional minute already. I assume your staff has further questions. Thank you. One more minute."

Davis, M.: "Final question and I appreciate this opportunity."

Speaker Wennlund: "Thank you."

Davis, M.: "I'd like to know what hazardous pollutants will be effected by this legislation. Now, I hope the Legislature will listen to this because it is extremely important. What hazardous pollutants does this Bill effect? Which ones are they?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, it deals with ozone non-attainment areas."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Excuse me. The Bill states that there are hazardous pollutants that will be effected in this Bill. Which ones are they?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, specific emissions reduction is going to be determined by rules once we set this program up."

Speaker Wennlund: "Further discussion? Representative Hartke."

Hartke: "Thank you, Mr. Speaker. I'd like to yield my time to Monique Davis, if I could, please. Representative."

Speaker Wennlund: "Representative Davis. Representative Davis, you've already had seven minutes and if your... your staff, evidently..."

Davis, M.: "Excuse me, he gave me five minutes of his..."

Speaker Wennlund: "...has more questions, so we'll allow your staff to answer. Please proceed."

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

58th Legislative Day

May 12, 1995

Davis, M.: "I'd like to know, won't this give the Illinois Environmental Protection Agency total control of this area?"

Speaker Wennlund: "Representative Persico."

Persico: "No, Representative, it'll be market driven."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Sorry, I didn't hear his reply."

Speaker Wennlund: "Representative Persico."

Persico: "Representative, I said, no, it will not. It will be a market driven approach."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Representative, how long will this market approach be in effect?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, the goal is to reach attainment in this area and it will be in effect until we reach that attainment level."

Speaker Wennlund: "Representative Davis."

Davis, M.: "What happens, Representative Persico, under the Federal Clean Air Act of 1990? The Clean Air Act Amendments of 1990. What happens under that particular Act?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, what this will do if it becomes law. It's going to require the Illinois EPA to design an emissions market system to assist the state in meeting the applicable post-1996 provisions of the Federal Clean Air Act Amendments of 1990. And it's going to provide some maximum flexibilities for designated sources to reduce emissions and to take into account these national ozone transport assessment levels."

Speaker Wennlund: "Representative Davis."

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

58th Legislative Day

May 12, 1995

Davis, M.: "Representative, how will smaller companies - you know, very small companies or small companies, how will they receive their emission allotments?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, initially, what will happen is the agency will set up these levels of attainment and then from then on it will be market driven."

Speaker Wennlund: "Representative Davis. Representative Davis, please proceed."

Davis, M.: "Okay. Representative, if I'm a small company and I want to sell my allotment to another company, I can do that?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, if they meet their certain level of attainment and it's lower than that, they can sell their credits, right."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Is that regardless to the hazardous material that may be emitted? They can sell it?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, if they are below their level that the EPA has set up for them, yes, they can then sell those."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Representative, who is the... or who is the group, perhaps, who wants this legislation? Who are the groups?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, as I mention in my opening statement, first of all, this Bill was initiated by the Illinois EPA. But for people that are in support of this legislation, the chemical industry, the Illinois Manufacturers, the Illinois State Chamber, as well as the Illinois Environmental Council. U.S. EPA has signed off on this

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

58th Legislative Day

May 12, 1995

that it will meet their guidelines."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Representative, if I'm going through Chicago and I have a barge and that barge is emitting pollutants but I don't use up my allocation, can I sell my allocation of pollutants that I didn't use yet to someone else?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, from what I understand, the barges are emitting a diesel fuel and it doesn't meet that... the requirements of the ozone layer. So that's something that we can get back to you on, though."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Are we... Does this Bill effect automobile, truck, train or regular modes of transportation emittance into the air?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, to clarify my previous answer. A barge is a mobile source as well as trucks and cars are mobile sources. This Bill will only effect stationary sources such as factories and so on."

Speaker Wennlund: "Further discussion? The Chair recognizes Representative Stephens."

Stephens: "Mr. Speaker, I thought I heard earlier that the Democrats were going to call a conference at 11 o'clock and I think I know the reason. I think they're upset with the way the Calendar is being handled this morning. I've talked to them and some of their Representatives, and they believe we started with the wrong Bill this morning. And I think we can take care of that in conference and maybe save some time if we reviewed the Calendar and went back to, oh, say, Senate Bill 438."

Speaker Wennlund: "We'll review the Calendar and we'll get back

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

58th Legislative Day

May 12, 1995

to you, Representative Stephens. Thank you. The Chair recognizes Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Just for announcement purposes. Ladies and Gentlemen, the Sportsmen's Caucus is having their annual sporting clays tournament in Oakland, Illinois on June 10th and I think everyone received information from the Sportsmen's Caucus. We'd like to know who, we've got a list already, but would like to know who's going to participate in that activity. Going to have 120 shooters. A lot of corporations, sporting groups, Duck's Unlimited, Pheasants Forever, will be attending. And I'd just like you to indicate to myself or Representative Wennlund if you're going to attend that on June 10th. We'd like you to come around and... or we'll come around and check with you to see if you'll be there. Fun day, fun weekend. If you want, we'll be shooting sporting clays in a sporting clay setting with a number of manufacturers from around the state; Winchester Western, Norfolk Southern and so on. Thank you."

Speaker Wennlund: "Further discussion? The Chair recognizes Representative Eugene Moore."

Moore, E.: "Thank you, Mr. Speaker. Would the Sponsor yield, please?"

Speaker Wennlund: "If he still has the strength to continue on this Bill. He indicates that he will yield, but his strength is waning quickly. Representative Persico."

Moore, E.: "I'm sure that he has excellent strength because he's from Proviso High School, so I know he has good strength."

Speaker Wennlund: "Representative Persico."

Persico: "Question?"

Moore, E.: "Representative Persico, I understand that this process will be a two-phased process. Can you explain

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

58th Legislative Day

May 12, 1995

those processes, the two phases, please?"

Speaker Wennlund: "Representative Persico."

Persico: "Basically, Representative, what will happen is the Illinois EPA will set up the guidelines or the parameters and that's what we're doing here. Then, it will be adopted. These rules will be adopted by the Illinois Pollution Control Board and then it will be implemented."

Speaker Wennlund: "Representative Moore."

Moore, E.: "How will industry be benefited by this, Representative?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, if I understand your question, did you say, how will industry benefit from this legislation?"

Speaker Wennlund: "Representative Moore."

Moore, E.: "Yes, Representative."

Speaker Wennlund: "Representative Persico."

Persico: "Basically, what it will do is it will provide industry with the flexibility to meet these emission standards."

Speaker Wennlund: "Representative Moore."

Moore, E.: "Are you aware of the rules that IEPA is trying to develop now in regards to this?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, could you repeat your question, please?"

Speaker Wennlund: "Representative Moore."

Moore, E.: "Have the IEPA begun to develop any types of rules, and if so, what are they?"

Speaker Wennlund: "Representative Persico."

Persico: "Basic... Representative, these are what we're trying to set up. This is the Bill, Senate Bill 460, to set up the guidelines by, you know, the Illinois EPA and then again, these regulations will be adopted by the Illinois Pollution

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

58th Legislative Day

May 12, 1995

Control Board."

Speaker Wennlund: "Representative Moore."

Moore, E.: "How is the Clean Act... Clean Air Act enforced in Chicago now, Representative?"

Speaker Wennlund: "Representative Persico."

Persico: "Right now, the Illinois EPA enforces the Clean Air Act."

Speaker Wennlund: "Representative Moore."

Moore, E.: "What methods will the President use now to make sure that the EP Act, the emission levels does not go too high now?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, currently it's done through the permit process."

Speaker Wennlund: "Representative Moore."

Moore, E.: "Will this be required to be cost-effective?"

Speaker Wennlund: "Representative Moore... Representative Persico."

Persico: "Yes, it will. That's the whole point of this legislation."

Speaker Wennlund: "Representative Moore."

Moore, E.: "What is the Illinois role now presently in this?"

Speaker Wennlund: "Representative Persico."

Persico: "Did you say, what is Illinois' role in it or their goal?"

Speaker Wennlund: "Representative Moore."

Moore, E.: "The Pollution Control Board."

Speaker Wennlund: "Representative Persico."

Persico: "Representative, the Illinois Pollution Control Board adopts the rules that we follow."

Speaker Wennlund: "Representative Moore."

Moore, E.: "What will the annual allotment set-asides for market

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

58th Legislative Day

May 12, 1995

control insurance be?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, we believe that it's going to be determined through the rulemaking process."

Speaker Wennlund: "Representative Moore."

Moore, E.: "What will be done with this set-aside?"

Speaker Wennlund: "Representative Persico."

Persico "Representative, this will make available these credits to other industries that currently are not able to receive these credits."

Speaker Wennlund: "Representative Moore."

Moore, E.: "How much pollution is included in one emission unit?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, that will be determined by the rules that are set up."

Speaker Wennlund: "Representative Moore."

Moore, E.: "What type of control technology can be put in place by the companies that we're going to be dealing with, Representative?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, I'm sorry. Would you repeat your question?"

Speaker Wennlund: "Representative Moore, please bring your remarks and comments to a close. Representative Moore."

Moore, E.: "What type of control technology will be used by companies?"

Speaker Wennlund: "Representative Persico."

Persico: "Representative, if this Bill becomes law it will be up to the companies to determine how they're going to meet these standards with what, you know, control measures."

Speaker Wennlund: "Representative Moore, you have attained your five minutes. Further discussion? The Chair recognizes



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

58th Legislative Day

May 12, 1995

Representative Wojcik."

Wojcik: "Mr. Speaker, I move the previous question."

Speaker Wennlund: "Representative Wojcik has moved that the previous question be put. All in favor signify by saying 'aye'. Opposed say 'nay'. The 'ayes' have it. The previous question is put. Representative Persico is recognized to close."

Persico: "Thank you, Mr. Speaker, Members of the House. This is an extremely important piece of legislation that was initiated by the Illinois EPA. We have written assurances by the United States EPA that if this program is implemented, they will... it will be acceptable to them. Again, the... everyone is in agreement on this particular piece of legislation. The Illinois Environmental Protection Agency, the Illinois Environmental Council, the IMA, the Illinois State Chamber, so I ask for a favorable Roll Call on Senate Bill 460."

Speaker Wennlund: "The question is, 'Shall Senate Bill 460 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 again 114 voting 'aye', none voting 'nay', none voting 'present'. This question, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 461."

Clerk McLennand: "Senate Bill #461, a Bill for an Act that amends the Environmental Protection Act. Third Reading of this Senate Bill."

Speaker Wennlund: "The Chair recognizes Representative Hassert."

Hassert: "Thank you, Mr. Speaker, Members of the General Assembly. Senate Bill 461 amends the Environmental

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

58th Legislative Day

May 12, 1995

Protection Act. It deletes language providing that the amount appropriate from the Environmental Protection Permit and Inspectional Fund for regulatory and judicatory proceedings of the Pollution Control Board may not exceed 550,000 annually, and amends provisions concerning the Clean Air Act Permit Program. It also amends the Environmental Protection Act to exempt from the toxic packaging reduction provisions. Those packagings are packages' components used to contain wine or distilled spirits that have been bottled before July 1st, 1994, and also amends the Environmental Protection Act to add bakers to the list of activities not subject to air containment regulations. I'll be happy to answer any questions."

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

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

Speaker Wennlund: "He indicates he will."

Novak: "Yes, Representative Hassert, why are we taking... why are we removing the cap... In the underlying Bill, why are removing the cap, I guess which currently is \$550,000?"

Speaker Wennlund: "Representative Hassert."

Hassert: "My understanding, Representative, is that basically right now the Pollution Control Board's caseload has increased dramatically about 40 to 50% over the last few years, and this is one fund that has been statutorily capped. They are not asking for any additional money, but they would like in the future to be able to go through the appropriation process if they deem necessary to increase these funds."

Speaker Wennlund: "Representative Novak."

Novak: "Thank you, Representative. The money in this fund, does it come from GRF or does it come from fees or can you

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

58th Legislative Day

May 12, 1995

explain, please?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Representative, these basically are made up of fees that are generated from the permits and whatnot dealing with different agencies and different companies through the EPA."

Speaker Wennlund: "Representative Novak."

Novak: "And how are these fees assessed?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Basically, from the application of different procedures through the EPA, inspection... type fees. Different fees are collected by the EPA and segregated into these accounts for these purposes."

Speaker Wennlund: "Representative Novak."

Novak: "Well, I understand that, you know, we need fees for certain functions in state government, but are the fees, are they based on the size of a company, the number of employees the company has? Could you be a little bit more specific?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Representative, I'm not exactly sure. I can't answer that question."

Speaker Wennlund: "Representative Novak."

Novak: "Thank you, and you indicated earlier in our conversation that the reason why you want to take the cap off and you said the Pollution Control Board doesn't... is not requesting further money, but you indicated the caseload is growing. Is that what you said? You said the caseload before the ICPB is growing, and that's why the cap wants to be removed."

Speaker Wennlund: "Representative Hassert."

Hassert: "There's many different reasons. One, yeah, one is the

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

58th Legislative Day

May 12, 1995

caseload has increased dramatically. Secondly, there's other programs that we're looking at now, such as the Brownfield situation, the LUST Fund, different things that their... have to write rules and regulations regarding this, and that they feel... that may be necessary in the future to look at some additional funding for these different programs that we're looking at."

Speaker Wennlund: "Representative Novak."

Novak: "Okay, thank you. On the next part, concerning the... now this is the Amendment, this is formally I believe Senate Bill 231, this toxic packaging requirements. Can you explain why we are doing this?"

Speaker Wennlund: "Representative Hassert."

Hassert: "This is basically grandfather... This came into law as basically grandfathering in prior packaging type things on wines and still they were not exempted from this. It's just an oversight."

Speaker Wennlund: "Representative Novak."

Novak: "In my analysis, we are exempting this... distilled spirits from the toxic packaging requirements. Do you mean to tell me, like, spirits such as Absolut Vodka and Remy Martin, Cognac, I mean are we going to exempt them from toxic requirements?"

Speaker Wennlund: "Representative Hassert."

Hassert: "We're not exempting them from this package. We're just grandfathering other previous goods that are still on the shelf, that have a longer shelf life that they weren't exempt from this before."

Speaker Wennlund: "Representative Novak."

Novak: "Is it not a fact, Representative, that Absolut Vodka and Remy Martin are pretty toxic themselves in nature?"

Speaker Wennlund: "Representative Hassert."

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

58th Legislative Day

May 12, 1995

Hassert: "I could not speak to that since I do not use those products. Maybe you could tell us."

Speaker Wennlund: "Representative... Representative Novak."

Novak: "Excuse me, Mr. Speaker. I'll continue. I mean is there mercury or cadmium in Absolut Vodka or Remy Martin, I mean I'm a little confused here on this Amendment."

Speaker Wennlund: "Representative Hassert."

Hassert: "Since I do not use these products, I couldn't tell you cause I never read the label."

Speaker Wennlund: "Representative Novak."

Novak: "I mean if you went to a liquor store and bought a liter of Absolut Vodka, let's say Citron or Absolut Pepper Vodka or Remy Martin, Cognac, you mean the cardboard package that the bottle is contained in, that has toxic materials?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Representative, your absolute knowledge of these products amaze me, but I haven't been in a liquor store to read these packaging information, but maybe you have, so maybe you could tell me."

Speaker Wennlund: "Representative Novak, please bring your remarks to a close."

Novak: "Well, Representative Hassert, you know, I appreciate your absolute attention to my questions. One last aspect to this Bill, I understand we are exempting commercial bakeries from air emission regulations. Can you explain why? What happens during the baking process?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Basically, what we're exempting is existing bakeries' ovens who are having a hard time meeting the compliance. They create less than about 1/10th of 1% of the emissions within the noncontainment areas. They're having a hard time because of cost factors of meeting this. We're

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

58th Legislative Day

May 12, 1995

exempting..."

Speaker Wennlund: "Representative Hassert, proceed."

Hassert: "We're grandfathering in the existing bakers. Any new bakers coming on line would have to meet this requirement."

Speaker Wennlund: "Further discussion? The Gentleman from Macoupin, Representative Hannig. Representative Hannig."

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

Speaker Wennlund: "He will."

Hannig: "Representative, which funds are involved in this cap that we're trying to uncap, so to speak?"

Speaker Wennlund: "Representative Hassert."

Hassert: "The Permit and Inspection Fund and the Clean Act... Air Fund... Clean Air Act Fund."

Speaker Wennlund: "Representative Hannig."

Hannig: "And could you tell us what the balance in those funds is today or any time within reason?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Representative, I don't have that information."

Speaker Wennlund: "Representative Hannig."

Hannig: "I guess I'm trying to get to the issue of whether or not there's really adequate monies in these accounts for us to allow the Pollution Control Board to draw down additional balances. Could you at least address that issue?"

Speaker Wennlund: "Representative Hannig (sic - Hassert)."

Hassert: "Representative, in remembering in the committee and the hearing process and talking to EPA, do you remember there is a substantial, sizeable fund left in each one of the accounts, in the millions as I remember, but I do not have the exact figure. So the funds are there. The EPA did not have no objections. They seem to be adequately funded, if that's your question."

Speaker Wennlund: "Representative Hannig."

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

58th Legislative Day

May 12, 1995

Hassert: "But I can get that information to you later if you would like."

Speaker Wennlund: "Representative Hannig."

Hannig: "So you're not really sure of the balance, but you could at least assure us that there is adequate monies available. Is that what you're saying? I see you have some new information. Maybe you do have the balances."

Speaker Wennlund: "Representative Hassert."

Hassert: "Yes, there's adequate funds. The balance is in the funds I just received in the Clean Air Act Fund, there's \$12,928,000 and in the Permit Inspection Fund, there's \$9,427,000 - as of this year."

Speaker Wennlund: "Representative Hannig."

Hannig: "And what other... what other agencies draw out of that fund?"

Speaker Wennlund: "Representative Hassert."

Hassert: "The EPA and the Pollution Control Board."

Speaker Wennlund: "Representative Hannig."

Hannig: "So is the Environmental Protection Agency, are they satisfied that by allowing additional monies to go to the Pollution Control Board that it does not jeopardize any of the activities that they are engaged in?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Basically, the EPA, the existing funds that they're asking for next year's budget is exactly the same of what they've requested with the caps in place right now. This still has to go through the Bureau of the Budget. It has to go through a budgeteering process. It has to go through the appropriation process. So we will still have the final say so on how much money goes into these funds. You know, they're not asking for a set amount. They have to go through the budget process, just like anybody else would to

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

58th Legislative Day

May 12, 1995

get this fund increased or even decreased, whatever the case may be."

Speaker Wennlund: "Representative Hannig."

Hannig: "I guess, though my question was, has the Environmental Protection Agency taken any position on this Bill? Are they in favor of it? Opposed to it? Neutral?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Representative, they are neutral."

Speaker Wennlund: "Representative Hannig."

Hannig: "And in the budget that the Governor presented to us for FY 96, for the year that begins July 1st, how much money is the Governor requesting that they draw over and above the cap that's in the Statutes now. Is there any?"

Speaker Wennlund: "Representative Hassert."

Hassert: "There's no increase for 96."

