

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

61st Legislative Day

May 17, 1995

Speaker Churchill: "The House will be in order. The Members will be in their chairs. Representative Churchill in the Chair. We will be led in the invocation this evening by Representative Bost. Will the guests in the gallery please rise and join us in the Invocation. Representative Bost."

Bost: "Let us pray. Dear Heavenly Father, we thank You for this day. We thank You for the many blessings we've received and we ask Your blessing upon this House as we go about doing our business this evening. Lord, we ask that the legislation we pass here tonight will be good, will be helpful and that we would concentrate on serving the people that have put us here. Lord, we thank You for the many blessings You have given us, forgive us our sins and our trespasses. All these things we ask in Your Son, Jesus Christ's name. Amen."

Speaker Churchill: "We will be led this evening in the Pledge of Allegiance by Representative Howard."

Howard - 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: "Thank you, Speaker. Representative Bugielski and Representative Martinez are both excused today and I hope the record will so reflect. And could I also add my thanks, my deep gratitude, to you for providing us with pizza for supper tonight."

Speaker Churchill: "The Journal will so reflect the absences and the thanks will be extended to those who paid for it. Thank you. Representative Tenhouse, are for excused

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

61st Legislative Day

May 17, 1995

absences on the Republican side."

Tenhouse: "We're all present and accounted for, Majority Leader.
Thank you, Mr. Speaker."

Speaker Churchill: "Thank you Representative Tenhouse. Mr.
Clerk, take the record. There are 116 members answering
the roll, a Quorum is present. The House will come to
order. Mr. Clerk, Committee Reports."

Clerk McLennand: "Committee Reports. Committee Report from
Representative Zickus, Chairman from the Committee on
Consumer Protection, to which the following Bills and
Resolutions were referred, action taken on May 16, 1995,
reported the same back with the following recommendation/s:
'do pass' Senate Bills 217 and 363; 'do pass as amended'
Senate Bill 447. Representative Biggins, Chairman from the
Committee on Appropriation - General Services, to which the
following Bills and Resolutions were referred, action taken
on May 16, 1995, reported the same back with the following
recommendation/s: 'do pass' Senate Bill 1056; 'do pass as
amended' Senate Bills 486, 926, 1050, 1051 and 1057.
Representative Persico, Chairman from the Committee on
Environment and Energy, to which the following Bills and
Resolutions were referred, action taken on May 16, 1995,
reported the same back with the following recommendation/s:
'do pass' Senate Bills 68, 399, 336, 276; 'do pass as
amended' Senate Bills 327, 231, 486 and 629. Representative
Hughes, Chairman from the Committee on Counties and
Townships, to which the following Bills and Resolutions
were referred, action taken on May 16, 1995, reported the
same back with the following recommendation/s: 'do pass'
Senate Bills 180, 764, 271 and 109; 'do pass as amended'
Senate Bills 477 and 412. Representative Tenhouse, Chairman
from the Committee on Appropriations - Public Safety, to

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

61st Legislative Day

May 17, 1995

which the following Bills and Resolutions were referred, action taken on May 16, 1995, reported the same back with the following recommendation/s: 'do pass' Senate Bill 503; 'do pass as amended' Senate Bill 490. Representative Andrea Moore, Chairman from the Committee on Elections and State Government, to which the following Bills and Resolutions were referred, action taken on May 16, 1995, reported the same back with the following recommendation/s: 'do pass' Senate Bills 756 and 763; 'do pass Short Debate' Senate Bills 273 and 804; 'do pass as amended Short Debate' Senate Bill 675. Representative Skinner, Chairman from the Committee on Privatization, De-regulation, Economic and Urban, to which the following Bills and Resolutions were referred, action taken on May 16, 1995, reported the same back with the following recommendation/s: 'do pass' Senate Bill 628; 'do pass Short Debate' Senate Bills 964 and 700. Representative Wirsing, Chairman from the Committee on Higher Education, to which the following Bills and Resolutions were referred, action taken on May 16, 1995, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 269; 'do pass as amended Short Debate' Senate Bill 718. Representative Skinner, Chairman from the Committee on Privatization, De-regulation, Economic and Urban, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass' Senate Bill 1211; 'do pass Short Debate' Senate Bill 181. Representative Mulligan, Chairman from the Committee on Appropriations - Human Services, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass as

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

61st Legislative Day

May 17, 1995

amended' Senate Bills 484 and 485. Representative Weaver, Chairman from the Committee on Appropriations - Education, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass as amended' Senate Bill 483. Representative Tom Johnson, Chairman from the Committee on Judiciary - Criminal Law, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass as amended' Senate Bills 721, 1187 and 838. Representative Brady, Chairman from the Committee on Personnel and Pensions, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass' Senate Bill 287; 'do pass Short Debate' Senate Bill 100; 'do pass as amended Short Debate' Senate Bills 114 and 1094. Representative Maureen Murphy, Chairman from the Committee on Revenue, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass' Senate Bills 92, 345, and 703; 'do pass as amended' Senate Bills 108, 135, 212 and 565; 'do pass Short Debate' Senate Bills 134, 205 and 1034; 'do pass as amended Short Debate' Senate Bills 761, 528, 540, 566, 650 and 729; 'do adopt' House Resolution (joint) 26. Representative Meyer, Chairman from the Committee on Veteran's Affairs, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass as amended' Senate Bill 560; 'do pass as amended Short Debate' Senate Bill 301. Representative Rutherford, Chairman from the Committee on Constitutional Officers, to

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

61st Legislative Day

May 17, 1995

which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 1150; 'do pass as amended Short Debate' Senate Bills 906, 775, 1200, 433 and 1026. Representative Saviano, Chairman from the Committee on Registration and Regulation, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bills 689, 349 and 553. Representative Parke, Chairman from the Committee on Commerce, Industry and Labor, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass' Senate Bill 1206; 'do pass as amended' Senate Bills 354 and 246. Representative Tom Johnson, Chairman from the Committee on Judiciary - Criminal Law, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass as amended' Senate Bill 69. Representative Hughes, Chairman from the Committee on Counties and Townships, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass' Senate Bills 84, 586, 441, 112 and 192; 'do pass as amended' Senate Bills 405, 711, 637, 1193, 788 and 169. Representative Cowlshaw, Chairman from the Committee on Elementary and Secondary Education, to which the following Bills and Resolutions were referred, action taken on May 19, 1995, reported the same back with the following recommendation/s: 'do pass' Senate Bills 416, 941 and 961; 'do pass as amended' Senate Bills 265, 130, 141 and 150. Corrected Committee Report

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

61st Legislative Day

May 17, 1995

from Representative Cowlshaw, Chairman of the Committee on Elementary and Secondary Education, to which the following Bill was referred. Action taken on May 16, 1995. Reported the same back with the following recommendations: Do Pass As Amended Senate Bill 365." Representative Maureen Murphy, Chairman from the Committee on Revenue, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass as amended' Senate Bills 326 and 368."

Speaker Churchill: "Messages from the Senate."

Clerk McLennand: "A Message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the following Bills, together with the attached Amendments and asks the concurrence of the House in said Amendments: House Bill 211, Amendment #1; House Bill 323, Amendment #1; House Bill 471, Amendment #1; House Bill 513, Amendment #1 and 2; House Bill 632, together with Amendment #1; House Bill 760 together with Amendments #1 and 2; House Bill 988, together with Amendment #1; House Bill 1322, together with Amendments #1 and 2; House Bill 2123 together with Amendment #1; House Bill 1721, together with Amendment #1. Passed the Senate as amended May 17, 1995. Jim Harry, Secretary of the Senate'."

Speaker Churchill: "For what purpose does the Gentleman from Cook arise, Representative Lang?"

Lang: "Thank you very much, Mr. Speaker. We note on this side of the aisle that Session was originally scheduled for 4:00 o'clock, then it was to the call of the Chair. Then we finally hit the floor at about 6:15, it is now 6:33, we're

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

61st Legislative Day

May 17, 1995

still not doing the work of the people. Do you intend to do that work this evening? If so, we're ready on this side of the aisle."

Speaker Churchill: "Representative Lang, you may notice the mountains of Amendments that your side of the aisle has just filed. We will try to give the Clerk a couple of minutes so that they can get these things ready and we can go to Second Readings and start calling Second Readings. We do not wish to proceed when you would then rise and ask us if an Amendment had been filed and we wouldn't know that, so we are just trying to give the Clerk a little bit of time to catch up. You had all day to file these Amendments, you just filed them as we went into Session, we're giving the Clerk a little bit of a chance to get caught up. Representative Lang."

Lang: "Thank you, for the explanation. Did you say this was a mountain of Amendments filed by our side of the aisle?"

Speaker Churchill: "I believe that is correct."

Lang: "And they're not in the Rules Committee? They're still here with us, Sir?"

Speaker Churchill: "We haven't had time to get them there yet, Sir." Introduction of Resolutions."