Speaker Wennlund: "Representative Hannig."

Hannig: "So the net effect of the Bill would... I guess do you anticipate amending the budget anywhere through the process, to go over the cap? You're saying, no, so that in effect this is a prospective Bill that would provide this authority to the Pollution Control Board for FY 97 and beyond. Is that what you're saying?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Again, just to re-emphasize, this will remove the caps and will allow them, through the regular appropriation process, to increase this fund if we in the General Assembly so desire."

Speaker Wennlund: "Representative Hannig, please bring your remarks to a close.."

Hannig: "But you're saying that there's really no need for the Bill for FY 96 because you're not requesting money over and above the cap. Is that correct?"



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

58th Legislative Day

May 12, 1995

Speaker Wennlund: "Representative Hassert."

Hassert: "Well, basically there is a need because they go into their budgetary process in the fall of this year, so they want to know the parameters that they can work within for the upcoming year."

Speaker Wennlund: "Representative Hannig."

Hannig: "I'm not sure you've really answered the question. Let me ask you another question though since I'm running out of time here. Why was this cap imposed to start with? What was the underlying reason we even have this cap?"

Speaker Wennlund: "Representative Hassert. Representative Hassert, please proceed."

Hassert: "Apparently when this was developed a few years back, they weren't sure of the amount of money that was going to be generated by the fees, and this is arbitrarily the amount that they set back then, not knowing exactly how much money would go into these funds or how much money would be supported by the fees."

Speaker Wennlund: "Further discussion? The Chair recognizes Representative Howard."

Howard: "Thank you, Mr. Speaker. Will the Gentleman yield for a couple of questions?"

Speaker Wennlund: "He indicates he will."

Howard: "Thank you. Representative, as I understand, this Bill will eliminate the caps. What is this additional money needed for? What is it going to be used for?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Basically the money is used for their caseload with the Pollution Control Board and their hearing process in setting up rules and regulations for possibly some of the regulatory things that we're developing right now, such as the Brownfields, the LUST Fund, the underground storage

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

58th Legislative Day

May 12, 1995

tank removals. Huge increase in the caseload."

Speaker Wennlund: "Representative Howard."

Howard: "Representative, do you anticipate how much money you're going to need for those things?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Not at this time."

Speaker Wennlund: "Representative Howard."

Howard: "Question. I understand that bakeries will be exempt from the state emissions regulations. What kind of emissions do bakeries produce? Can you tell me that?"

Speaker Wennlund: "Representative Hassert."

Hassert: "My understanding is they produce a methane byproduct."

Speaker Wennlund: "Representative Howard."

Howard: "Are those emissions currently controlled in any way at all?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Yes, under the Clean Air Act, they are controlled, yes."

Speaker Wennlund: "Representative Howard."

Howard: "Representative, what kind of technology do they use?"

Speaker Wennlund: "Representative Hassert."

Hassert: "They have to have a catalytic oxidizer control system."

Speaker Wennlund: "Representative Howard."

Howard: "Do you know how many commercial bakeries there are in the Chicagoland area?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Looking at them, there's approximately...Just let me have a moment, I'll count them. About 20 bakeries in the Chicagoland area, the noncontainment area."

Speaker Wennlund: "Representative Howard."

Howard: "Is this exemption just for the Chicagoland area?"

Speaker Wennlund: "Representative Hassert."

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

58th Legislative Day

May 12, 1995

Hassert: "For the nonattainment areas, bakeries within the nonattainment areas."

Speaker Wennlund: "Representative Howard."

Howard: "So that would be Metro-Chicago?"

Speaker Wennlund: "Representative Hassert."

Hassert: "Yes."

Speaker Wennlund: "Representative Howard."

Howard: "Representative, what about Metro-East St. Louis?"

Speaker Wennlund: "Representative Hassert."

Hassert: "My understanding, they were not included in the rule."

Speaker Wennlund: "Representative Howard."

Howard: "I'm sorry, I didn't understand that answer."

Speaker Wennlund: "Representative Hassert."

Hassert: "They were not covered by the rule that was adopted."

Speaker Wennlund: "Representative Howard."

Hassert: "They were not in that... not under that requirement."

Speaker Wennlund: "Representative Howard."

Howard: "Thank you very much, Representative."

Speaker Wennlund: "Representative Hassert. Representative Howard, is there a question pending? Further discussion? The Chair recognizes Representative Krause."

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

Speaker Wennlund: "Representative Krause moves the previous question be put. All those in favor signify by saying 'aye'; those opposed signify by saying 'nay'. The 'ayes' have it. The previous question is put. Representative Hassert, to close."

Hassert: "I just ask for a favorable vote. Thank you."

Speaker Wennlund: "The question is, 'Shall House... Shall Senate Bill 461 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?"

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

58th Legislative Day

May 12, 1995

Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'aye', none voting 'nay', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair would like to welcome 180 seventh grade students from the Mokena Junior High School. They are here with Gary Bradbury, the principal, and our guest students are represented by the Chair. Welcome, Mokena Grade School and Principal Bradbury to Springfield. Welcome to the Illinois House Floor. I ask fellow Members of the House to join me in welcoming Mokena Junior High School students. Mr. Clerk, read Senate Bill 428."

Clerk McLennand: "Senate Bill #428, a Bill for an Act that amends the Criminal Code of 1961. Third Reading of this Senate Bill."

Speaker Wennlund: "The Chair recognizes Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. House... Senate Bill 428, as amended, is compilation of several veteran related issues, and I will try to be as brief as possible. It amends the Veterans Affairs Act to clarify the unit... that the use of benefit funds at the Illinois Veterans Home to ensure that they are used for the special comfort, pleasure and amusement of the home residents; repeals various Sections of the Veterans Home Code and consolidates them into one Section of the Act. Furthermore, it amends the University of Illinois Act, clarifying that the University of Illinois will provide one scholarship, per county, per hostility, to children of veterans. Furthermore, it amends the Military Code, dealing with the salary of the Adjutant General as compared with the Director of Veterans Affairs and makes them equal and also adjusts the salary of the Assistant Adjutant General. And this would take effect..."

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

58th Legislative Day

May 12, 1995

this would not take effect until appointment or after reappointment of the Adjutant General in Fiscal 97. Furthermore, clarifies retirement provisions for the Illinois National Guard, requiring federal military retirement, rather than ten years in the guard before being able to receive military exempt status for employment purposes. Furthermore, designates December 7th of each year as Pearl Harbor Remembrance Day. And furthermore, amends the... clarifies the health and life insurance benefits for personnel on military leave; distinguishes between military leave with pay and benefits and military leave without pay and benefits and allows coverage to continue for a maximum of four years through personal payments. It further expands the crime for impersonating a peace officer, a veteran or similar..."

Speaker Wennlund: "Excuse me, Ladies and Gentlemen of the House, please give Representative Stephens your attention on this matter. It's an important veterans' Bill. Thank you. Representative Stephens, proceed."

Stephens: "...veterans or similar charitable organization, includes the false representation of being a veteran when seeking employment or public office. Furthermore, requires the Department of Central Management Services to adopt rules and implement procedures, to verify claims of veteran's status and creates the Prisoner of War Compensation Act, providing World War II and Korean Prisoners of War with a \$50 war bonus, similar to that that was given to Vietnam veterans. And furthermore, creates a tax check off for women in military services memorial. And finally, amends the Historic Preservation Act to declare the Korean War Memorial in Sangamon County a state historic site. I'd be glad to respond to any questions. I move

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

58th Legislative Day

May 12, 1995

passage of Senate Bill 428, as amended."

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

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

Speaker Wennlund: "He indicates he will."

Hartke: "Yesterday I had an opportunity to talk to the Department of Military Affairs, and one of the things they would like was the somewhat supported, but maybe not, by CMS and that was the verification of the veteran's status. Could you explain that, please?"

Speaker Wennlund: "Representative Stephens."

Stephens: "What are you referencing? I'm not sure what your question is referring to."

Speaker Wennlund: "Representative Hartke."

Hartke: "Well, let's take this off Short Debate."

Speaker Wennlund: "Representative Hartke, Representative Brunsvold has requested a conference at eleven o'clock, which is your..."

Hartke: "Well, I want to take this off Short Debate."

Speaker Wennlund: "It is now three minutes to eleven. Representative Brunsvold has requested a conference for eleven. If we take this off Short Debate..."

Hartke: "We can take it a little bit later than that I think, the caucus. Or you could take it out of the record, but..."

Speaker Wennlund: "Proceed."

Hartke: "Is it off Short Debate?"

Speaker Wennlund: "We'll so remove it. Proceed."

Hartke: "What I'm referencing to is, right now we have veteran's preference for those individuals that are hired at... in the State of Illinois, and I think this piece of legislation calls for CMS to verify that they are veterans."

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

58th Legislative Day

May 12, 1995

Is that correct?"

Speaker Wennlund: "Representative Stephens."

Stephens: "That's correct, Sir."

Speaker Wennlund: "Representative Hartke."

Hartke: "Will that be an extra cost to the Central Management Service?"

Speaker Wennlund: "Representative Stephens."

Stephens: "No, I wouldn't believe that it should make any additional cost at all."

Speaker Wennlund: "Representative Hartke."

Hartke: "How many Korean War veterans and World War II veterans were POW's? And what will this cost the State of Illinois?"

Speaker Wennlund: "Representative Stephens."

Stephens: "A note was filed on that. Let me look through the file here. I believe the maximum, as to the number, the total POW's from the State of Illinois were 2,426; eight from Vietnam, 194 from Korea; 2,224 from World War II. If this on an annualized basis were implemented over... Well, for the first four months, it would cost \$356,000; \$50 per month for the next 36 months would come to 801,000, for a total fiscal impact over... a one time payment of \$1.4 million."

Speaker Wennlund: "Representative Hartke."

Hartke: "Yes, Representative Stephens, is this a one time \$50 stipend?"

Speaker Wennlund: "Representative Stephens."

Stephens: "Yes, just like we did for the other Vietnam veterans."

Speaker Wennlund: "Representative Hartke."

Hartke: "Well, I think the stipend that went to the Vietnam veterans were just not specified to POW's, was it? It was for every veteran, was it not?"

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

58th Legislative Day

May 12, 1995

Speaker Wennlund: "Representative Stephens."

Stephens: "That's right. I was just referring to... as to the nature of the payment."

Speaker Wennlund: "Representative Hartke."

Hartke: "But this applies just to MIA's and POW's."

Speaker Wennlund: "Representative Stephens."

Stephens: "I believe it's just POW's."

Speaker Wennlund: "Representative Hartke."

Hartke: "Yes, what about the wives of the MIA's? Or spouses or families?"

Speaker Wennlund: "Representative Stephens."

Stephens: "I believe when we dealt with that language as to relatives, we decided that it was best that we stop at the... at the spouse. And if the spouse is surviving, that she would qualify for the benefit. I may stand corrected on that, but that's my understanding. As I said... as I said, this is a very long Bill, but as we read it again, it provides that the payment will be made to the surviving spouse of a deceased prisoner to which the deceased person would have been entitled. It... The rights go no further than the spouse."

Speaker Wennlund: "Representative Hartke."

Hartke: "That's fine. Let me ask you another question. You talked about the scholarships to children of veterans that are awarded in each county. Is that equal among counties, whether it's a small county or a large county?"

Speaker Wennlund: "Representative Stephens."

Stephens: "It's county by county. It's not relative to population."

Speaker Wennlund: "Representative Hartke."

Hartke: "How does this selection process take place? Do the local veterans' organization make recommendations for the



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

58th Legislative Day

May 12, 1995

veterans' scholarship to be given to the child in the county or is that at the state level?"

Speaker Wennlund: "Representative Stephens."

Stephens: "The actual document that's forwarded to the universities or to the University of Illinois is filed by the County Board Chairman, I believe, and a lot of counties will, of course, take guidance from the local VF... or local veterans' organizations."

Speaker Wennlund: "Representative Hartke, I gave you an additional minute, you're down to 30 seconds. Please bring your comments to a close."

Hartke: "So the... So the county organ... County Board in each county makes the recommendation, and they send it to the veterans' organization, and the veterans' organization forwards that name to the University of Illinois. Do the veterans' organization or does the Veterans' Affairs group here certify that the resident is from that county? Or is that at the coun..."

Speaker Wennlund: "Representative Stephens."

Stephens: "The... The application or the paperwork, you have to attest that you do live in that county and, of course, if you falsify that document, you'd... and you're caught, you'd pay the appropriate price for that. We're not changing any current practice. We're just clarifying the language because of the House Bill, I think 1509 that passed earlier, that some attorneys believe may have caused a problem with current practice. This clarifies that and, Representative, this is the furthest thing from controversial."

Speaker Wennlund: "Further discussion? The Gentleman from Will, Representative Meyer."

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

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

58th Legislative Day

May 12, 1995

House. On... to the Bill. The Bill that you have before you today is an omnibus package that was put together within the House Veterans' Affairs Committee by both sides of the aisle. It contains Bills that originated with the House Republicans, the House Democrats, the Senate Republicans, the Senate Democrats, and it has the unanimous support of the Veterans' Affairs Committee. All the Bills passed out of the Committee with no dissenting votes. There were no dissenting testimonies given. I would strongly encourage the Members of this Body to vote 'yes' and ask for your total support on this package. Thank you."

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

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

Speaker Wennlund: "He indicates he will."

Davis, M.: "Representative, is there an Amendment in this provision that clarifies the use of benefit funds at veteran homes and provides for the creation of separate home funds?"

Speaker Wennlund: "Representative Stephens."

Stephens: "I believe you're referring to the very first Section of the Bill that I referred to. The answer to your question is, yes, and that was based on the Auditor General's recommendations."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Is...Why is it needed, Representative?"

Speaker Wennlund: "Representative Stephens."

Stephens: "Clarification to prevent any abuse of the monies that were... that are collected."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Representative Stephens, are there any documented

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

58th Legislative Day

May 12, 1995

cases of inappropriate use of funds, of the home funds, from the past?"

Speaker Wennlund: "Representative Stephens."

Stephens: "I know of none and if there are none, this will just make sure that that practice will continue. If there are any that we don't know about, this will prevent them in the future. And if there are some that someone knows about, this will deal with that problem. This is very good language, Ma'am."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Representative, I have documentation in reference to the former Superintendent of the Quincy Home who used some home funds to pay for printing of tickets for Edgar fund-raisers. Will this help to eliminate that kind of practice?"

Speaker Wennlund: "Representative Stephens."

Stephens: "I have not seen the document that you're talking about, but if it dealt with the benefit funds at the veterans' homes, that should be used for the special comfort, pleasure or amusement of the home residents, then this would deal with that."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Will the department have to maintain information on who donates money to each of the separate home funds?"

Speaker Wennlund: "Representative Stephens."

Stephens: "Yes."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Will the agency collect information on what the donated funds are to be used for?"

Speaker Wennlund: "Representative Stephens."

Stephens: "Did you say collect information as to what the donated funds are to be used for? And how do you define collect

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

58th Legislative Day

May 12, 1995

information?"

Speaker Wennlund: "Representative Davis."

Davis, M.: "Well, if someone makes a donation to the fund, could they designate how they expect it to be used? And if so, will that record be kept of that?"

Speaker Wennlund: "Representative Stephens."

Stephens: "Yes, and as far as designation of how the funds are used, yes. And if we're going to call that collecting...that information, then the answer to your original question is, yes."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Okay, Mr. Stephens, provided in this Amendment is a pay raise for the Adjutant General and the Deputy General. What is the current salary of these people?"

Speaker Wennlund: "Representative Stephens."

Stephens: "The current salary of the current Adjutant General is \$48,000, a substantial, I believe in the area of \$25,000, decrease from the previous Adjutant General. This simply brings equity bet we... to the position and makes that \$68,152, which is the same as the Director of the Illinois Department of Veterans' Affairs and the same as it was in this department just last year. It takes place, as I said earlier, for fiscal 97."

Speaker Wennlund: "Representative Davis."

Davis, M.: "So, Representative, we are here again giving a \$20,000 raise to two people. Is that correct?"

Speaker Wennlund: "Representative Stephens."

Stephens: "It simply restores a \$20,000 pay reduction."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Well, Representative, how was the salary reduced? You're saying that someone took a pay reduction. Who took a pay reduction and why?"

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

58th Legislative Day

May 12, 1995

Speaker Wennlund: "Representative Stephens."

Stephens: "The slot took a pay reduction for the reason of the federal government choosing not to subsidize it as they have in the past."

Speaker Wennlund: "Representative Davis."

Davis, M.: "Representative, in this Amendment, there is a provision to allow insurance coverage to continue for up to four years for persons on military leave. And is this not the current practice of CMS?"

Speaker Wennlund: "Representative Stephens."

Stephens: "Yes, but there was some disagreement as to the full time status of military and whether when you left, could you, on your own, pay four years? Under CMS guidelines, you could do that. That..."

Speaker Wennlund: "Representative Stephens, please bring your remarks to a close."

Stephens: "That was not the practice for military and this clarifies and corrects that situation - and allows them to pay their own way for those four years."

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

Black: "Thank you very much, Mr. Speaker. On behalf of every man and woman who served this country honorably in the United States Armed Forces, I move the previous question."

Speaker Wennlund: "The Gentleman has moved the previous question be put. All those in favor signify by saying 'aye'; those opposed 'nay'. The 'ayes' have it. The previous question is put. Representative Stephens is recognized to close."

Stephens: "I would, in the honor of the Democrat Caucus, be as brief, but I do want to say that it is appropriate at this time of the year, especially that we pay special honor to our veterans. This is a Bill that ought to go out with

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

58th Legislative Day

May 12, 1995

100% support. I appreciate an 'aye' vote and move passage of Senate Bill 428 as amended."

Speaker Wennlund: "The question is, 'Shall Senate Bill 428 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 115 voting 'aye', none voting 'no', none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. The Democrats would conference immediately in Room 118."

Speaker Wennlund: "Thank you. Representative Biggert."

Biggert: "Thank you, Mr. Speaker. The Republicans will conference in Room 114 immediately - for approximately one hour."

Speaker Wennlund: "Representative Brunsvold, for one hour? Thank you. The House will stand in recess for... until the hour of 12:15 p.m."

Speaker Daniels: "The House will come to order. Members, please be in their chairs and those not entitled to the floor will please retire to the gallery. Speaker Daniels in the Chair. Mr. Clerk, can you tell me the status of Senate Bill 19?"

Clerk Rossi: "Senate Bill 19 is on Calendar - Order of Third Reading."

Speaker Daniels: "Return that Bill to Second Reading, Mr. Clerk. Senate Bills - Third Reading. Mr. Clerk, call Senate Bill 1149."

Clerk Rossi: "Senate Bill 1149, a Bill for an Act amending the State Officers and Employees Money Disposition Act. Third

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

58th Legislative Day

May 12, 1995

Reading of this Senate Bill."

Speaker Daniels: "Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1149 would increase the General Obligation Bond Authority for the State of Illinois by \$361 million. In that, our capital facilities projects of \$297 million, transportation projects and the mass transportation category of \$53 million and environmental protection agency category authorization for \$11 million. For those that are relatively new in the General Assembly, let me just take a brief moment to explain what bond authorization is. What that is saying is that we in the General Assembly will authorize the State of Illinois to issue bonds for certain identified projects. Once this is passed, it is then still the obligation and responsibility of the General Assembly, through its budgeting process, to allocate the funds for those bonds. We still have the control in regards to where that money's going to go and by project through the appropriation process. With that, Mr. Speaker, I would answer any questions."