Clerk McLennand: "House Resolution 47, offered by Representative Stephens."

Clerk McLennand: "House Resolution 47, offered by Representative Stephens; House Resolution 48, offered by Representative Churchill."

Clerk McLennand: "Rules Committee."

Speaker Churchill: "For what reason does the Gentleman from Sinclair, Representative Hoffman arise?"

Hoffman: "Well, Mr. Speaker, I think since we have all those Amendments to do, it is going to take so much time, I would

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

61st Legislative Day

May 17, 1995

hereby move that we adjourn to the hour of 10:00 o'clock tomorrow morning and ask for a Roll Call Vote."

Speaker Churchill: "Sir, I'm not sure that there are enough Members on your side of the aisle to vote for that. I'll tell you what Representative Hoffman, I'll make you a deal. Why don't we go to one of your Members' Bills and then you can see if you have the votes to pass it? We shall now proceed to the Order of Senate Bills. Third Reading. Mr. Clerk, please read Senate Bill 176."

Clerk McLennand: "Senate Bill 176, a Bill for Act that amends the Mental Health And Developmental Disabilities Confidentiality Act. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Lady from Cook, Representative Feigenholtz on Senate Bill 176."

Feigenholtz: "Thank you, Mr. Chairman...Speaker. Oops, I thought I was in committee, sorry. Senate Bill 176 amends the Mental Health And Developmental Disabilities Confidentiality Act. It redefines patient records to include all documents maintained by a Court created in connection with the preparation for or the filing of a petition or certificate for emergency or involuntary admission to a mental health facility. It also includes provisions of Senate Bill 975, Barkhausen-Hughes Bill, which provides that in determining payments for purchase of services, DMHDD shall set rates that reflect differences in the cost of doing business in various geographic areas. This was an initiative that was supported by DMHDD."

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

Wennlund: "Thank you, Mr. Speaker. First and foremost, I am joined by seven of my colleagues to remove this Bill from

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

61st Legislative Day

May 17, 1995

the Order of Short Debate."

Speaker Churchill: "Even the Members of the other side of the aisle want to remove it from Short Debate so it is off Short Debate."

Wennlund: "Thank you very much. Will the Sponsor yield?"

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

Wennlund: "Now Representative, there were so many people on the House floor at the time you presented this Bill, and so much noise, I could barely hear the real purpose behind this Bill and frankly, I have a few questions. Now, when we talk about the right to privacy, how does this Bill affect the right to privacy for somebody who has been a constituent of the Department of Mental Health and Developmental Disabilities? Can you explain what your Bill does with respect to that?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "I'm really glad you asked that Representative Wennlund. I'd like to tell you the origin and the necessity for this Bill. There was a situation in which an attorney represented a client in legal dealings with his adopted son, which included signing the minor son into a state mental health facility. The client called the law clerk of the Court to discover when the next scheduled court date was for his son. The Clerk did not give the father's court date, instead, she read to the father the contents of a file on the father who had signed into the hospital voluntarily for psychiatric observation. Did you get that?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "No, I did not."

Speaker Churchill: "Representative Feigenholtz."

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

61st Legislative Day

May 17, 1995

Feigenholtz: "Representative Wennlund, the purpose of this Bill is basically to close a loophole in an act by prohibiting disclosure of Court records containing information that mental health professionals cannot divulge. This does not...it is not any...this does not prohibit the information from being given to attorneys or the judicial system, it's everyone else. And, it was based on this one situation that had occurred that I was trying to explain to you."

Speaker Churchill: "Representative Wennlund."

Wennlund: "Thank you very much. Well, what type of information might that be? Is this a baby Richard situation?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "No."

Speaker Churchill: "Well, what type of information might be held confidential about a constituent of the DMHDD that might be subject to the provisions of the Mental Health And Development Disabilities Confidentiality Act? Can you tell us what that might be?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Records kept by a therapist and issues that somebody would discuss with their therapist, Representative Wennlund."

Speaker Churchill: "Representative Wennlund."

Wennlund: "What type of issues might have been discussed with a therapist that should be held confidential?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Could you please repeat the question?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "Yes, my concern is what type of information, or what type of disclosures to a therapist, ought to be held in the strictest confidence and not disclosed by a therapist. You

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

61st Legislative Day

May 17, 1995

know, are we talking about somebody's private, well, maybe we're talking about somebody's criminal record, or some sexual assault charge, or something like that."