Speaker Daniels: "Is there any discussion? The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, Mr. Speaker on a parliamentary inquiry."

Speaker Daniels: "State your inquiry."

Hannig: "Since this increases bonded indebtedness for the state, would this require 71 votes?"

Speaker Daniels: "Yes, Sir, it would. Require your full active and complete participation. Representative Hannig."

Hannig: "Yes, will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Hannig: "Representative, yeah, Representative, when we... when we sell bonds, obviously there's a cost to the state. In the

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

58th Legislative Day

May 12, 1995

future, we'll have to repay interest and principal as we go. Can you give us some thought as to how much this will cost us? For example, in FY97 and eight and as we go out on an annual basis, how much will this cost us in debt service?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Thank you. Representative Hannig, the... the Fiscal Note as is filed with this Bill estimates that approximately \$100 million will be issued out of this 361 million, and the debt service on that is approximately \$6 million."

Speaker Daniels: "Representative Hannig."

Hannig: "Eventually, now we're authorizing an increase of how much did you say?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Three hundred and sixty-one million dollars in general obligation bond authorization."

Speaker Daniels: "Representative Hannig."

Hannig: "So, when the state finally gets around to... to issuing all 361 million of these additional bonds, at that time what will the debt service be?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "We will be paying off bonds as we go, of course, through this cycle, but the approximate debt service, if we did issue and have all 361 outstanding, it be about \$27 million. Representative Hannig, if I could also just take one moment to highlight the fact that all be it we are going to be authorizing an additional \$361 million in fiscal 1995, we did retire approximately \$380 million worth of bonds, and the Governor's budget and projection for the next fiscal year also has another \$380 million worth of bonds to be retired as well."



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

58th Legislative Day

May 12, 1995

Speaker Daniels: "Representative Hannig."

Hannig: "So, I... I maybe I'm not following what you said, but if we retired these bonds, if we have the money to retire these 380 some million dollars in bonds, why do we need to issue new bonds?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Actually, Representative, what this is, is the authorization by category. So, what we are saying, as you have broken out within the Amendment, the amended piece of legislation, it is saying we have authorization for \$361 million worth of projects in these very specific categories. As we go forward to sell these bonds, we have the debt service, which you brought out in testimony a few moments ago, but then as we do this progressively through a fiscal year, we also retire bonds. And that's the point I think that is imperative to have highlighted is that we are retiring approximately \$380 million worth of bonds as well."

Speaker Daniels: "Representative Hannig."

Hannig: "But as we retire bonds in a given category, does that not give us additional authority to sell more bonds or do we need... Do we actually need authorization from the Assembly? Could you help explain that to the Members?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Thank you, Representative. I do appreciate you highlighting that. No, it does not allow us to issue additional bonds within previously authorized categories. We have to, on each of these projects as we go forward, authorize specifically by statute the issuance of those bonds."

Speaker Daniels: "Representative Hannig."

Hannig: "Could... and our staff isn't quite sure they agree with

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

58th Legislative Day

May 12, 1995

that, Representative, but... but maybe we could work that out. But in any case, you may very well be right. How much statutory authority do we have remaining? If we offer... if we authorize no additional bond sales this year, what do we still have left that the state can sell?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Representative, I'm sorry. I don't have that number off hand, we're going to try to search that out. If I could also go back to the previous comment in regards to discrepancy and opinion on it. The position of the Bureau of the Budget is in regards to the ability to be able to authorize bonds and once retired, those bonds, then they do not have authorization to issue within that same category."

Speaker Daniels: "Representative Hannig."

Hannig: "Yes, in the last three years... or last five years, Representative, we've seen our bond rating reduced, I believe three times. Can you give us any opinion as to whether or not this will cause further deterioration in our bond ratings?"

Speaker Daniels: "Representative Hannig... or Rutherford."

Rutherford: "Yes, Representative, I can. I'd like to highlight that particularly Moody's and others have looked at our whole bond rating issuance, and none of the down grading of our bond rating has been because of our long term capital projects. What's been the impetus to our bond rating problem or concern has been in regards to the low cash balances we have in our State Treasury as well as outstanding balances we have not necessarily in..."

Speaker Daniels: "Do you want to bring your answer to a close?"

Rutherford: "Not regards to outstanding long term but in regards to liabilities in the short term basis."

Speaker Daniels: "The Lady from Sangamon, Representative

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

58th Legislative Day

May 12, 1995

Klingler."

Klingler: "Thank you very much, Mr. Speaker. I rise in support of this legislation, and I would like to address this both from the perspective of how this... the bonding is important to Springfield and Sangamon County and then also address the issue in a statewide basis. In Springfield and Sangamon County, there's some very important improvements that are needed at the State Fairgrounds, such as repair and replacement of sidewalks, curbs, gutters and streets and up... upgrading the fair sewer and water system. Included... also included is funding for the McFarland Mental Health Facility to replace the heat and air conditioning system as well as... as renovations in the kitchen area. I think something that's very important to all of us here is the upgrade of the life safety systems and the security in the Capitol Building. Unfortunately, the recent Oklahoma tragedy has indicated to us the serious need and responsibility to protect our citizens in our public buildings. So, it's very important that the security systems be upgraded. Funding is also allocated to the Illinois State Museum Collection Center Climate Room to protect and preserve the state's archeologic treasures. Moneys will also be made available to upgrade and complete the access to Sangamon State University, which will be the University of Illinois at Springfield. The total dollars of improvements to the Springfield area equal over \$15 million. These \$15 million will generate jobs while improving public safety. On the per statewide perspective, I'd like to emphasize two areas, one is the importance to higher education for universities throughout the state. Education is extremely important to all of us and to the state. If we do not pass this, these moneys will not be

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

58th Legislative Day

May 12, 1995

available to our university. Finally, I want to emphasize the importance on crime and the Department of Corrections. This Bonding Bill create... provides for \$159 million for the Department of Corrections to construct work camps, add bed space, expand our correctional facilities. We have talked a lot in this General Assembly about crime, about truth in sentencing, about keeping criminals away from our citizens and protecting them. Members of the General Assembly, if you want to put your money where your mouth is, you'll vote for this Bill. A 'no' vote on this bond means that you're voting to let criminals out on early release. A 'no' means you don't stand for truth in sentencing. A 'no' means you don't stand for natural life for repeat sexual offenders. A 'no' means you don't want natural life imprisonment for those sentenced to that. Many of you campaigned that you were running on... being tough on crime and you wanted to shut that prison door. Many unsuccessful challengers on the other side also said they were going to close the prison door. Well, Members, if you vote 'no' on this, you're opening up the prison door. You don't believe in being tough on crime. I urge a 'yes' vote."

Speaker Daniels: "Further discussion? The Gentleman from Whiteside, Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker. I, too, rise in strong support of Senate Bill 1149. This is a bold approach that we're taking, and I am very happy to see that we're going to take a look at some of the problems that we have in the state and through the 73rd District. The \$159 million in new funds designated for the Illinois Correctional System will help us out in Dixon. We had some problems at our center that will cost about \$700,000 in order to rectify

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

58th Legislative Day

May 12, 1995

that...that situation. The Dixon Armory has sought funds, I know, for at least six to eight years on the project that will be funded under this program. Way back when I was Assistant Superintendent of Schools, we were working with the Armory at that time to acquire the land needed to finish their project. This plan expands the prison facilities and will help us to keep criminals behind bars and off the stroots...streets. Several universities and community colleges will receive over \$91 million in new funding. This proposal will help educational facilities, and they'll be able to purchase new equipment and expand their services. This plan doesn't increase the state's debt. This money's already budgeted. A favorable vote today shows your commitment to local long term projects, that'll have a positive affect for your community. I urge an 'aye' vote on Senate Bill 1149. Thank you."

Speaker Daniels: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. One of the previous speakers indicated that if we vote 'no' on this and we're against being tough on crime and those other things, in fact, it's just the opposite. I want to see more work camps built; I want to see more prisons built. But do I put work camps over my hospitals in the same area who aren't being paid? Do I put extra bonding ahead of my nursing homes that aren't being paid? Do I put increased debt service ahead of hospitals closing, nursing homes closing, kids' programs being cut back in our schools? Ladies and Gentlemen, our bond rating has been lowered three times in four years, unprecedented in the history of this state. We have to get the debt under control. We have to take a long term look at what happens with our states. We cannot continue to

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

58th Legislative Day

May 12, 1995

borrow and borrow and borrow with no revenue stream, no acknowledged debt service for these bonds. We have to acknowledge the long term health problem in this state. We have to deal with the long term problems of Medicaid funding. We have to deal with the long term problems of funding education. These are not issues that divide Illinois. These are not issues that divide the suburbs from downstate or Chicago. These are solutions and ideas that need to be dealt with on a statewide basis, something that has not happened in this Body. Now we're seeing a Bill doing...do the general obligation bond service increase. Without addressing the issue of Medicaid funding, without addressing the issue of funding our nursing homes, without the issue of addressing education. That is not the way we should be looking at the state's budget. That is not the way we should be looking at the state's problems. We should be looking at resolving these things on a long term basis, not continually borrowing on a short term basis to fund existing programs. I want to say 'yes' to Corrections. I want to say 'yes' to all these things, but I also want to say 'yes' to our nursing homes and our hospitals and our kids. And until we can do that in a long term solution in one plan, I'm going to vote 'no'."

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

Bost: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of Senate Bill 1149. The money in these projects are much needed in the 115th District. The funding for our district will improve quality education, take care of our...take care of our mentally challenged and ensure families can continue to enjoy America's favorite pastimes. SIU Carbondale will receive \$500,000 for

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

58th Legislative Day

May 12, 1995

additional upgrading of the heating, ventilation and air conditioning systems at Altgeld Hall. Choate Mental Health Development Center in Anna will receive over 2 million to renovate Magnolia Hall which houses 50 people. The 115th District will also receive \$100 million to expand the DuQuoin State Fair Grandstands. This Bill also provides over \$160 million in funding to maintain prisons, build four new work camps for... for criminals and complete construction of the super max prison, which will keep the... state's most violent criminals. This doesn't only affect the 115th District. This helps people all over the state. A lot of these projects are extremely important. All the projects - all the projects in 1149 are improvements that are needed, and it's good government to support. Senate Bill 1149 is good legislation. It'll help many of our communities, and I urge your support and your 'aye' vote."

Speaker Daniels: "Further discussion? The Gentleman from Saline, Representative Phelps."

Phelps: "Thank you, Mr. Speaker. I'd like to yield my time to Representative Hannig. Thank you."

Speaker Daniels: "Representative Hannig."

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

Speaker Daniels: "He indicates he will."

Hannig: "Yes, Representative, we've...we've been hearing money about prisons in this Bill. Can you tell us where these are going to be built and when they will be built?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Thank you, Representative. I can... I can give you the projects. I don't have the exact dates here, but we can, of course, get those for you. There'll be an Illinois Youth Center in Harrisburg for \$1.2 million. There'll be a

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

58th Legislative Day

May 12, 1995

Danville Correctional Center in Vermilion County for \$4 million. The East Moline Correctional Center of Rock Island County for \$1.5 million. The Dixon Correctional Center in Lee County for \$700,000. The Dwight Correctional Center in Livingston County for \$1.7 million. And again, I want to highlight, these are not necessarily new Bills, but these are new Bills as well as improvements and capital efforts within those facilities. There'll also be the Hannah City work camp for \$175,000. There's the Menard Correctional Center in Randolph County for \$4 million roughly. The Menard Psychiatric Correctional Center for \$2.4 million. There will be the Illinois Youth Center in Pere Marquette for \$215,000. There's the Pontiac Correctional Center in Livingston County for \$1 million. The Stateville Correctional Center in Joliet for \$800,000. There's the Illinois Youth Center in Joliet for \$6 million. The Illinois Youth Center, Valley View, for \$550,000. The Vandalia Correctional Center in Fayette County for \$450,000. There'll be the Vienna Correctional Center in Johnson County for \$6.1 million. There will be the Tamms, I want to highlight the Tamms Super Maximum Security Penitentiary in Alexander County for \$4.5 million. As well, there will be the Meyer Correctional Center in Decatur for \$400,000. Again, Representative Hannig, to highlight, these are not necessarily new constructions, but as well, capital efforts and projects at these centers as well."

Speaker Daniels: "Representative Hannig."

Hannig: "Yes, my notes show that there's \$20 million in the... in this proposal for two work camps? Could you tell me where those will be?"

Speaker Daniels: "Representative Rutherford."



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

58th Legislative Day

May 12, 1995

Rutherford: "Yes, thank you, Representative. There are two in there. It's the Vandalia Work Camp and the Pittsfield Work Camp at approximately \$10 million a piece."

Speaker Daniels: "Representative Hannig."

Hannig: "Representative, when we look in the actual language of the Bill that we see, we don't actually see where those... any of these things are spelled out, as you have so spoken on this floor. So, could you clarify why we don't see all these projects in the Bill?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Representative, this, as we both know, is the bond authorization allowing the state the ability to be able to issue the bonds for these projects. Where the actual appropriation comes to fund these bonds is in the Appropriation Bill. This is highlighted by the specific sites in the Governor's budget proposals."

Speaker Daniels: "Representative Hannig."

Hannig: "So, this proposal really doesn't provide specifically any money to any project. We have to look to the Appropriations Bill in order to do that. Is that correct?"

Speaker Daniels: "Representative Rutherford."

Rutherford: "Well, Representative, yes, it does because this... this Bill actually authorizes these projects that are in the Governor's budget. The two work camps you just questioned or asked about are specifically within the capital development budget within the appropriations as presented by the Governor."

Speaker Daniels: "Representative Hannig."

Hannig: "Now when I look at the language of the Bill, it just says \$20 million for work camps, as far as the Bill."

Speaker Daniels: "Representative Rutherford."

Rutherford: "Representative, you're talking... you're saying the

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

58th Legislative Day

May 12, 1995

Bill itself, help me clarify. You're talking about the General Obligation Bonding Authority Bill or the Appropriations Bill?"

Speaker Daniels: "Representative Hannig."

Hannig: "Representative, we're... we're... First of all, I'm talking about this Bill that's in front of us here that authorizes additional borrowing. Now we've heard discussion about how it does such great things for different parts of the state and I'm... I have a question as to whether or not it actually does?"

Speaker Daniels: "Representative Rutherford. Time's coming to a close, Representative Hannig, so he'll answer your question, then we're going to go on."

Rutherford: "Okay, Representative, this actually is the authorization to spend the money..."

Speaker Daniels: "Representative Rutherford."

Rutherford: "To spend the money as is outlined in the Capital Developments Board's projects as they're in the appropriation budget... Appropriation Bill."

Speaker Daniels: "The Gentleman from McDonough, Representative Myers. Representative Myers."

Myers: "Thank you, Mr. Speaker. I also rise to stand in support of Senate Bill 1149. This Bill takes a long term funding approach to provided much needy dollars for capital projects across the state and for the 95th District. Like upgrading facilities at the Illinois School for the Visually Impaired and the School for the Deaf in Jacksonville, which impact residents throughout the state. A vote against Senate Bill 1149 will mean voting against over \$900,000 to upgrade lighting for the school for the visually impaired in Jacksonville. It also means voting against over \$1.1 million to construct an addition, replace

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

58th Legislative Day

May 12, 1995

roofing systems and upgrade the fire detection system for the School for the Deaf in Jacksonville. Students from all over the state who attend Western Illinois University would also benefit from this Bill, which would provide over \$2.3 million to convert Simpkins Hall gym and adjacent areas into a performing arts facility. This measure is fiscally responsible. It provides funding for needed capital projects over the long term without breaking the state's budget. I urge everyone to join me in voting for Senate Bill 1149."

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

Currie: "Thank you, Speaker and Members of the House. I rise in opposition to this Bill. The fact of the matter is that the state budget is already broken. The three downgradings of the state credit rating during Governor Edgar's short tenure in office speaks to the fact that this is not a fiscally well managed state. Representative Rutherford reminds us that the most recent downgrading wasn't because of our long term debt, he's right. What Moody said, is that the state is in a continuing state of chaos because we can't manage our finances in a fiscally responsible way. Well, I would say to you, Members of this chamber, that if we can't do that, we have no business piling on debt upon debt upon debt. While it may not of been the long term debt that explains the downgrading, the downgrading does mean that when we do long term borrowing, our taxpayers face substantially higher interest costs. And let's talk about the long term debt we already have, \$1,300 million worth of old bills in the state's Medicaid program. If that isn't long term debt enough, I'd like to know what is. Thirteen hundred million dollars, the Governor proposes that we pay back 63 million of it this year. At that rate,

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

58th Legislative Day

May 12, 1995

we'll pay off the total in 20 years - long term debt. We've got it and we have no way to figure out how we get out of it. I think it's time for us to face the music. I think it's time for us to recognize our serious, deep seated, every day, fiscal problems. It is wrong for us to assume all these wonderful new projects when we can't pay the bills we already have on hand, when we cannot reimburse those who provided care to the elderly in our nursing homes, to our clients in hospitals across the state, when we can't fund a quality education for our youngsters. What Senate Bill 1149 is about, Speaker and Members of this House, what it's about is pie in the sky. It's goodies sprinkled from district to district, goodies that the people of this state cannot afford. If you believe in fiscal responsibility, and I hope that all of us do, the proper vote on this measure is a resounding 'no'."

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

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

Speaker Daniels: "The Lady was within her rights. There will be a Roll Call. All those in favor of the previous question signify by voting 'aye'; opposed by voting 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This question, there are 64 'aye', 46 'no' and none voting 'present'. The previous question has been moved. The Gentleman from Livingston, Representative Rutherford."

Rutherford: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. We've heard discussions in regards to our bond rating here. Highlighting once again, and I started saying it in a very elementary way so we all could understand it, this is for long term indebtedness. Moody has not looked at the bond rating of the State of Illinois

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

58th Legislative Day

May 12, 1995

and affected it because of our long term capital projects. We do have a concern in regards to our cash flow and in regards to our liabilities. We say that on the floor, we know that. This will not affect our bond rating, but what it will do, if we do not give authorization for this bonding, it will mean that the Centralia Animal Disease Lab will not get \$200,000. Vandalia Correctional Center will not get \$450,000. Murray Developmental Center will not get \$646,000. Des Plaines Regional Office Building will not get \$5.4 million. The rehabilitation center in Chicago will not get \$2.2 million. The University of Illinois in Chicago will not get \$5.9 million. The East Moline Correctional Center in Rock Island County will not get \$1.5 million. We've talked about the Metropolitan Water Sanitary District, Reclamation District, they will not get \$32 million of capital projects. The Hannah City work camp will not get \$175,000. The town of Farmington, the town of Farmington's EPA grant for the sewage projects will not get \$1.4 million. The Menard Correctional Center in Randolph County will not get \$4 million. The Menard Psychiatric Correctional Center will not get \$2.4 million. Ladies and Gentlemen, the Illinois Youth Center in Joliet will not get \$6 million. The Vienna Correctional Center in Johnson County will not get \$6.1 million. Shawnee Community College... Shawnee Community College will not get \$310,000. A sad one... Tamms Supermax Security Penitentiary in Alexander County will not get its \$4.5 million. Meyer Correctional Center in Decatur, they will not get their \$400,000. Poleman Factory, the historic site, I've been invited to visit, they will not get their half a million dollars. Cahokia Mounds, the state historic site in St. Clair County, will not get their \$360,000. The courthouse,

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

58th Legislative Day

May 12, 1995

the historic site at Cahokia, will not get its 378... or \$387,000. Alton Mental Health Center, Madison County, you're not going to get your \$1.9 million. Up in Chicago, the Northwest Armory, you're not getting your \$1.2 million of capital projects unless this Bill passes. Streator, Streator Armory in LaSalle County, you're not going to get your \$450,000. Starved Rock... Starved Rock Conservation Park, you're not getting your 3. ...your \$1.3 million unless this Bill passes. Benton Mine Rescue Station, you're not getting your \$76,000 unless this Bill passes. The forensics lab in Chicago, you're not getting your \$2 million unless this Bill passes. Litchfield, District 18 State Police, listen up, you're not getting your \$377,000 unless this Bill passes. Manteno, over there in Kankakee, Manteno Veterans Home, \$5.5 million of capital projects are not coming your way. Northeastern Illinois University in Chicago, \$4 million of capital projects cannot come your way unless this Bill passes. The biggy, Ladies and Gentlemen, SIU Edwardsville. Listen, SIU Edwardsville, \$21 million for your engineering facility, it's not coming your way unless we get the votes to pass this bonding authority. Belleville, Illinois, the EPA grant for sewage and waste disposal, \$1.2 million, it ain't coming. Ladies and Gentlemen, Rock River Water Reclamation District, \$9.8 million is not coming your way. And above all, Skokie - Skokie, Illinois, your EPA grant for sewage and waste disposal, \$3.1 million is not coming your way. Mr. Speaker, I ask for a favorable Roll Call."

Speaker Daniels: "You've heard the Gentleman's Motion. The question is, 'Shall Senate Bill 1149 pass?' All those in favor signify by voting 'aye'; opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted

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

58th Legislative Day

May 12, 1995

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 64 'aye', 47 'no', none voting 'present'. Representative Rutherford. This Bill, having failed to receive a Constitutional Majority, Extraordinary Majority, is hereby declared lost. Senate Bill 567. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 567, a Bill for an Act creating the Economic Development Project Area Tax Increment Allocation Act of 1995. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 567 creates the Economic Development Project Area Tax Increment Allocation Act of 1995. This addresses the concerns that everybody has in this chamber who has had or will have a military base closure in their district. The Bill has been amended to accommodate the request of Representative Younge and Representative Holbrook. It's my understanding that this Bill is wanted by all communities in those areas of the state that, again, have had or will have a military base closure. It has been amended now to take into consideration Chanute Air Force Base in Rantoul, Glenview Naval Air Station in Glenview, Fort Sheridan in Lake Forest and any other bases that have been closed. Also has been amended so it can incorporate if anything happens to the Mel Price Army Depot in the southern part of the state. Be glad to answer any questions you have."

Speaker Daniels: "There is an announcement. There will be an immediate Rules Committee meeting in the Speaker's Conference Room immediately. Rules Committee meeting in the Speaker's Conference Room, Representative Currie and

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

58th Legislative Day

May 12, 1995

others. Okay, discussion on the Bill. The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Representative, this fairly sizeable Bill, and I have an analysis that runs five pages. You didn't give me five pages worth of explanation. I'm not sure what your Bill does. Can you give us a little more?"

Speaker Daniels: "Representative Black."

Black: "I'd be more than happy to, and if you would like to send your staff over, we'll show them how to condense information. But in the meantime, let me tell you what this does. As the title says, it creates the Economic Development Project Area Tax Increment Allocation Act of 1995 by providing that the corporate authorities of a municipality shall by ordinance propose that the establishment of an economic development project area for closed military installations and fix a time and place for public hearing. At the hearing, interested parties and affected taxing districts may file written objections and may be heard orally. Provides that at any time within 30 days of the final adjournment of the public hearing, a municipality may by ordinance approve the economic development plan, establish the economic development project area and authorize TIF financing for the project. After an economic development plan and economic development project area has been established, the plan may be amended and the boundaries of the area may be altered. This legislation stems from the closing of military bases that many of our communities have undergone. This is thought to be a valuable tool for the redevelopment of those closed military base facilities."

Speaker Daniels: "Representative Lang."

Lang: "Thank you. The... the statement that you made that a



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

58th Legislative Day

May 12, 1995

municipality shall by ordinance propose these developments. Does that have any effect on home rule? Is there any difference between home rule municipalities that can do this and non-home rule municipalities?"

Speaker Daniels: "Representative Black."

Black: "With staff's assistance, Representative, it's my understanding that there is no difference whatsoever and, in fact, depending on what the Base Closure Commission does at O'Hare, I would think that the City of Chicago, if necessary, could take advantage of this legislation if those... if, in fact, those units are closed out at O'Hare."

Speaker Daniels: "Representative Lang."

Lang: "And did I understand you to say that there's a back door referendum on this Bill?"

Speaker Daniels: "Representative Black."

Black: "No, I don't believe there's any referenda procedure in the Bill whatsoever."

Speaker Daniels: "Representative Lang."

Lang: "Well, my staff seems to indicate there is, and while they're looking that up, let me go on to another area. Who would benefit by this legislation, Representative?"

Speaker Daniels: "Representative Black."

Black: "The people who reside in those communities who have been economically impacted by the closure of what in many cases was their largest single employer. In trying to come up with a redevelopment plan on these closed military bases, they are finding it's not as easy as the federal government would have had us believe. It is thought that TIF financing might be a way to redevelop the closed military facilities into tax producing businesses, housing and what have you. So the people who would benefit obviously would

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

58th Legislative Day

May 12, 1995

be those people who live in those communities that have been impacted by a base closure."

Speaker Daniels: "Representative Lang."

Lang: "Doesn't your Bill potentially commit the full faith and credit of the municipality to the repayment of the bonds? And isn't that, in fact, the back door referendum?"

Speaker Daniels: "Representative Black."

Black: "Hang on just a second and let us check. If it does have a back door referendum, that's fine with me, but let me check and make sure."

Speaker Daniels: "Representative Lang. Representative Black."

Black: "We don't see that a back door referendum provision stipulated in the Bill. If your staff could site a line or page number, we'd certainly look at it."

Speaker Daniels: "Representative Lang, your time is almost over."

Lang: "That would be on page 23, subsection (e) of the Bill. As soon as you pledge the full faith and credit of your municipality toward bond payments, you're authorizing basically an ordinance that would allow for a tax on the people in these municipalities to pay for these bonds. So isn't this a tax increase, Sir?"

Speaker Daniels: "Representative Black."

Black: "I suppose that you could characterize it as that. And staff has found your reference. There are provisions for a back door referendum in the legislation."

Speaker Daniels: "Further discussion? The Gentleman from Champaign, Representative Johnson."

Johnson, Tim: "Thank you, Mr. Speaker and Members of the House. For those of us like myself, Senator Weaver, indirectly Representative Weaver, Representative Hanrahan, indirectly Representative Black and others, who felt the devastation of the loss of military installations through cutbacks over

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

58th Legislative Day

May 12, 1995

the years, we realize the necessity of state assistance, federal assistance and local assistance, as well as cooperation in addressing the problem. The Village of Rantoul, combined with a number of state initiatives and federal initiatives through the good offices of Congressman Ewing and before him, Congressman Madigan, have done a remarkable job of making a comeback in what was a potentially devastating impact on their economy by the closure of Chanute Air Force Base. But we haven't gone far enough. The unemployment rate still is substantially higher than the average, and it's still an issue that needs to be seriously, seriously addressed by the General Assembly and by the... by all units of government. This Bill, sponsored in the Senate by the Assistant Majority Leader, Repres... Senator Weaver, is one that helps address a serious, serious problem. And I would ask you to join with Representative Black and those of us who are impacted throughout the state, now and potentially in the future, by the closure of military installations in supporting this Bill that's a people Bill. It's a jobs Bill that means something for the local economy and that it would be a tremendous boost for areas that have been devastated by the necessitated and in some cases not necessitated cutbacks by the federal government. Thank you."

Speaker Daniels: "Further discussion? The Lady from St. Clair, Representative Youngue."

Youngue: "Thank you very much, Mr. Speaker. I rise in support of this Bill. Representative Black was kind enough to change the definition to include bases of 200 acres or more. Therefore, making it possible for the Mel Price Support System in Granite City, Illinois, in my district to be included. And I appreciate that and I support this

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

58th Legislative Day

May 12, 1995

legislation."

Speaker Daniels: "Further discussion? The Gentleman from Jo Daviess, Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman. Ladies and Gentlemen of the General Assembly, we won the Cold War, but now we're faced with some economic developments, some things that we have to do. And I urge support of this Bill, cause in my district we're faced with the possible closure of the Savanna Army Depot. It's tremendously changing the complex of that community. I urge support of this Bill."

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

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

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor signify by saying 'aye'; opposed 'no'. The 'ayes' have it. Representative Black, to close."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill has been carefully drafted at the request of several of our communities who have faced economic hardship and difficulty because of the drawdown of the Department of Defense in closing many of the military installations that we once had in the State of Illinois. We're simply giving communities by this Bill the ability to try to redevelop those now abandoned military bases and to make them part of their community and add to their economic base. I am joined by bipartisan support on this. I think it's a reasonable attempt to help cities that have suffered, as Representative Johnson said, economic devastation by the loss of what was usually considered to be their... the anchor, the cornerstone of their economy. It's been supported by every community. Chapman and Cutler have signed off and the United States Navy as well. I urge an 'aye' vote."

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

58th Legislative Day

May 12, 1995

Speaker Daniels: "The Gentleman moves for the passage of Senate Bill 567. All those in favor 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 99 'ayes', 8 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority... Excuse me, 100 'ayes', 8 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 587. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 587, a Bill for an Act in relation to the use of electronic vouchers. Third Reading of this Senate Bill."

Speaker Daniels: "The Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. Senate Bill 587 authorizes the Comptroller to accept electronically submitted vouchers, requires state agencies to maintain signature documents and records of delegations of voucher signature and authority and requires state agencies to maintain revocations of the delegation of voucher signature authority. It also eliminates the Comptroller's Merit Advisory Board, establishes an administrative fund for the Comptroller with two components and provides an exemption to changes in the lapse period for textbook purposes. It mainly allows the Comptroller to use modern technology and eliminate paperwork, and there's no opposition to this Bill."

Speaker Daniels: "The Gentleman from Clinton, Representative Granberg."

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

Speaker Daniels: "She indicates she will."

Granberg: "Representative, what is the rationale for the

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

58th Legislative Day

May 12, 1995

elimination of the Merit Advisory Board in the Office of the Comptroller?"

Speaker Daniels: "Representative Lindner."

Lindner: "That Advisory Board has not met in more than six years."

Speaker Daniels: "Representative Granberg."

Granberg: "So this would save the state money because we would no longer... Oh, we never did pay per diem or expenses or anything of that nature?"

Speaker Daniels: "Representative Lindner."

Lindner: "No, there is no money involved."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, what was the rationale for the Merit Advisory Panel, if it did not meet?"

Speaker Daniels: "Representative Lindner."

Lindner: "The Merit Advisory Board originally was authorized by statute to advise the Comptroller and her personnel director on problems concerning personnel administration. And they had not met within the last six years, and there are other controls within that office that are taking over those duties."

Speaker Daniels: "Representative Granberg."

Granberg: "Well, it sounds like a very reasonable idea. Can you tell me what other controls take over those functions and who the Board members might be now? And apparently they're in complete agreement since they haven't met in six years."

Speaker Daniels: "Representative Lindner."

Lindner: "Large numbers of employees are unionized now, Representative, and... I'm sorry, you asked who was on that Board? I guess the records were not complete as to who was appointed to that Board."

Speaker Daniels: "Representative Granberg."

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

58th Legislative Day

May 12, 1995

Granberg: "Thank you. And could you please tell me what the rationale is for the electric voucher system? I think this would increase, not increase but actually decrease paperwork. Is that the rationale behind the idea."

Speaker Daniels: "Representative Lindner."

Lindner: "Yes, it is."

Speaker Daniels: "Representative Granberg."

Granberg: "And this would affect all state agencies, Representative Lindner?"

Speaker Daniels: "Representative Lindner."

Lindner: "Yes, to the extent that they can do that."

Speaker Daniels: "Representative Granberg."

Granberg: "When you say to the extent they can do it, does your legislation call for that they have to take this policy or implement this policy or is it permissive? Is there any requirement? Is there any limit of any ability by any agency to conduct this action?"

Speaker Daniels: "Representative Lindner."

Lindner: "No, it is not mandatory."

Speaker Daniels: "Representative Granberg."

Granberg: "So it's more or less a recommendation to the agencies that they provide electronic voucher processing?"

Speaker Daniels: "Representative Lindner."

Lindner: "It would actually depend more on the capability."

Speaker Daniels: "Representative Granberg."

Granberg: "So your legislation would tell them that if they have the capability, then they have to do this or they should do it. They should provide that information to the Comptroller?"

Speaker Daniels: "Representative Lindner."

Lindner: "Well, it's asking them to do it because it is a matter of efficiency in those agencies and for the Comptroller."

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

58th Legislative Day

May 12, 1995

Speaker Daniels: "Representative Granberg."

Granberg: "So do we actually need a piece of legislation to ask a state agency to submit their vouchers electronically?"

Speaker Daniels: "Representative Lindner."

Lindner: "We have to have the legislation to eliminate the requirement for paper."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, could you explain that to me just a little bit more, please? We have to have the legislation to eliminate the requirement for paper. Is that what you said?"

Speaker Daniels: "Representative Lindner."

Lindner: "Representative, current law in practice requires hard copies of vouchers, magnetic tape or microfiche be submitted for payment. And so we have to have legislation to say that it can be done electronically."

Speaker Daniels: "Representative Granberg."

Granberg: "Oh, I see, so now you're amending the existing law by saying these agencies can provide this information electronically, because they are required by statute currently to provide it in writing. This would afford them the opportunity to transmit it electronically. Otherwise, they would be required to submit it in writing by the current statute. So you would just give them then this option if they have the capability. Is that correct?"

Speaker Daniels: "Representative Lindner."

Lindner: "That is correct and it should be... prove more efficient for both agencies and the Comptroller."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Since my time is ending, Sir, I... there are some other questions. I'm joined by the requisite number of my colleagues to remove this Bill from



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

58th Legislative Day

May 12, 1995

Short Debate, please. And, Representative, one last question. Will this... will there be any cost to any state agency to implement this? Or will they already have the capability because you are now going to... now going to allow them this option?"

Speaker Daniels: "Representative Lindner."

Lindner: "There should not be any cost incurred. It would involve a reduction, in fact, in paperwork so there may be cost minimized."

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

Skinner: "I wonder if this will allow the State Comptroller to finally send by electronic transfer our mileage checks and our per diem checks?"

Speaker Daniels: "Representative Lindner."

Lindner: "This, Representative, this is at the agency voucher stage and not at the payment stage. But they would hope to move in that direction."

Speaker Daniels: "Representative Skinner."

Skinner: "It would seem to me, that this awesome office of comptroller, if it's capable of sending our paychecks electronically, ought to be able to figure out a way to send our mileage and per diem checks electronically. I would hope that perhaps my questioning raise this farther toward the top of the comptroller reform efforts than it would be otherwise."

Speaker Daniels: "Representative Lindner."

Lindner: "I believe that is one of the comptroller priorities, Representative, to expand the use of electronic fund transfers."

Speaker Daniels: "Representative Skinner."

Skinner: "For those two specific purposes, right?"

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

58th Legislative Day

May 12, 1995

Speaker Daniels: "Representative Lindner."

Lindner: "Yes."

Speaker Daniels: "Representative Skinner."

Skinner: "Thank you."

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

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

Speaker Daniels: "The question is, 'Shall the main question be put?' All those in favor signify by saying 'aye'; opposed 'no'. The 'ayes' have it. Representative Lindner to close."

Lindner: "Thank you, Mr. Speaker. There is no opposition to this Bill. I feel that we need this to bring the comptroller's office into the present technology. This should eliminate paper work and save the state time and money."

Speaker Daniels: "The Lady's moved for the passage of Senate Bill 587. All those in favor signify by voting 'aye'; opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Clerk, take the record. On this question, there are 111 'aye', none votin 'no', none voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Committee reports."

Clerk Rossi: "Representative Churchill, Chairman for the Committee on Rules, to which the following Resolutions and Amendments were referred, action taken on May 17... May 12, 1995, reported the same back with the following recommendations; 'do adopt' Senate Joint Resolution 48, 'do approve for consideration' Floor Amendment 51 to Senate Bill 19."

Speaker Daniels: "Ladies and Gentlemen of the House, we are going to work today until 3:00 (p.m.) at which time we'll adjourn until Monday, at 11:00 (a.m.). When you come back

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

58th Legislative Day

May 12, 1995

on Monday, at 11:00 (a.m.), you should be prepared to stay until Session completed. So make the according arrangements. We will be in Session next Saturday and Sunday. So make sure that you pack accordingly, until we complete our legislative agenda. So we're now going to move on to House... Senate Bills Third Reading, Senate Bill 448, read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 448, a Bill for an Act concerning pesticides. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Noland."

Noland: "Thank you, Speaker, Ladies and Gentlemen. Senate Bill 448 creates a voluntary self-funded remediation program, so that pesticides can be... cleaned up at contaminated sites at agri-chemicals facilities. The objective is to remove contamination from soil before it gets into water and creates a public hazard. This is... objective has been going on for about six years. It's a combination of work with the Illinois Fertilizer and Chemical Association, the Farm Bureau, the EPA, the Department Agriculture and many others. Another Major part of this Bill, was contained in Senate Bill 392, which establishes permanent authority, for the Department of Agriculture to authorize land application of pesticides from contaminated soils at agronomics rates. I'd appreciate any questions or comments."

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

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Representative Noland has the honor of after six years of work, being the lead Sponsor on this piece of legislation. Six years ago, we started this process because of the possible chemical contamination around many fertilizer

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

58th Legislative Day

May 12, 1995

sites in the State of Illinois. Chemical sales and so forth. We have worked hard and as Representative Noland said, this is the cumulation of six years of work by all the involved groups, the Illinois Farm Bureau, Farmers Union, Fertilizer and Chemical Association, Department of Agriculture, Pollution Control Board, Illinois EPA, Fire Marshall's Office, I believe the... many of the environmental groups were also involved over the years and they finally come to an agreement and so forth. I think this is a very important, in depth piece of legislation for the agricultural community and the environment in Illinois and I urge your passage."

Speaker Daniels: "Please welcome the Edison School from Danville, Illinois. Danville is represented by Representative Bill Black and they are in the Gallery, so please join in welcoming them to Springfield. Further discussion? The Lady from Cook, Representative Krause."