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Representative Wennlund, there's an organization here in Illinois called Equipped for Equality which is formally the protection and advocacy incorporated. It's an independent statewide not-for-profit. It was designated by the Governor to receive federal funds for purposes of advocating civil and human rights of persons with disabilities pursuant to state and federal law. In any other context, Representative, these records are already subject to confidentiality and may be disclosed only with consent of the individual to whom they pertain, or in accordance with specific limited exceptions set forth in the act."

Speaker Churchill: "Further discussion? The Gentleman from Livingston, Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. I yield my time to Representative Wennlund."

Speaker Churchill: "Representative Wennlund, you are back on."

Wennlund: "Thank you, Mr. Speaker. Representative Feigenholtz, incidentally, I forgot to do this 'Hi Sara, incidentally, you have a very nice tie on today', I want to get to the bottom of this and I appreciate Representative Rutherford yielding his time. I want to get to the bottom of this Bill because you still...you're worse than Zeek Georgy, you don't want to tell us what this Bill is really all about. Why is...what's the necessity for this Bill to begin with? Can you explain that to us?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Representative Wennlund, let's try this one more

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

61st Legislative Day

May 17, 1995

time. The problem that Senate Bill 176 tries to resolve, and that potentially could be resolved without this Bill is by educating clerks, who keep this information, not to disclose the contents of files. Do you understand what I am saying? For those clerks who cannot be educated, not to disclose, this Bill assures their confidentiality. Do you understand?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Well, I understand what you are saying, but I don't understand the necessity for this Bill, which is my whole question, which you refused to answer for the last seven minutes, what the purpose of this Bill is, and why should the taxpayers of Illinois spend up to \$50,000 to make sure that this law...this Bill becomes a law and the Governor signs it and we have to change the entire statute books, when there appears to be no necessity whatsoever for this change in the law. That's what I am asking you. You refuse to answer, I want to know why. Why doesn't this Bill address the problem of retired teachers? Why doesn't this Bill address the problem of the medicaid debt? Why doesn't this Bill address the problem of crime in society? Why doesn't this Bill put a cop on every porch? Why doesn't this Bill deal with truth in sentencing? Why doesn't it deal with truth in sentencing? When you failed...you've ignored all these issues...why don't you deal with these issues like Lou Lang would?"

Speaker Churchill: "Representative Wennlund. Representative Wennlund. Representative Wennlund, that is absolutely unfair, you are doing Representative Lang's speech. If you have a question, would you please ask your question."

Wennlund: "Thank you Mr. Speaker, the real question is that, what could be possibly be disclosed under current law, that

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

61st Legislative Day

May 17, 1995

would not be disclosed if your Bill passes? Simple question."

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "I'm sorry, could you repeat the question Representative Wennlund?"

Speaker Churchill: "Representative Wennlund."

Wennlund: "I'd be delighted. The question is, what, what under current law, that cannot be disclosed would be or not be disclosed if your Bill becomes law?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Petitions, certificates, dispositional reports, treatment plans and reports of diagnostic evaluations of the proceedings."

Speaker Churchill: "Representative Wennlund."

Wennlund: "So, if somebody was a sexual pervert, you couldn't disclose that, so that so that everybody in his community and his neighborhood would know?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "What is a sexual pervert, Representative Wennlund? Please define that for me."

Speaker Churchill: "Representative Wennlund for another question."

Wennlund: "Even though we have plenty of examples on the house floor, I would explain to you that a criminal record that dealt with a person's criminal background, your Bill would prevent the disclosure of that background?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Representative Wennlund, now your not answering my questions. What is a sexual pervert? Can you define that for me? All my colleagues on this side of the aisle, who are showing their...a big show of hands...seven hands."

Speaker Churchill: "For the benefit of the House, thank goodness

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

61st Legislative Day

May 17, 1995

that your time is up. Further discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Churchill: "She indicates she will, please proceed."

Black: "Representative, on behalf of my good friend and colleague, who didn't get a chance to answer your question, he knows one when he sees one. Now, let me proceed. Did you add an Amendment to this Bill in Committee?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Yes Sir, I did."

Speaker Churchill: "Representative Black."

Black: "Was that Amendment in fact adopted to the Bill?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Sir, it was."

Speaker Churchill: "Representative Black."

Black: "Does the Amendment become the Bill?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "No Sir, it doesn't."

Speaker Churchill: "Representative Black."

Black: "Then I assume that the Amendment amends the Bill, correct?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Yes."

Speaker Churchill: "Representative Black."

Black: "Could you explain what the...how the Amendment changes or affects the Bill?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "In a good way."

Speaker Churchill: "Representative Black."

Black: "Mr. Speaker, Mr. Speaker."