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

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor signify by saying 'aye'; opposed 'no'. The 'ayes' have it. Representative Noland to close."

Noland: "Thank you. Ladies and Gentlemen, there's no know opposition to this Bill. It's a very environmentally friendly Bill. The Fertilizer and Chemical Association and Industry is being very progressive in trying stem a problem before it creates... creates one. I 'd appreciate your support. Thank you."

Speaker Daniels: "The question is, 'Shall Senate Bill 448 pass?' All those in favor 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? Take the record, Mr. Clerk. On this question, there are 108 'aye',

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

58th Legislative Day

May 12, 1995

none voting 'no', none voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Senate Bill 533, read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 533, Bill for an Act that amends the Illinois Insurance Code. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Brady."

Brady: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. Senate Bill 533 is a Bill which provides a means for arbitrating automobile damage disputes, \$2,500 or less. And I would ask for favorable consideration."

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

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

Speaker Daniels: "He indicates he will."

Lang: "Representative, the Bill contains provisions which conflict with Supreme Court rules regarding mandatory arbitration. For instance, the Bill provides for a \$50 rejection fee. The Supreme Court rules provide for a \$200 rejection fee. The Bill permits judicial circuits to adopt a rule to provide for one member arbitration panels. The Supreme Court rules require a three-member arbitration panel, unless a lesser number is agreed to by the parties. Because we have a conflict with the Supreme Court rules, are we not setting up a problem with the separation of Powers Clause of the Constitution? And is this not unconstitutional?"

Speaker Daniels: "Representative Brady."

Brady: "Representative, we have spoken with the Supreme Court and they have not indicated any problem with this legislation. And it... the purpose for the changes that you mentioned, the reduction from \$200 to \$50 coincides with the same purpose for the change from three members to one member.

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

58th Legislative Day

May 12, 1995

It is smaller claims, we wish to speed up the system. And hopefully will reduce the cost and therefore, we don't need the \$200 fee."

Speaker Daniels: "Representative Brady or Representative Lang? Lang."

Lang: "Thank you. Mr. Brady, who at the Supreme Court did you talk to? I mean, was it just a Justice Heiple or Justice who? Who did you talk to? I can't imagine the Supreme Court would have discussed a matter with you that might become litigation before them. Who did you talk to, Sir?"

Speaker Daniels: "Representative Brady."

Brady: "I'm advised to say it is attorney/client privilege and I can't disclose that, Representative."

Speaker Daniels: "Representative Lang."

Lang: "Well, so I'm going to presume you didn't talk to anyone at the Supreme Court and you're just assuming that for some reason un... unbeknownst to me that they've approved this. The clear fact is, that this is an unconstitutional violation of the separation of powers. The Supreme Court has set up rules regarding mandatory arbitration. We can not change them, statutorily, without violating the separation of powers. Let me go on to another area. By setting up this mandatory arbitration, do you not make it very difficult for the small insurers in Illinois to do business? Doesn't this set up an unlevel playing field and give advantages to the major insurers, the All States, the State Farms? At the disadvantage of the very small insurers who will not be able to stand the cost of the attorney's fees or the effort it takes to do these arbitrations?"

Speaker Daniels: "Representative Brady."

Brady: "First of all, Representative, the previous question, this

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

58th Legislative Day

May 12, 1995

legislation has been given to the Supreme Court. They've reviewed it, their staff has not indicated any opposition at this time. Secondly, to answer your question, no we don't feel we're in conflict. The arbitrational system that's put in place now is put in through legislation. Thirdly, no we don't believe that we are creating any unfair advantage for any one. We just simply believe, like in the first arbitration legislation we passed that reduced the backlog of settlements from seven years down to four, that this will allow an equal level playing field, so that these cases can be arbitrated and can move up the backlog of those unarbitrated cost. The point and the purpose of this legislation, Representative, is to speed up the processes of these disputed claims. The disputed claims and the length of those dispute, cost money. They backlog the courts. They cost tax payers money by backlogging the courts. They cost insured money by backlogging the system of settling disputes by providing this mechanism of arbitration for these claims, like we have done in previous legislation, providing for the arbitration that exists today. We hopefully, will be able to save the tax payers money and we will hopefully be able to save the insured money, allowing the premiums to be reduced because of a more efficient, more effective system. In fact, a more... a system that provides a leveler playing field."

Speaker Daniels: "Representative Lang."

Lang: "Well, I strongly support the system of arbitration but I note the proponents of this Bill, are all the large insurance carriers. The opponents are all the small insurance carriers, the Speciality Insurance Association. Why is it do you think that the large insurance carriers think this is great idea, the small insurance carriers do

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

58th Legislative Day

May 12, 1995

not? Perhaps they agree with what I've said here."

Speaker Daniels: "Representative Brady."

Brady: "Someone over here said perhaps you're wrong. Representative, we've... we've tried to work with in it. This point and time, we don't know of any known opposition to this Bill. There were individuals and insurance companies that proposed some initial opposition. We have tried to work that out with them. At this point and time, I... I don't know of any known opposition. I'm not sure that..."

Speaker Daniels: "Bring your answer close, Representative Brady."

Brady: "I'm not sure that those who were in initial opposition are completely satisfied but we've done the best we can."

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

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Representative Brady, I really commend you for this legislation. That's why I'm a part of it. And my experience in the past, we have a lot of little of situations where, you know, that they just clutter things up on purpose. I had an example of a... of a claim where a car was parked on the side of a street, other car came around the corner and hit a parked car. And we had attorney's letters and what have you, a lot of fussing around. After six months, they offered to pay half of the collision damage. It just an absolute pain. And I understand that most of the really major companies do this automatically, voluntarily, so I think this is very worth while to... just to insure that this practice is done across the board. So I urge an 'aye' vote."

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



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

58th Legislative Day

May 12, 1995

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

Speaker Daniels: "He indicates he will."

Lopez: "Representative Brady, when I hear you speak the statement that there is no opposition at this time, we spoke earlier, I think it was yesterday, and there is still opposition to this Bill, is it true?"

Speaker Daniels: "Representative Brady."

Brady: "Representative, I'm not sure what... I heard what you said."

Speaker Daniels: "Representative Lopez."

Lopez: "When we spoke yesterday afternoon, there was still opposition to this Bill. Unless you have heard otherwise, because I have not heard, the opposition is still there on this Bill, is it true?"

Speaker Daniels: "Representative Brady."

Brady: "Representative, if you say there's opposition to this Bill, I stand corrected. My conversation with you yesterday, I... I understood that there was hope that another Amendment potentially could be offered. But, that in fact, the group that we were working with, that you were working with, was neutral on this issue. I... if I stand corrected, please, please do so, because when I spoke with you and the gentleman representing these folks, that was my indication. And I... if you want to correct me, please do so and I'll stand by that."

Speaker Daniels: "Representative Lopez."

Lopez: "Well, the Speciality Insurance Association is still opposed to this legislation. They offered to... they were glad that you... that you offered the Amendment, but they wanted... their own attorneys wanted to clarify that Amendment and wanted to add another Amendment to it. Which for some reason or another and I can understand that you've

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

58th Legislative Day

May 12, 1995

worked with us on this Bill, did not think it was necessary. But, let me ask you another question. Would this effect rates in any way to people who can not afford the State Farms and the All States Insurance Companies?"

Speaker Daniels\$: "Representative Brady."

Brady: "Representative, no one... no one has indicated it would to me. In our conversations with your group, we've tried to address some of their concerns. But they've never indicated that it would increase rates for their insured. In fact, everyone I've spoken with, has thought that this would bring down the cost of litigation, therefore, allowing companies to reduce rates."

Speaker Daniels: "Representative Lopez."

Lopez: "Representative, there are insurance companies, especially the inner city, the City of Chicago, in my district and other districts in the City of Chicago, where there are people with man...that since we've forced mandatory insurance, which I completely agree with, there are insurance companies out there, the small insurance companies, like the ones that we're... in my... my personal feelings we're attacking, are the only ones that people in my district that can not afford All State or State Farm or the big insurance companies, can not afford the big rates that big insurance companies charge. So the problem with this Bill is, that I understand what you're trying to do but in the long run, it's going force many of these companies to close down. Because they're not going to be able to afford the big prices of big insurance company. Now, do you, in any way, anything that I've said, do you agree with what I'm saying?"

Speaker Daniels: "Representative Brady."

Brady: "Representative, I don't pretend to be an expert about the

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

58th Legislative Day

May 12, 1995

insurance company you're speaking with, but I don't know how settling claims in a timely, less costly manner can cause any company to increase their premiums. Now, if you're suggesting it because they can delay payment, they could offer cheaper premiums, I don't know. But if we want... if you look at it in this picture, if you're going to solve them in a timely, less costly manner, it's got to cost the insurance company less, therefore, reduce premiums for everybody. So, I... I don't understand what the logic behind what you're saying."

Speaker Daniels: "Representative Lopez."

Lopez: "To the Bill. This is another case, big company versus little company. Yeah, we want people to have insurance in their automobiles. But at the same time, there are people that can not afford the big insurance rates that other insurance companies, you and I and Members of the Leg... Legislature, probably could afford those rates, but there are people out there that really can not. Now, would you rather have someone that has no insurance hit you and have a collision with you and pay you nothing or would you rather have an insurance that would pay you something? And in my case, I would prefer someone that has some type of insurance, which I've been in accidents before, and they've had small insurance companies representing them, and they've paid. So again, I oppose this opposi... this Bill and I urge 'no' vote because this is a legislation that's for big companies, not for little companies. Thank you."

Speaker Daniels: "Lady from Cook, Representative Krause."

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

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Brady to close."

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

58th Legislative Day

May 12, 1995

Brady: "Thank you, Mr. Speaker, Ladies and Gentleman. I stand in strong support of this. This will create lower cost insurance for all of Illinois and I ask for your favorable vote."

Speaker Daniels: "The question is, 'Shall Senate Bill 533 pass?' All in favor 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 74 'aye', 36 'no', 1 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Senate Bill 534, call the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 534, Bill for an Act in relation to dental practices. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the General Assembly. Senate Bill 534 is the extension of the sunset of the Dental Practice Act to January 1, 2006. This is a Bill that has been worked out and is in agreement with all parties and I would ask for a favorable vote."

Speaker Daniels: "Is there any discussion? The Lady from St. Clair, Representative Younge. The Gentleman from Cook, Representative Lang."

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

Speaker Daniels: "Indicates he will."

Lang: "First, I'd like to remove this from Short Debate, Mr. Speaker. I'm joined by the requisite number of folks. Short Debate, thank you. Representative, has the Department of Professional Regulation taken a position on this Bill?"

Speaker Daniels: "Representative Saviano."

Saviano: "Sorry, you have to repeat the question."

Speaker Daniels: "Representative Lang."

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

58th Legislative Day

May 12, 1995

Lang: "Has DPR taken a position on the Bill?"

Speaker Daniels: "Representative Saviano."

Saviano: "Yes, they support it."

Speaker Daniels: "Representative Lang."

Lang: "What changes were made with the Amendment that... that enabled you to get their support?"

Speaker Daniels: "Representative Saviano."

Saviano: "Amendment 1, which was adopted in committee was primarily housekeeping cleanup that the department needed to put them in agreement with the Dental Society. I'm sure your analysis spells it out, but it addresses... it addresses all various housekeeping cleanup from the previous Act, which the department needed inserted in this legislation."

Speaker Daniels: "Representative Lang."

Lang: "One of the things you do this Bill is change the public policies Section of the Act to state that the 'dentist is ultimately responsible for the care of the patient, regardless of who performs the work'. So by that, I guess you mean that even if a... if it's a nurse or a hygienist working under the... the auspices of a dentist. The dentist and the dentist malpractice would ultimately cover for any... any liability claims. Would that be correct?"

Speaker Daniels: "Representative Saviano."

Saviano: "That is true."

Speaker Daniels: "Representative Lang."

Lang: "And would that also include the \$500,000 cap?"

Speaker Daniels: "Representative Saviano."

Saviano: "I would imagine it would."

Speaker Daniels: "Representative Lang."

Lang: "And as I would imagine it would too. Are there any changes in the Act, relative to the training that a dentist

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

58th Legislative Day

May 12, 1995

must go through or anyone working for a dentist must go through, before they can be licensed?"

Speaker Daniels: "Representative Saviano."

Saviano: "The training... the training hasn't... hasn't changed."

Speaker Daniels: "Representative Lang."

Lang: "Well, what is the change?"

Speaker Daniels: "Representative Saviano."

Saviano: "Okay. Changes certificate of registration, the license and all references to dental hygienist. Provides a person reapplying for a dental license examination or dental hygienist license examination, after failing to pass the license examination with in three years of the first application, must provide evidence of meeting the current requirements. It also inserts the language to be in conformance with all the NAFTA provisions. It changes the name of Temporary Teaching License to Restricted Faculty Licenses. It transfers the fee Section of the Act... of the Act the provision that established the fee for an application for permit to administer general anesthesia as well as for renewal of permit to administer general anesthesia, \$25. It adds \$15 fee for restoration of a dental license for failure to notify DPR of change of address. Those are not new fees. Adds engaging or unethical or unprofessional conduct likely to deceive, to fraud or harm the public, is a violation of the Act. Clarifies a violation of any rules, promulgated under the Act, is a violation of the Act. And it makes other minor housekeeping changes."

Speaker Daniels: "Representative Lang."

Lang: "However, you also delete the requirement that a dental school academic year, must be at least 8 months long and you delete the requirement, the re... that academic year

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

58th Legislative Day

May 12, 1995

for a dental hygienist program be at least 32 weeks. Why do you make those changes? Can these people be properly trained if you make those periods of time shorter?"

Speaker Daniels: "Representative Saviano."

Saviano: "I'm sorry, Representative Lang, you have to repeat that question."

Speaker Daniels: "Representative Lang."

Lang: "The current law states that an academic year at a dental school must be at least 8 months long, you're deleting that requirement. It also states that an academic year for a dental hygienist must be at least 32 weeks long. You're eliminating that requirement. So presumably these academic years can be shorter. Can they be trained in a shorter period of time?"

Speaker Daniels: "Representative Saviano."

Saviano: "We're simply deleting obsolete language. They still have to do what was required in the Act before."

Speaker Daniels: "Gentleman, Representative Saviano, moves for the passage of Senate Bill 534. All those in favor signify by voting 'aye'; opposed by voting 'no'. The voting is over... 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', none voting 'no', none voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Senate Bill 535, read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 535, Bill for an Act that amends the School Code. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker, Members, General Assembly. Senate Bill 535, simply amends the School Code to allow school boards to exempt students for participating ROTC

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

58th Legislative Day

May 12, 1995

programs from physical education. I'll be happy to ask any... answer any questions."

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

Dart: "Thank you, Mr. Speaker, I initially want... I'd like to take this off of Short Debate. I'm joined by the the appropriate number of colleagues. Will the Sponsor yield?"

Speaker Daniels: "Indicates he will."

Dart: "Representative, in your Bill, where is it that you define what ROTC is?"

Speaker Daniels: "Representative Kr... Hassert."

Hassert: "Section 27-6 of the School Code."

Speaker Daniels: "Representative Dart."

Dart: "And that reference, within reference, this provision in your Bill?"

Speaker Daniels: "Representative Hassert."

Hassert: "Can you repeat that, Representative Dart?"

Dart: "That provision would then reference to these... the changes in your Bill, here?"

Speaker Daniels: "Representative Hassert."

Hassert: "Yes."

Speaker Daniels: "Representative Dart."

Dart: "Earlier this Session, we had provisions dealing with waivers of different mandates. And that's been passed, signed by the Governor. Would not those provisions that we've already passed take care of this?"

Speaker Daniels: "Representative Hassert."

Hassert: "Representative, I'm sure that with that law, that yes, they could request a waiver. But we have many requests throughout the state from ROTC programs to do this anyway, so this would solve a problem state wide."

Speaker Daniels: "Representative Dart."



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

58th Legislative Day

May 12, 1995

Dart: "So, but wasn't it, I mean, wasn't the point of the whole waiver Bill that we did was to allow individual schools to have individual choice over what they want to do instead of it being mandated by us one way or the other. Wouldn't it make more sense, if not, we gave those people that power, allow each and every school to decide for themselves what they want to do instead of dictating from up here what... what they're to do?"

Speaker Daniels: "Representative Hassert."

Hassert: "What... I do understand what you're saying, Representative, but I think because of the state board having numerous requests from out the state, that we can blanket handle this. Instead of making each school district go through the waiver process to... to basically deal with something that doesn't seem... shouldn't be such a problem and that school boards and that shouldn't have to go through the waiver process, if this... if they have an active ROTC program and this should be allowed. The state board has no problem with this. Matter of fact, they would like to have this done so that they don't have to go through this process. And I would seem that, yes, you're right, that they could use the waiver process but why not go ahead and allow this to be done statewide so they don't have to go through the extra paper work, the extra hassle of performing this waiver process right now."

Speaker Daniels: "Representative Dart."

Dart: "I understand what your point is. I guess it's just sort of perplexing because it flies in the face... I mean the theory of what we were doing earlier with... when we... whether or not we have a lot of them talking about this or not. We really... the thrust of what it was, was to give this local control back to these folks and to stop telling

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

58th Legislative Day

May 12, 1995

them what to do, one way or the other here. Are there... has there been a great deal of concern raised by schools, that they want this removed? And can you just give me an outline of how many have requested this?"

Speaker Daniels: "Representative Hassert."

Hassert: "State board just informed me of numerous requests. I do not have a figure."

Speaker Daniels: "Representative Dart."

Dart: "Yeah, and not be this... when they told you numerous, they didn't know if numerous meant five or meant ten or meant fifty, no idea?"

Speaker Daniels: "Representative Hassert."

Hassert: "Representative Dart, I can't give you an accurate number."

Speaker Daniels: "Representative Dart."

Dart: "Just... the thrust of what you were talking about with this Bill, is because of the fact, ROTC has in it, physical related exercise and the like, this would in a sense be duplicative, is that correct?"

Speaker Daniels: "Representative Hassert."

Hassert: "It would be duplicate. It also would take away from their time to be involved in the ROTC program. If they had to do the physical education class, it would allow them less time in their program, so they might not be able to do the ROTC programs. In the case of the school district I had, it has 500 active students. It had... it was a very well defined program. They were afraid of that... this would force them to discontinue their program."

Speaker Daniels: "Representative Hassert. Representative Dart."

Dart: "Representative, just... briefly, did you... could you... detail them any of these physical exercises they do, and if you possible could, may demonstrate to the Body, some of

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

58th Legislative Day

May 12, 1995

those, if you are... could do that? The ones that we're going to be prohibiting them from doing."

Speaker Daniels: "Further questions? The Lady from Cook, Representative Krause."

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

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor signify by saying 'aye'; opposed 'no'. The 'ayes' have it. Representative Hassert to close."

Hassert: "I just ask for a favorable vote. Thank you."

Speaker Daniels: "Gentleman moves for the passage of Senate Bill 535. All those in favor 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? Clerk will take the record. On this question there are 109 'ayes', none voting 'no', 1 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Senate Bill 539, read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 539, Bill for an Act concerning motor vehicles. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Handling this Bill for Representative Black, as a cosponsor. This... the language of Senate Bill 539 is a result of negotiations between the manufactures and franchisees. It establishes a uniform period of time, in which both sides may settle their disputes. The Sponsor intends to sponsor trailer legislation, which will be heard Monday, in Transportation Committee, to address concerns that IDOT and the road builders have. This legislation was proposed by the Illinois Auto Dealers Association, after an Illinois Supreme Court found deficiencies in the Motor Vehicle

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

58th Legislative Day

May 12, 1995

Franchise Act in its recent Fields-Jeep-Eagle versus the Chrysler Corporation et al decision. The Supreme Court ruled that the... that certain provisions relating to the dealer relocations were unconstitutional. And so the court ruled that it is not proper function for the court system to decide where dealerships are to be located, rather decisions should be made by an executive branch of government, such as an administrative agency or motor vehicle board. And without this legislation, Illinois car dealers will have no forum to present their case in a dispute, if a dispute arises between the manufacture and the dealer. I will do my best to respond to questions. This is Representative Black's. The main Sponsor of the Bill. He's not here with us right now and I move passage of Senate Bill 539."

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

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

Speaker Daniels: "He indicates he will."

Dart: "Representative, this appears to be a major change in the law here. Fir... I want to touch on some of them briefly here. I mean, this is extensive. Who was the... this was the impetus of the car dealers, was that it?"

Speaker Daniels: "Representative Stephens."

Stephens: "Yes."

Speaker Daniels: "Representative Dart."

Dart: "When I was looking through the Bill, it appears as if there's a... a doubling of fees in this? Increases the new vehicle dealer's fees and actually doubles it, is that correct?"

Speaker Daniels: "Representative Stephens."

Stephens: "The fee you are referring to is paid for by the car dealers and it is an agreement between the two parties."

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

58th Legislative Day

May 12, 1995

Speaker Daniels: "Representative Dart."

Dart: "It's my understanding that to, that the... the fee with then go for this new board, is that correct? Where would the fees... what would the doubling of the fees, where does that go to and what's it used for?"

Speaker Daniels: "Representative Stephens."

Stephens: "It goes to the board that will hear the cases."

Speaker Daniels: "Representative Dart."

Dart: "Now, the provisions of this Bill deal with some of the changes with a car dealer. Would a car dealer now, under this law, what is the scheme... the scheme that you've set up is a process for a car dealer ending its dealership. Could you explain what was the impetus? Why is it that this is needed? What is the problems that we're trying to address here?"

Speaker Daniels: "Representative Stephens."

Stephens: "Representative, as a certified non-lawyer, even I'm familiar with the Field-Jeep-Eagle versus Chrysler Corporation case. And that's the genesis of this. And that Supreme Court decision ruled that certain provisions relating to dealer relocations were unconstitutional. And the court further ruled, that it is not prop... a proper function for the court system to decide where dealerships are to be located. Rather decisions like that, should be made by an administrative body, an executive branch of government, such as an administrative agency or motor vehicle board. And thus, the creation of this board and the funding mechanism that you referred to earlier."

Speaker Daniels: "Representative Dart."

Dart: "Would this have... we've passed Bills earlier this year, dealing with the dealerships for motorcycles and like. What impact would that have on any of this?"

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

58th Legislative Day

May 12, 1995

Speaker Daniels: "Representative Stephens."

Stephens: "I believe it has no effect on them at all, but I... if you have further information about that, I'd like to hear it. I don't think that it does. And our staff believes that it doesn't."

Speaker Daniels: "Representative Dart."

Dart: "I don't... it wasn't a trick question of any type. It was just the que... the fact that I know on at least two separate occasions we've passed Bills here dealing with motorcycle dealerships and altering the... the different dealerships as far as the range and when another dealership can come and locate in there. And I was wondering if this in fact, because it's dealing with the Supreme Court case, talking about where dealerships can be located, if this would be impacted at all. Would this impact any of that legislation we've just been passing?"

Speaker Daniels: "Representative Stephens."

Stephens: "In my estimation, the answer to that question is no."

Speaker Daniels: "Representative Dart."

Dart: "Can you give me just a brief summary of what the Fields case held?"

Speaker Daniels: "Representative Stephens."

Stephens: "I heard the first part of your question. Did you refer to the Fields case again?"

Speaker Daniels: "Representative Dart."

Dart: "Yeah, just briefly, if you can give me just a brief holding of that."

Speaker Daniels: "Representative Stephens."

Stephens: "The Dealers Association has introduced this legislation to correct deficiencies that were found to exist by the Illinois Supreme Court in the Field versus Chrysler Corporation decision. With respect to the

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

58th Legislative Day

May 12, 1995

Illinois Motor Vehicle Franchise Act. In December, the court ruled certain provisions of the Act pertaining to dealer relocation to be unconstitutional. The court's ruling stated that it is not proper... not a proper function for the court system to decide where dealerships are located. As I said earlier, rather, according to the Illinois Supreme Court, decisions of this nature should be made by an executive branch of government, such as administrative agency or a motor vehicle board. This..."

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

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

Speaker Daniels: "The question is, 'Shall the main question be put?' All in favor signify by saying 'aye'; opposed 'no'. The 'ayes' have it. Gentleman, Representative Stephens to close."

Stephens: "Thank you, Mr. Speaker. There have been some questions as to how this Bill would effect the road funds and any diversion of road funds. The... there will be a Trailer Bill, that Representative Black will be presenting before the Transportation Committee on Monday, to address that problem, because we recognized that there is a flaw in the Bill. This legislation must move at this time, so that we don't leave car dealers in a position where they have no place to adjudicate disputes with the company from which they franchise. I move passage of Senate Bill 539."

Speaker Daniels: "Gentleman moves for the passage of Senate Bill 539. All those in favor 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? Clerk will take the record. On this question, there are 99 'ayes', 3 voting 'no', 5 voting 'present'. This Bill

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

58th Legislative Day

May 12, 1995

having received a Constitutional Majority, is hereby declared passed. Senate Bill 695."

Clerk McLennand: "Senate Bill 695, Bill for an Act that amends the Beer Industry Fair Dealing Act. Third Reading of this Senate Bill."

Speaker Daniels: "For what purpose does the Gentleman from Cook arise?"

Lang: "Thank you, Mr. Speaker. I guess I rise on a Point of Personal Privilege."

Speaker Daniels: "State your point."

Lang: "On behalf of all the Democratic Members of the House, Sir, I've noticed that on the last several Bills, we've had one person speaking and then... and then..."

Speaker Daniels: "That's not a point, Sir. Representative Lang, state your point."

Lang: "My point is that lights on our side of the aisle are being summarily ignored and you go to your designated person on every Bill to call the previous question."

Speaker Daniels: "Okay."

Lang: "Now are we not going to debate these Bills openly, Sir?"

Speaker Daniels: "We understand your point. Gentleman from Bureau, Representative Mautino, is recognized. Representative Mautino. Is that a Motion, Sir? Representative Mautino. Representative Mautino, you're on."

Mautino: "Thank you, I ask the leave of the Body to present 695. I am a hyphenated Sponsor on the Bill. This... this Bill effects the Beer Industry Fair Dealing Act. Makes two changes. Includes non-resident dealers under the Act. The second one would... is an agreed provision which would stop or attempt... or stop the attempt of any wholesalers from making requirements for compliance, which are outside the



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

58th Legislative Day

May 12, 1995

realm of the Beer Industry Fair Dealership Act. Ask for an 'aye' vote."

Speaker Daniels: "Any discussion? Representative Granberg."

Granberg: "Yes, thank you, will the Gentleman yield?"

Speaker Daniels: "Indicates he will."

Granberg: "Representative Mautino, does this apply to the three tier system? Does this provide some sort of protection for wholesalers and retail... retailers in the distribution of alcohol?"

Speaker Daniels: "Representative Mautino."

Mautino: "That's correct."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative Mautino, how... how would this actually impact the distributors? Would they be required to deliver certain goods and products to existing licensees? If that is the case, I thought we'd dealt with that a few years ago."

Speaker Daniels: "Representative Mautino."

Mautino: "No, that's a separate issue, that you're talking about. This has two provisions. What it says is that a non-resident dealer. That's someone who is importing into the State of Illinois. Would choose... they would choose a distributorship, then they must comply with all the provisions of the Beer Industry Fair Dealership Act. They could not operate under the laws of their own states."

Speaker Daniels: "Representative Granberg."

Granberg: "So, if you have a distributor from Indiana, because they don't have the franchise laws that are applicable in Illinois, they would have to comply with all of our laws regarding distribution of those products? Is that... is my understanding correct?"

Speaker Daniels: "Representative Mautino."

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

58th Legislative Day

May 12, 1995

Mautino: "A supplier or manufacturer from Indiana or from another... another country, that imports into Illinois would select a distributor in one of the... one of the cities or territories. And so any... anything arising from that, would fall under the Illinois law."

Speaker Daniels: "Representative Granberg."

Granberg: "Are there any choice of law provisions in the contracts, so that the manufacturer, retains an Illinois distributor, would this invalidate any choice law in the contract that they may have entered into between the manufacturer and the Illinois distributor?"

Speaker Daniels: "Representative Granberg. Representative Mautino."

Mautino: "Okay, that would be the second change that you're talking about in the Bill. Which basically says, that the... the Beer Industry Fair Dealing Act is going to... is intended to have Illinois law control the contract between the distributor and the brewer."

Speaker Daniels: "Representative Granberg."

Granberg: "So, if my understanding is correct then, Frank, you have the out of state manufacturer. They may seek to import and avoid the Illinois laws under the Fair Dealership Act. They could retain an Illinois distributor to distribute their products in Illinois, but if they have a contract with that Illinois distributor that would attempt to supersede our law, this would say, they can not in fact, do that?"

Speaker Daniels: "Representative Mautino."

Mautino: "When the Beer Industry Fair Dealership Act was written, the intent was that non-resident dealers would be covered under this Act. There was a federal court case which was the *Sustocus versus Hornel* and the the ruling that the Beer

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

58th Legislative Day

May 12, 1995

Industry Fair Dealer Act was not applicable to non-resident dealer licensees. So the wholesalers and the beer distributors have gotten together. They've made this agreement that they would include in the definition, non-resident dealers. That would clarify anything which was... which was misunderstood or unintentional done."

Speaker Daniels: "Representative Granberg."

Granberg: "Okay, thank you, Representative. I think that... that does it for me. Because I misunderstood what you were attempting to do. Because two years ago, we had the legislation that required the in-state distributors to distribute the products to certain retail licensees. I was confusing that with this provision. So this addresses the situation where the courts said that we could not interfere with that intra-state contract relationship. Or it was left out by that legislation. So this would in fact, make our law plicable to those people who retain the in-state distributors, although they're out of state legal manufacturers. And that was the intent of the Fair... the Fair Dealing Act, if I remember correctly."

Speaker Daniels: "Representative Mautino."

Mautino: "That's correct. I know of no opposition and ask for an 'aye' vote."

Speaker Daniels: "Okay, further discussion. Excuse me, this is on Short Debate, so we're going over to Representative Mautino to close."

Mautino: "Thank you. The provisions are very simple and I just ask for your 'aye' vote."

Speaker Daniels: "Gentleman has moved for the passage of Senate Bill 695. All those in favor 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

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

58th Legislative Day

May 12, 1995

who wish? The Clerk will take the record. On this question, there are 109 'ayes', 1 voting 'no', none voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Senate Bill 736, read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 736, Bill for an Act that amends the Illinois Insurance Code. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 736 amends a 1937 law that limits and insures ability to rescind a policy the information on the application reveals a material misrepresentation or an intent to deceive. Under current law, the insurer can rescind only if the application is physically attached to the policy at the time the policy is issued. This Bill removes that requirement. It also adds a consumer protection aspect to the law, which is very beneficial. It's somewhat similar to what they do in life insurance policies. The Bill prohibits an insurer from rescinding an auto policy or home owners policy, beyond one year or one policy period, whichever ever comes first. Under current law, no time limit exists except for a life or health policy assuming the insurer has complied with the attachment provision. So that means that it's kind of like an incontestable clause in a life insurance policy. In any event, this... this Bill has received no 'no' votes. On its travels from the Senate to this point. We had an attendance Roll Call. So I would ask that we... that the Assembly vote for this Bill, thank you."

Speaker Daniels: "Lady from Cook, Representative Kaszak."

Kaszak: "Mr. Speaker, I want to rise on a Point of Personal

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

58th Legislative Day

May 12, 1995

Privilege. On vote on the Senate Bill 539, I intended to vote 'aye' on that and incorrectly voted 'no' on that. I just want the record to reflect that. Thank you."

Speaker Daniels: "The record will so reflect. Thank you. Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. I ask that this be taken from Short Debate. There's a sea of hands on this side of the aisle to do that."

Speaker Daniels: "A sea of hands."

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

Speaker Daniels: "Sponsor indicates he will but he's getting sea sick."

Lang: "What was that, Sir?"

Speaker Daniels: "He's getting sea sick!"

Lang: "Yes, I understand. Hi, Representative. Hi there, nice tie. Representative, when does this one year period start? Does it start at the time of the original policy? And when does it begin again? At the time of each policy renewal?"

Speaker Daniels: "Representative Pedersen."

Pedersen: "I assume that it starts on the effective date of the policy."

Speaker Daniels: "Representative Lang."

Lang: "Well, we can all assume, Sir, but that's why I have to ask the question because the Bill doesn't say. At least, I'm not sure it says. Do you want to refer to the Bill and tell me what the Bill says regarding this? Or... your staffer can get a little closer, it's okay. He won't bite, Sir. He can get a little closer. Maybe you can tell us when this one year period kicks in."

Speaker Daniels: "Representative Pedersen."

Pedersen: "Well, it had to be the date of the policy. That's when... that's when the liability of the insurance company

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

58th Legislative Day

May 12, 1995

begins."

Speaker Daniels: "Representative Lang."

Lang: "So would it be fair to say then, for purposes of legislative intent, the one year policy period begins at the time of the original policy and does not begin again after each policy renewal?"

Speaker Daniels: "Representative Pedersen."

Pedersen: "Yes."

Speaker Daniels: "Representative Lang."

Lang: "Can you possibly give us an example from your experience in this industry as to why we need this? What... what happens in the insurance business now that requires that we pass this Bill and how will this Bill remedy that problem?"

Speaker Daniels: "Representative Pedersen."

Pedersen: "Well, we're talking about property and casualty policies, I would assume moan... mainly home owners or automobile insurance policies. And the way the industry works today, it's all computerized. And the application is usually completed in the agent's office, becomes part of the agent's file. The new insured or the applicant gets probably the original copy of that application for his records to attach to his policy when he gets it. And all the information is transmitted to the company by the agent by computer, so this little provision of it, actually attaching a copy of the application to the policy is just an awful lot of extra unnecessary paperwork."

Speaker Daniels: "Representative Lang."

Lang: "Well Sir, would it be fair to say then, that this statement and my analysis is correct? Imposing a cap on the time for a policy to be rescinded is intended to protect consumers from a later accusation of

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

58th Legislative Day

May 12, 1995

misrepresentation while still providing insurers adequate time to determine if there is any misrepresentation. Is that a correct statement?"

Speaker Daniels: "Representative Lang... Pedersen."

Pedersen: "Well, there's no limitation now. I mean, if you... if you've made a material misrepresentation of the policy, they can rescind the pol... they can rescind it. That's the way it is now. This is a great improvement, I mean, there's a lot... a lot of policies that are issued for six months, automobile insurance as an example, homeowners are often a year. So, we're really probably talking, after 6 months or after a year, they can't rescind. That's a... that's a great advantage to... to an insurance buyer."

Speaker Daniels: "Excuse me for one second. I'd like to recognize the Rotary International Study Group. Members from India, with the Carlyle Rotary Club Members in the Gallery. That's Representative Granberg's district and area. So, welcome to Springfield. Representative Lang."

Lang: "Thank you, I'd be happy to donate those folks my time, anytime, Mr. Speaker. Representative, so this is a consumer Bill. You're protecting consumers with this Bill, is that correct?"

Speaker Daniels: "Representative Pedersen."

Pedersen: "That's correct, in two ways. Number one, by decreasing the cost of operating an insurance company, they'll be able to offer policies cheaper. And protecting the insurance consumer from a rescission of their policy after 6 months or a year. So they don't have to worry about that ever happening.."

Speaker Daniels: "Further discussion? Being none, the Gentleman, Representative Pedersen to close."

Pedersen: "This is a good Bill. There have been no 'no' votes.

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

58th Legislative Day

May 12, 1995

And I urge an 'aye' vote."

Speaker Daniels: "Gentleman has moved for the passage of Senate Bill 736. All those in favor indicate 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. This question, there are 109 'ayes', none voting 'no', 1 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Senate Bill 19, read the Bill, Mr. Clerk. What's the status of Senate Bill 19?"

Clerk Rossi: "Senate Bill 19 has been returned to the Order of Second Reading. No Committee Amendments, Floor Amendment 51 has been approved for consideration."

Speaker Daniels: "Floor Amendment 51, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 51 to Senate Bill 19, is... when it is included in Senate Bill 19, will then make Senate Bill 19 identical to what House Bill 207 was when we sent 207 to the Senate. This is the Charter School Legislation, with which we negotiated at some length with a spokespersons for the Illinois Education Association. And certain agreements were reached, that were incorporated into House Bill 207, prior to its being passed here by a handsome margin and sent to the Senate. Senate Bill 19, however, which comes to us from the Senate and is their version of the Charter School Bill does not include those provisions that we agreed to include in behalf of the Illinois Education Association. So let me tell you that there are just three simple things that this Amendment adds to the Charter School Legislation. First, it provides that local school boards are required to give teachers who accept employment with a charter school, up to



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

58th Legislative Day

May 12, 1995

a five year leave of absence. And at the end of the authorized leave, the teacher must return to the school district in a comparable position or if the teacher chooses to do so, resign. Teachers.... the second item is that teachers at charter schools may resign their positions only if they give the governing body at least 60 days notice, before the end of the school year. And if the resignation is effective at the end of the school year. And finally the third provision is that out of school district entities creating a charter school, must demonstrate in their charter proposal a high level of local pupil, parental, community, business, and school personnel support. That is the material that the Illinois Education Association would like to see included in this Charter School Legislation. I believe that we should do so. I stand in strong support of this Amendment and will gladly attempt to answer any questions."

Speaker Daniels: "Let me announce that the Junior Girl Scout Troop 151, from the St. Barnabas School in Chicago is here. They are guests of Representative Monique Davis. Welcome to Springfield. The Gentleman from Cook, Representative Pugh."

Pugh: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Committee... of the House. Will the Sponsor yield for a question?"

Speaker Daniels: "She indicates she will."

Pugh: "Representative Cowlshaw, can you tell me what the other 50 Amendments to this Bill did or does or do?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Thank you for turning the microphone back on. It certainly is helpful. There were 50 prior Amendments to this... to this legislation.

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

58th Legislative Day

May 12, 1995

They're all listed on the LIS System, Sir, and I would suggest that if you wish to know what the other 50 were, that you might want to go and consult the LIS System."

Speaker Daniels: "Representative Pugh."

Pugh: "Representative Cowlshaw, I... I appreciate your depth of knowledge relative to these educational issues and that's why I assumed that you could give me the synopsis of the 50 pieces of legislation as it related to Amendment 51."

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative, I certainly appreciate your kind words and complimentary attitude, however, I neither have the time nor do I believe, do any of us have the time to review, 50 separate Amendments that were previously filed to this Bill. We are... have before us, Sir, Amendment 51. That is the topic, we are expected to address. It is neither useful or reasonable to address something that is not before us. We are not about to vote on Amendments 1-50. We are about to vote on Amendment 51. Let us please restrict ourselves to discussion of Amendment 51."

Speaker Daniels: "For the Record, the first 25 Amendments, lost in committee. The second 25 Amendments are in Rules and this is #51, Representative Pugh. Representative Pugh."

Pugh: "Thank you very much, Mr. Chairman. Representative Cowlshaw, can you explain to me the difference in a charter school, a teacher that's going to be certified as a charter school teacher and the current certification? Is there going to be any additional requirements for a teacher to teach at a charter school, than one that is certified at... at the pub... regular public school level?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Thank you, Sir. The... the contents of the House Bill that we sent to the Senate and the contents of Senate

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

58th Legislative Day

May 12, 1995

Bill 19, which have nothing to do with Amendment 51. All right? But only with the underlined Bill, which is not supposed to be the topic of discussion right now. But never the less, the charter schools are required to employ instructional staff, who are certified, under the provisions of the School Code, pertaining to teacher's certification or who possess the following qualifications. That they were graduated with a Bachelor's Degree from accredited institution. That they've been employed for a period of at least five years in an area requiring application of the individual's education. That they have passed the tests of basic skills in subject matter, knowledge currently required under the School Code for teacher certification. And that they have demonstrated continuing evidence of professional growth. Charter schools are permitted to employ non-certified staff, only in non-instructional positions."

Speaker Daniels: "Representative Pugh."

Pugh: "Will... will these individuals have to be finger printed prior to teaching in this... in charter schools?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative Pugh, what ever the current law is, would apply to these people the same as it does to all the teachers in our public school system today."

Speaker Daniels: "Representative Pugh, your time is almost out. So, would you bring your line of questioning to a close?"

Pugh: "Representative Cowlshaw, can you tell me the relative cost of running a charter school compared to... to that of a Chicago Public School? Would there be..."

Speaker Daniels: "Bring your question to a close and I'll let her answer that question. Representative Pugh."

Pugh: "Will there be an increase cost in implementing a

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

58th Legislative Day

May 12, 1995

charter... charter school or will the cost be the same or will we save money by implementing a... a charter school?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "That is impossible to predict, Representative Pugh.

The fact is, that an awful lot will depend upon the design of that charter school in the first place. It will depend upon the people who decide to apply for the charter status. For example, let us suppose that this charter is something that is entered into by a large corporation, such as Caterpillar or Motorola, in conjunction with a group of teachers from a specific school building, who decide that the teachers and that corporation want to go together and charter a school. Sometimes under those circumstances, that corporation might be making a substantial financial contribution toward the future of that charter school. In which case, as far as public funding is concern, that school, might be cheaper. On the other hand, there might be a charter that differed drastically from that, and that did not involve any involv...any involvement that would be likely bring forth private funding. In which case, per pupil, that kind of charter school, might be more expensive. But the cost is depended entirely upon the design of the charter. And those things unfortunately, Sir, are just impossible to predict."

Speaker Daniels: "The Lady from Cook, Representative Monique Davis."

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

Speaker Daniels: "She indicates she will."

Davis, M.: "Representative, I'd like to follow up on a question that Coy Pugh asked. He asked if those employees of a charter school have to be finger printed, similar to those who are going to teach or work in schools today. Is that

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

58th Legislative Day

May 12, 1995

mandate waived in the charter school? Will they have to adhere to that?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "If the question is, 'Will they be required to adhere to the current law?' The answer is yes."

Speaker Daniels: "Representative Davis."

Davis, M.: "Current law states, Representative, that waivers can take place and most of the mandates have been waived. So I would assume from that, those who are going to teach in a charter school, may not necessarily have passed a finger print test. My following question, Representative, is if you have a number of class rooms in one particular school that want to be a part of a charter school in another area, is that permissible?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "It's possible, but unlikely."

Speaker Daniels: "Representative Davis."

Davis, M.: "Representative, the people who have college degrees but who are not necessarily teachers or haven't had any child development courses or courses in methods or any knowledge in reference to the development of teenagers, how will they be able to meet those needs that are definitely present in every school?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "They will be able to do that equally well, whether we do or do not adopt this Amendment. I thought, Mr. Speaker, that this debate was about this Amendment, not about the underlying Bill. It might be helpful to all of us, if the questioners would restrict their questions to the contents of Floor Amendment 51."

Speaker Daniels: "Representative Davis."

Davis, M.: "Representative, does this Bill contain every... does

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

58th Legislative Day

May 12, 1995

this Amendment, Amendment 51 contain everything that exists in Senate Bill 19?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "I explained all this, when we first began this discussion. If we add Amendment 51 to Senate Bill 19, we will then have included in our charter school legislation the materials that were negotiated and agreed to by the Illinois Education Association. That is all this Amendment does. It puts back into the Charter School Bill that came here from the Senate, the provisions that we on the House side, had agreed to include at the request of the Illinois Education Association." I already explained what is contained in Amendment 51."

Speaker Daniels: "Representative Davis."

Davis: "Mr. Speaker, I'm looking on page 19, letter 'D', it says a teacher at a charter school may resign his or her position, only if the teacher gives notice to the charter school's governing board, 60 days before the end of the school term. Now, Representative, how do you... what happens if they don't give 60 day notice? Suppose a woman's husband is moving to Alaska and she's going with him. What happens to her for violating this provision you have in here?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "I think the governing board of the... the governing board of the charter school, would no doubt have some provisions for hardship cases. I think that might even be what you might call a hardship case. But the fact is, the provisions to which you refer, Madam, are those things that have to do with the teacher returning to the same school in which that teacher taught before that teacher became a teacher in the charter school. If they're moving

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

58th Legislative Day

May 12, 1995

to Alaska, it seems highly unli... unlikely that that teacher wants to go back to the school from which she or he came."

Speaker Daniels: "Your time is almost expired, Representative Davis, so bring your line to close. Representative Davis."

Davis, M.: "Yeah, these... these issues are so important, considering we're talking about 45 schools in our state. My understanding is to the previous Bill, oh, and here it is here, in the event that funding is less than 95% of a current districts appropriation per pupil, so what will determine, Representative, whether that district funds that charter school at 95% or whether the district funds the school at 105%?"

Speaker Daniels: "Okay, this is the last question and your answer, Representative Cowlshaw?"

Cowlshaw: "The design of the charter school."

Speaker Daniels: "Representative Brunsvold."

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

Speaker Daniels: "She indicates she will."

Brunsvold: "Representative Cowlshaw, just a kind of get some basics here. Is this the same Bill as was House Bill 207? Exactly the same language except for the three items you had named?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative Brunsvold, the whole purpose of Amendment 51 is to make Senate Bill 19 identical to what House Bill 207 was, when we sent it to the Senate. And to make it accord with what we had agreed to with the Illinois Education Association."

Speaker Daniels: "Representative Brunsvold. Representative Brunsvold."

Brunsvold: "Thank you. So then if that would be to put this Bill

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

58th Legislative Day

May 12, 1995

in the exact same position as 207, then the Illinois Hi... Education Association would be supportive and the IFT would be still opposed to the Bill?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative Brunsvold, when I presented House Bill 207, which when we add Amendment 51 to Senate Bill 19, will be identical, when I presented that House Bill in committee, I would remind you that the state wide president of the Illinois Education Association came here to speak in behalf of that legislation. I frankly, can not tell you what the current... the current position of the Illinois Federation of Teachers on this subject may be."

Speaker Daniels: "Representative Brunsvold."

Brunsvold: "The previous speaker asked if a charter school could request what, 105% of funding? From 95 to 105, was that the comment that was made? And I guess my question is, why would they ask for 95 if they could get 105?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative Brunsvold, the Bill provides, the underlying Bill, now this has nothing to do with Amendment 51, Okay? Only with the underlying Bill. The underlining Bill provides that the pupil funding for per pupil in every charter school, shall not be less than 95% or more than 105% of the school districts per capita student tuition multiplied by the number of students residing in the district. That's what it provides."

Speaker Daniels: "Representative Brunsvold."

Brunsvold: "How Representative, do they decide? Is that a negotiated point?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "It is a part of the design of the charter school when the charter is designed to begin with and applied for."



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

58th Legislative Day

May 12, 1995

Speaker Daniels: "Representative Brunsvold."

Brunsvold: "Let's move on to non-certified instructional... instructional individuals. The part you added was... was certified people and the Teacher's Association support that. One does, one doesn't, I understand now. What type of non-certified teaching staff are going to be allowed to come in contact with the children?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative Brunsvold, perhaps you were absent for a few minutes, because I had just provided a very long and detailed answer to that not more than five minutes ago. But I will gladly repeat for you. Charter schools are required to employ instructional staff who are certified under the provisions of the School Code and are permitted to employ non-certified staff only in non-instructional positions. There is however, a provision in this legislation for a means of achieving certification for teaching in a charter school by... by possessing the following char... qualifications. To have graduated with a bachelor's degree from accredited institution. To have been employed for a period of at least five years in an area requiring direct application of that individual's education. To have passed the tests of basic skills in subject matter and knowledge currently included under the School Code. And to have demonstrated continuing evidence of professional growth, both in the field of, in which they were originally educated and in the period during which they have been at work."

Speaker Daniels: "Representative Brunsvold, you're out of time. Will you bring your line of question to a close?"

Brunsvold: "Thank you, Mr. Speaker. Just one final question, the teacher that moves and I support the language that was

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

58th Legislative Day

May 12, 1995

included in here, teacher that moves from another school district to part of this charter school system, does that leave a larger sponsibility on to that u... on that school district that the teacher's leaving? They are responsible for hiring other individuals. Is there any responsibility by the charter school to help that other district find teachers?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative Brunsvold, I'm not at all certain that I understand your question."

Speaker Daniels: "Representative Brunsvold, could you briefly restate your question?"

Brunsvold: "If a school district that was close to where the charter school is going to be and let's say, 10 teachers decide to leave that school district and go to the new charter school.."

Speaker Daniels: "Representative..."

Brunsvold: "What's the responsibility of the charter school to that situation or to the original school district?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "There is no responsibility on the part of any charter school to assist the schools from which their teachers may have come to find replacements for those people. That is still entirely the responsibility of the individual school, public school district. Because of course, they would want to hire people in accordance with their own practices and procedures and personnel requirements and what ever else they may have as local... a local policies in those school districts."

Speaker Daniels: "Representative Hoeft, the Gentleman from Kane."

Hoeft: "Thank you, Mr. Speaker. May I ask for the question?"

Speaker Daniels: "I'm sorry, Sir? You said?"

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

58th Legislative Day

May 12, 1995

Hoeft: "I move the previous question."

Speaker Daniels: "The previous question has been moved. All those in favor signify by saying 'aye'; opposed 'no'. The 'ayes' have it. Representative Cowlshaw to close on the Amendment 51."

Cowlshaw: "Please some more... support Amendment 51 to Senate Bill 19. Thank you."

Speaker Daniels: "All those in favor signify by saying 'aye'; opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments. A Fiscal Note has been requested on the Bill and has been filed."

Speaker Daniels: "Third Reading. Senate Bills Third Reading. Senate Bill 19, read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 19, Bill for an Act relating of charter schools. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Cowlshaw. Moves the adoption of Senate Bill 19. Representative Lang, you care to enter into this conversation? Representative Schoenberg, why are you waving your hand up in the air? Representative Schoenberg."

Schoenberg: "At the appropriate time, Sir, I'd like to ask questions of the Sponsor."

Speaker Daniels: "I'd be delighted to call on you. Want to do it now? Will Representative Lang wait for Representative Schoenberg? Then I'll come back to you. Representative Schoenberg."

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

Speaker Daniels: "She indicates she will."

Schoenberg: "Thank you. No need to shout, 'park'... 'pork', sorry. I confuse the two. Representative, on page 7 of the

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

58th Legislative Day

May 12, 1995

Bill, line 30, there is a... the Section indicates that no charter shall be granted under this article that would convert any existing private, parochial, or non-public school to a charter school. Is there... is there a provision in the legislation which would prohibit the formation of a new parochial from applying for a... one of the 45 charters, which is to be granted under this Bill?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "The Bill does not specifically prohibit that. So I would presume that it would be possible. For a new formed parochial school to apply to the State Board of Education to be granted a charter. But I would point out to you, that it would be the responsibility of the State Board of Education to deal with that issue. In that, it seems, at least likely to me, Representative, that the State Board of Education would declare that if you want to become a charter school, under the public school system of this state, then you have to become a public school."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "Thank you, the reason... the reason for my inquiry, I... was because I think we both feel strongly about maintaining the separation of church and state within the establishment clause of the United States Constitution. And that which has been reinforced most recently by a U.S. District Court case in Milwaukee, pertaining to public funds for parochial education. And it raised the red flag to me, when I saw that existing parochial schools seem to be covered but that your intentions regarding the formation of new parochial schools possibly retain... receiving this money, did not appear to be in print. The reason why I rais... the reason why I raise this, is because obviously there are serious constitutional questions against public

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

58th Legislative Day

May 12, 1995

monies going for parochial schools. But also, because in all the discussion about charter schools and I'm a proponent of charter school legislation, the opposition has tried to obfuscate the issue by saying that charter schools are really a way to achieve vouchers. Could you briefly provide a distinction as to why that is not so?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "The charter schools that are proposed under this legislation, must be, and I would call your attention, if you have a copy of House Bill 207, page 8, Section 27a-5, under the small letter (a), 'A charter school shall be a public non-sectarian, non-religious, non-home based, and non-profit school. A charter school shall be organized and operated as a non-profit corporation or other discreet legal non-profit entity, authorized under the laws of the State of Illinois.' That is the end of that Section. I think, Sir, that that is very clear and I thank you for raising the issue because you quite right. We needed to provide that kind of protection."

Speaker Daniels: "Representative Schoenberg."

Schoenberg: "And the next question I have, is that you indicated which type of corporations could indeed be applicants for charters. If... if a for-profit entity, such as the Widow(?) Communications Firm, which is seeking to establish privately run schools, if they wished to come to Illinois to establish charter schools, would they be able to do so under this legislation?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "The proposals have to come through a local existing school board and then they have to be approved by the State Board of Education. I think, that not only are there some strong protections already provided in this legislation,

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

58th Legislative Day

May 12, 1995

particularly now that we've added the Amendment, but also, I think that it is highly unlikely, even if some local..."

Speaker Daniels: "You want to bring your answer to a close, time is expired."

Cowlshaw: "Even if some local school board was indiscreet enough to suggest something like that, I don't think the State Board of Education would abide by it."

Speaker Daniels: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Under the appropriate House Rule, I move to table Senate Bill 19."

Speaker Daniels: "All those in favor say 'aye'; opposed 'no'. The 'ayes' have it. Motion is defeated. Roll Call. Lady's requested a Roll Call. Thought we were going to finish our work early, didn't you? You weren't recognized for that purpose, Representative Lang. Okay. You have nothing further? Okay. Next conversation, Gentleman from Cook, Representative Pugh."

Pugh: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Speaker Daniels: "She indicates she will."

Pugh: "Representative Cowlshaw, first let me compliment you on your recent article in the CRAIN'S CHICAGO BUSINESS. I think was a real good picture of you also. And I really... I really respect your... the ...(?) of knowledge that you... that you have relative to the educational system and the ways in which it should and could be improved. But I am really interested in... genuinely interested in knowing how the corporations will be solicited to support the charter school initiative."

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative Pugh, it has never been my intention nor to the best of my knowledge, any other Member of this

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

58th Legislative Day

May 12, 1995

Legislature, that anyone should be solicited to enter into the creation of a charter school. It is my understanding and I think, Sir, that we should be very grateful for that, that there are corporations out there, that feel an obligation, an ethical, even a moral obligation, to help us to improve our schools. Some of those people, including the Motorola people, have already stepped forward and done significant things that cost them money, to try to make schools better for the children throughout this state. So, I don't think Sir, first of all, that anybody is going to go out and solicit that kind of cooperation. I think it is there, waiting to happen."

Speaker Daniels: "Representative Pugh."

Pugh: "Can this piece of legislation will establish 45 charter schools, is... and the first one will... is this the first pilot will be located in Chicago, or its first 45 will be located in Chicago?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "The limit, the maximum number of charter schools authorized under Senate Bill 19, is 45, but those are broken out on a regional basis. Fifteen, and no more than 15 for Chicago, 15 in the collar counties and 15 downstate."

Speaker Daniels: "Representative Pugh."

Pugh: "Over what time period we will... is the first one... does this Bill call for the first one to be developed as a pilot in Chicago, and over what time span will the others be implemented?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "It's first come, first serve, and the charters may be granted according to this Bill, for a period not less than three years and no more than five years. And charter

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

58th Legislative Day

May 12, 1995

renewals thereafter, may be incremental periods, not to exceed five years."

Speaker Daniels: "Representative Pugh."

Pugh: "Will there be a comparative cost analysis done at any point in time to determine whether or not the state is going to save money as a result of implementing charter schools, or was that the intention of the legislation to save money or was it just to improve the school system?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "The intent is that the cost should neither be a disincentive nor incentive. However, there are evaluations and reports required by this legislation with some frequency. They are all sent forth in fact, with dates and all of those kinds of things so that we are... we can be... so we follow what happens with these schools. But not just the per pupil cost, we need to know also, what they do to improve learning for children."

Speaker Daniels: "Representative Pugh. Your time is almost expired, Sir."

Pugh: "My last question would be... would have to do with the janitors and the other support staff that goes along with the school. Under this... under the charter school legislation will the same union, janitors, and plumbers and those kind of individuals be employed under the charter school concept, or will that be privatized and farmed out to individual agencies or corporations?"

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "All such arrangements are open to whatever the people who devised that charter and created, want to do. We have tried to be as... the least restrictive that we can, in opening opportunities for people. There are people throughout this state who have wonderful ideas about how to



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

58th Legislative Day

May 12, 1995

improve the schools. Let's let them use those ideas to the best that they possibly can without out micro-managing everything for them. Part of what is included in provisions for contracts, for noninstructional personnel, all of that will be part of the charter itself, when the charter is devised to begin with."

Speaker Daniels: Your time is expired Sir. For the record, Representative Lang's Motion to table was defeated. The Gentleman from Champaign, Representative Winkel."

Winkel: "Mr. Speaker, I move the previous question."

Daniels: "The question is, 'Shall the main question be put?' All in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. Representative Cowlshaw to close."

Cowlshaw: "This is a good Bill. It's good for kids. It's good for creativity. Please vote 'yes'."

Speaker Daniels: "The question is, 'Shall Senate Bill 19 pass?' All those in favor 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...I'm sorry, the record has already been taken. Seventy three 'ayes', 34 'noes', two voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Representative Clayton."

Clayton: "I wish to have voted 'no'... 'yes' on that Bill. Sorry."

Speaker Daniels: "The record will indicate that you would have voted 'yes' had you been... had it been available. Representative Deering."

Deering: "Thank you, Mr. Speaker. I inadvertently voted 'yes'. I'd like the record to reflect that I wanted to vote 'no' on that Bill."

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

58th Legislative Day

May 12, 1995

Speaker Daniels: "Representative Deering would have been recorded as 'no' had his switch worked properly. The record will so reflect. Senate Bill 766. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 766, a Bill for an Act amending the Private Detective Private Alarm and Private Security Act of 1993. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker, and Members of the House. Senate Bill 766, amends the Private Detective Private Alarm and Private Security Act. It establishes that a person who has a four year degree in Electrical Engineering or related field, shall be given credit for two years of experience in qualifying to be licensed as an Alarm Contractor. It provides a person who has passed a national certification program, shall be given credit for one year of experience in qualifying to be licensed as an Alarm Contractor. The reason for this Bill, is basically to clean up the..."

Speaker Daniels: "Is anyone stand in opposition? Representative Granberg, you stand in opposition, Sir?"

Granberg: "Mr. Speaker, I just have a brief question of the Lady."

Speaker Daniels: "The Lady will yield."

Granberg: "Thank you. Representative Wojcik why is this legislation needed at this time? Was there existing regulatory authority already, or is this a new Act?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "This is actually Kurt... Representative Granberg, what happened is, the court struck down the existing standards for qualification, and this corrected so that it would remedy the problem of what the Supreme Court has done."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Representative Wojcik."

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

58th Legislative Day

May 12, 1995

Speaker Daniels: "The Lady moves for the passage of Senate Bill 766. All in favor 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? Take the record Mr. Clerk. On this question, there are 109 'ayes', none voting 'no', none voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Senate Bill 774. Read the Bill Mr. Clerk."

Clerk Rossi: "Senate Bill 774, a Bill for an Act to create the Fort Sheridan Redevelopment Commission Act. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Lachner."

Lachner: "Mr. Speaker, Ladies and Gentleman of the House. Senate Bill 774, creates the Fort Sheridan Redevelopment Commission Act. It allows for the three or more cities that are contiguous or encompass all or part of Fort Sheridan to establish this Redevelopment Commission by entering a governmental agreement. It requires the agreement to establish the powers of the Commission including the ability to issue bonds or notes. I will be happy to answer any questions."

Speaker Daniels: "Does anyone stand in opposition? Representative Hoffman, do you stand in opposition, Sir?"

Hoffman: "Well, I think we should course, regardless of my position I... can't make a determination without questioning the Sponsor."

Speaker Daniels: "He indicates he'll yield."

Hoffman: "Representative, it is my understanding this would establish the Fort Sheridan Redevelopment Commission Act and will give them bonding authority. Is that correct?"

Speaker Daniels: "Representative Lachner."

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

58th Legislative Day

May 12, 1995

Lachner: "That is correct."

Speaker Daniels: "Representative Hoffman."

Hoffman: "And what will they use that bonding authority for?"

Speaker Daniels: "Representative Lachner."

Lachner: "They can use that bonding authority for numerous projects that would occur within the confines of what is now Fort Sheridan."

Speaker Daniels: "Representative Hoffman."

Hoffman: "What type of projects?"

Speaker Daniels: "Representative Lachner."

Lachner: "Representative, any redevelopment project infrastructure improvement within the grounds of Fort Sheridan."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Yes, with regards to the bonds, these would be revenue bonds? Is that correct?"

Speaker Daniels: "Representative Lachner."

Lachner: "Well, these would be bonds issued by the Development Commission. It would be guaranteed by the members of the commission, the three contiguous communities."

Speaker Daniels: "Representative Hoffman."

Hoffman: "They would also... would they be backed by the full faith and credit of the state?"

Speaker Daniels: "Representative Lachner."

Lachner: "Yeah, that's correct. The Bill gives the commission the power to create special service districts or tax increment financing districts within the corporate limits of any member municipality of the commission with members consent or within Fort Sheridan."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Well, the question was, will this...will the revenue bonds here be backed by the full faith and credit of the

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

58th Legislative Day

May 12, 1995

state and you say they will? Is that right?"

Speaker Daniels: "Representative Lachner."

Lachner: "That is not correct. I didn't hear you before. It is backed by the communities that are members of the commission."

Speaker Daniels: "Representative Hoffman."

Hoffman: "So, there will be no potential for anybody coming back to the state if these bonds are not paid, because sufficient revenue is not been generated to pay the bonds and saying, 'Hey state, you have to... you have to pay these bonds off'."

Speaker Daniels: "Representative Lachner."

Lachner: "That is correct Representative."

Speaker Daniels: "Representative Hoffman."

Hoffman: "The bonds...will they be issued through front door referendum, back door referendum?"

Speaker Daniels: "Representative Lachner."

Lachner: "Representative, these are non-referendum bonds."

Speaker Daniels: "Representative Hoffman."

Hoffman: "So what... how will this... how will this effect the tax caps issue in your area, if there is non-referendum bonds?"

Speaker Daniels: "Representative Lachner."

Lachner: "Representative, would you repeat that question?"

Speaker Daniels: "Representative Hoffman."

Hoffman: "If these are non-referendum bonds, how will that affect the tax caps?"

caps?Speaker Daniels: "Representative Lachner."

Lachner: "The authority to issue these bonds is given through the member communities that are in the commission and by creating this Redevelopment Commission the member communities are affected by the tax caps themselves and by

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

58th Legislative Day

May 12, 1995

authorizing the bonds, this would fall within the purview"

Speaker Daniels: "Representative."

Hoffman: "Well, it is my understanding that the commission has given the authority to issue revenue bonds, how will the revenue be generated and do they have any... do you have any revenue estimates to insure that these bonds will be paid off?"

Speaker Daniels: "Representative Lachner."

Lachner: "We don't know how much money the commission is going to need to raise... raise for this. However, given that the bonds that they would issue would be guaranteed and paid for, by both revenues generated on the Fort or within the commission and guaranteed by the member communities. We feel that they, the security of these bonds would not be an issue."

Hoffman: "Representative Hoffman."

Hoffman: "Well, I guess the concern is this, the concern is these communities back these bonds and there isn't sufficient revenue to pay for the bonds. So, then the communities are stuck with having to pay for the bonds because they are backed by full faith and credit of the communities. Now communities raise money through property taxes, they raise money through some other types of taxes. However, you have property tax caps in your area. If indeed the bonds are not paid for, and if indeed the property taxes have to be utilized to pay back these bonds, in my opinion, this could potentially be utilized to get over the property tax cap and could result in increase property taxes to your taxpayers. Now that isn't the result that you want, but that could be the result of this Bill. Is that right?"

Speaker Daniels: "Representative Lachner."

Lachner: "Representative that's not correct. The commission

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

58th Legislative Day

May 12, 1995

shall not have the power to levy any tax whatsoever, except with respect to the special service in TIF districts. The bond revenue... the bonds would be paid by revenues from within Fort Sheridan. The answer to your question..."

Speaker Daniels: "Further discussion? The Lady from Lake, Representative Gash."

Gash: "Will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Gash: "Representative Lachner, to the best of your knowledge, does this Bill impact on Highland Park, Highwood, and Lake Forest?"

Speaker Daniels: "Representative Lachner."

Lachner: "If the question was, does this Bill impact on Highwood, Highland Park and Lake Forest? The answer to that question is, yes. These are the three contiguous communities to what is now Fort Sheridan."

Speaker Daniels: "Representative Gash."

Gash: "Representative Lachner, to the best of your knowledge, is there any other State Representative serving in this Body whose district includes all three of those towns?"

Speaker Daniels: "Representative Lachner."

Lachner: "Absolutely Representative Gash. As you well know, your district encompasses a portion of the south port... part of Fort Sheridan."

Speaker Daniels: "Representative Gash."

Gash: "Well, as Highland Park, Lake Forest and Highwood. To the best of your knowledge, was I a Sponsor of this Bill, a hyphenated Sponsor of this Bill, yesterday?"

Speaker Daniels: "Representative Lachner."

Lachner: "Representative Gash, you are a hyphenated Sponsor of this Bill now."

Speaker Daniels: "Representative Gash."

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

58th Legislative Day

May 12, 1995

Gash: "I have a question of the Clerk. Is that accurate?"

Speaker Daniels: "We're checking. High-tech. Suspense.

According to the system, the Clerk advises me that you are listed as Sponsor. Are you happy about that or do you want to be removed? Representative Gash."

Gash: "A hyphenated Sponsor, Mr. Speaker?"

Speaker Daniels: "Now you are getting technical."

Gash: "I'm getting technical."

Speaker Daniels: "The Clerk says you are a hyphenated Sponsor on the computer system. Now would you like to be removed?"

Gash: "And that will be reflected as the Bill is sent out? With all do respect... Speaker... I want..."

Speaker Daniels: "The Clerk says... the Clerk says the board is not the Bill. We like the board the way it is. Representative Gash, do you have any further questions?"

Gash: "I urge an 'aye' vote."

Speaker Daniels: "Further discussion? Representative Krause."

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

Speaker Daniels: "The question is, 'Shall the main question be put? All those in favor signify, by saying 'aye'; oppose 'no'. The 'ayes' have it. Representative Lachner."

Lachner: "I urge a 'aye' vote for this important Bill that helps the communities of Lake Forest, Lake Bluff, Highwood, and Highland Park in the redevelopment of the Fort Sheridan area."

Speaker Daniels: "The question is, 'Shall Senate Bill 774 pass?' All those in favor 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', none voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is



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

58th Legislative Day

May 12, 1995

hereby declared passed. Representative Churchill in the Chair."

Speaker Churchill: "Ladies and Gentlemen of the House. We will adjourn today on the Death Resolution for a former Member. Before we do that, we do need to read the Adjournment Resolution. Mr. Clerk, please read the Adjournment Resolution."

Clerk Rossi: "Senate Joint Resolution #48, offered by Representative Churchill. Resolved by the Senate in the 89th General Assembly of the State of Illinois. The House of Representatives concurring herein, that when the two Houses adjourn on Friday, May 12, 1995, the Senate stands adjourned until Monday, May 15, 1995, at 12:00 noon, and the House of Representatives stands adjourned until Monday, May 15, 1995, at 11:00 a.m."

Speaker Churchill: "All those in favor of the Resolution signify by saying 'aye', any opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Resolution is adopted. As is our custom as we adjourn on the Death Resolution for a former Member, would all Members and the guests in the gallery please rise. Mr. Clerk, would you please read House Resolution 32."

Clerk Rossi: "HOUSE RESOLUTION 32 WHEREAS, The House has learned with sorrow of the death of a former Member of the Illinois House of Representatives, Richard A. Mugalian, of Palatine; and WHEREAS, Richard A. Mugalian was born in Chicago on April 4, 1922, and was educated in the Chicago public schools; he attended North Central College, the University of Illinois, and Loyola University Medical School, and he took his A.B. at the University of Chicago and his J.D. at the University of Chicago Law School; and WHEREAS, Mr. Mugalian served in the U.S. Army from 1943 to 1946; and

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

58th Legislative Day

May 12, 1995

WHEREAS, Mr. Mugalian served as a Member of the Illinois House of Representatives from 1972 to 1980, having served as Palatine Township Democratic committeeman from 1970 to 1974; and WHEREAS, Mr. Mugalian, who was in private practice as an attorney in Palatine, represented the board of the Palatine Rural Fire Protection District for 14 years and was a former director of the Cook County Legal Assistance Foundation and a member of the American Civil Liberties Union; a supporter of the Civil Rights Movement and opposed the Viet Nam War, he was the champion of justice and civil liberty and was proud to be called a liberal; and WHEREAS, In the House, Representative Mugalian served as co-chairman of the Committee on State Government Organization and as a member of the Judiciary II and Revenue committees; and WHEREAS, Richard A. Mugalian leaves to cherish his memory: his wife, Lola Mugalian; daughter, Ruth Mugalian; sons, Art and Steve Mugalian; and three grandchildren; and WHEREAS, The defender of individual rights and civil liberties, Richard A. Mugalian contributed greatly to his community and state and will be missed by all who knew him; therefore, be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we express our deep sorrow at the death of a valued former colleague and friend, Richard A. Mugalian, offer our sincere sympathy to his family, and join his friends in honoring his memory; and be it further RESOLVED, That a suitable copy of this resolution be presented to the family of Richard A. Mugalian."

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

Currie: "Thank you, Speaker and Members of the House. Dick Mugalian was my first seatmate, and though we shared but a

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

58th Legislative Day

May 12, 1995

single term in this institution, he had an enormous impact on me. Mugs was a policy wonk of the highest water. He grooved on issues and the business of this chamber. The analysis, close reading and study of Bills was what really kept him going and thrilled him the most. He spent his summer vacations writing long letters to the Governor telling him which Bills, on the merits, the Governor should sign and which he should veto. Dick was a strong Democrat because he believed that the principles of the Democratic Party were closest to his own, but he was not a strong partisan. He wasn't a vote trader and he never put party ahead of principle. He worked, in fact, in strong bipartisan fashion in this chamber and my favorite of the Mugalian Bills was one he introduced with Giddy Dyer, a Republican from Hinsdale. That was the Bill that ended the property tax exemption for religious institutions. You won't be surprised to know that the Bill never made it out of committee. Dick was a strong civil libertarian, greatly committed to ideas of human dignity, civil rights and civil liberties, a member of the American Civil Liberties Union. He made a very important mark on this institution. Many called him the conscience of the House of Representatives during the time that he served here. He was a major force for good in this institution, a major force for good for the people of this state. I hope you will join me in sending our condolences to his wonderful widow Lola, their three children, and I would move now, Speaker, that all Members of the House be added as Sponsors of this Resolution."

Speaker Churchill: "Representative Currie moves that all Members be added. Is there leave? Leave is granted. Further discussion? The Gentleman from Champaign, Representative

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

58th Legislative Day

May 12, 1995

Johnson."

Johnson, Tim: "Thank you, Mr. Speaker and Members of the House.

I am among a very few people who served with Representative Mugalian. And while I disagreed with his ultimate position, probably 85% of the time, I don't know that I've ever served with anybody in the General Assembly or at any level of government, who was more absolutely committed to issues as a matter of principle than he was. Who supported him and who didn't, whether he got reelected or whether he didn't, what interest groups came down different ways on different issues, what way parties came down on issues was totally irrelevant to him. On every issue, he voted and looked at the merits of the issue at great depth and at the depth of his soul and voted that way. And that's a characteristic that we all wish we had, we all try to strive for, but I'm not sure that I ever served with anybody at any level who epitomized principledness more than he did, and I would join with Representative Currie and people on both sides of the aisle in paying my respects to an outstanding Legislator, a good friend and a good person in Dick Mugalian."

Speaker Churchill: "The Gentleman from Cook, Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Dick Mugalian was the Republic... the Democratic Committeeman in Palatine township while I was the Republican Committeeman of Palatine township and of course there were all kinds of comments made about the... you know these two extremes. And we had a lot... we had a lot of fun with it. He... our relationship was very cordial, and of course we worked for the betterment of elections and all that sort of thing. We went through a lot of campaigns on

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

58th Legislative Day

May 12, 1995

the opposite side of the fence, but I was just kidding about the extremes, I want you to know that. In any event, he was a... a great guy, we talked many times and we really miss the... the kind of guy that he was. And I will certainly remember Lola and the family in my prayers and... and of course Dick."

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

Skinner: "Dick Mugalian's one of the people that Pat Quinn killed and we are not the better off as a result of that. I served with him on the Revenue Committee and what Tim said is absolutely correct. If all of us were like Dick Mugalian, then what the... the kids who go to high school and college read about the General Assembly would be true. I wish we were all like that, but obviously, well obviously we're not. I wish he were still here, frankly."

Speaker Churchill: "The Gentleman from DuPage, Speaker Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I served with Dick Mugalian and found him to be an extremely honorable and principled man. As stated before by Representative Currie, he was strong in his beliefs. He was very articulate, and yes, he was a liberal. And those of us that had a little different philosophy, frequently found ourselves voting in a different direction, but always respected his commitment to the process to what he thought government ought to be. He served in the highest fashion, was held in very high esteem and consequently, we owe him a great debt of gratitude for the service that he put forth for the people of Illinois. To his widow Lola and three children, we send our best wishes with fond remembrances of a great man who served this institution in very high fashion."

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

58th Legislative Day

May 12, 1995

Speaker Churchill: "Representative Currie now moves for the passage of House Resolution 32, and further moves that the House stand adjourned until Monday, May 15th, 1995, at the hour of 11:00 a.m. All those in favor signify by saying 'aye'; any opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Resolution is passed and the House does now stand adjourned until Monday, May 15th, 1995, at the hour of 11:00 a.m., allowing perfunctory time for the Clerk."

MAY 12, 1995

SB-0019 RECALLED	PAGE	70
SB-0019 THIRD READING	PAGE	139
SB-0428 THIRD READING	PAGE	60
SB-0448 THIRD READING	PAGE	99
SB-0451 THIRD READING	PAGE	2
SB-0452 THIRD READING	PAGE	10
SB-0453 THIRD READING	PAGE	16
SB-0457 THIRD READING	PAGE	21
SB-0459 THIRD READING	PAGE	27
SB-0460 THIRD READING	PAGE	34
SB-0461 THIRD READING	PAGE	49
SB-0533 THIRD READING	PAGE	101
SB-0534 THIRD READING	PAGE	108
SB-0535 THIRD READING	PAGE	111
SB-0539 THIRD READING	PAGE	115
SB-0567 THIRD READING	PAGE	87
SB-0587 THIRD READING	PAGE	93
SB-0695 THIRD READING	PAGE	120
SB-0736 THIRD READING	PAGE	124
SB-0766 THIRD READING	PAGE	146
SB-0774 THIRD READING	PAGE	147
SB-1149 THIRD READING	PAGE	70
HR-0032 ADOPTED	PAGE	153
HR-0032 RESOLUTION OFFERED	PAGE	153
SJR-0048 ADOPTED	PAGE	153
SJR-0048 RESOLUTION OFFERED	PAGE	153

SUBJECT MATTER

HOUSE TO ORDER	PAGE	1
REPRESENTATIVE CHURCHILL IN THE CHAIR	PAGE	1
PRAYER - PASTOR DENNIS AMMONS	PAGE	1
PLEDGE OF ALLEGIANCE - TOM JOHNSON	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
MAKENA DUNIOR HIGH SCHOOL	PAGE	60
SPEAKER DANIELS IN THE CHAIR	PAGE	70
REPRESENTATIVE WENNLUND IN THE CHAIR	PAGE	11
REPRESENTATIVE CHURCHILL IN THE CHAIR	PAGE	153
COMMITTEE REPORT	PAGE	98
ST. BARNABAS SCHOOL - JR. GIRL SCOUT TROOP #151	PAGE	129
ROTARY INT'L STUDY GROUP	PAGE	127
HOUSE ADJOURNED	PAGE	158