Speaker Churchill: "Yes, Representative Black."

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

61st Legislative Day

May 17, 1995

Black: "I'd like a little order in this chamber."

Speaker Churchill: "May we please have some order.
Representative Black has something to say."

Black: "Well, what I would like to say to the assembled Representatives is that, Mr. Speaker, the Sponsor of this Bill is not answering my question. I asked her, clearly, to explain how the Amendment changes the Bill, and she gave me some answer like...I don't even know what she said...better. Now, Mr. Speaker, I'm trying to stay calm, but could you please ask the Sponsor to answer the question. I want to know how the Amendment changes the Bill."

Speaker Churchill: "Representative Feigenholtz, perhaps you could elaborate on your initial answer."

Feigenholtz: "I'd be glad to, Mr. Speaker. Representative Black, I will repeat, once again, the Amendment to Senate Bill 176. It was a Bill that had passed out of the Senate Committee 9-0-0 and passed unanimously on the floor of the Senate. It was sponsored by Senator Barkhausen and picked up by Representative Hughes. What it does is, it includes the provisions of Senate Bill 975. That Bill provides that in determining payments for purchases of services, the Department of Mental Health and Developmental Disabilities shall set rates that reflect differences in the cost of doing business in various geographic areas. This Bill is supported by DMHDD and the Association of Rehabilitation Facilities. Does that answer your question?"

Speaker Churchill: "Representative Black."

Black: "Well, it answers the question as to how the Amendment reads, I'm not sure how it changes the underlying Bill. I don't put much stock in the fact that the Amendment passed out of the Senate unanimously. It is not a well kept

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

61st Legislative Day

May 17, 1995

secret that they often don't read Bills or Amendments in the Senate. But, be that as it may, it would appear to me that the Amendment is a rate Bill. And, if the Amendment is in fact a rate determination Bill, then I think it is going far beyond the intent of the underlying Bill. I just really...I am at a loss for words here. I am somewhat shocked that...I think your trying to put a rate Bill into this underlying Senate Bill by virtue of a Committee Amendment. In other words, you're giving the Department of Mental Health and Disabilities the sole authority to pay for services rendered on the differences in the cost of doing business in various geographic areas. How do they get this information? Do they just make an assumption that it costs more for a service in Chicago than it does in Carbondale? Surely, there is some kind of methodology that they would have to use in setting these rates?"

Speaker Churchill: "Representative Feigenholtz, I think that was a question."

Feigenholtz: "I'm glad you recognized that problem Representative Black because this legislation is in response to several community providers, probably a few from Danville, who have complained about the Departments reimbursement rates which do not recognize the differences in geographical regions of the state. This is merely a recommendation. It is not a mandate."

Speaker Churchill: "Further discussion? The Gentleman from Kane, Representative Hoeft."

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

Speaker Churchill: "She indicates she will, please proceed."

Hoeft: "I have heard the entire debate. So what happens if in fact this in fact is violated, what is the penalty for this?"

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

61st Legislative Day

May 17, 1995

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "I'm sorry, I couldn't hear you Representative."

Speaker Churchill: "Representative Hoeft."

Hoeft: "Thank you. I can turn off the microphone and use my school voice if you want me to directly yell at you. What is the penalty, if in fact this is violated?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "There is no penalty."

Speaker Churchill: "Representative Hoeft."

Hoeft: "Where are the teeth? Why will a hospital, an agency, why would a worker even take this seriously, if there is no penalty involved?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Representative, are you talking about the Amendment or the Bill?"

Speaker Churchill: "Representative Hoeft."

Hoeft: "I'm asking about the provision which says that certain records shall not be made public, or should not have access to. What happens if they are given out against this...the requirement of this law?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Representative, the purpose of this Bill is to close a loophole in this Act by prohibiting disclosure of this information. The supporters of this Bill, and the intent of it, is not to prevent access to the matters outlined in the Bill by appropriate personnel, such as judges or attorneys. There is no penalty on this Bill. It is merely clarification."

Speaker Churchill: "Representative Hoeft."

Hoeft: "So if they violate this prohibition, nothing will be done."

Speaker Churchill: "Representative Feigenholtz."

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

61st Legislative Day

May 17, 1995

Feigenholtz: "There are already civil penalties for violation of confidentiality. We're not changing those, this is just adding to a requirement that already exists."

Speaker Churchill: "Representative Hoeft."

Hoeft: "That is what I'm trying to get at. What are the penalties? So, they...we already have them. What would happen if I was a nurse and I inadvertently let out this information to a party that is now prohibited, or would be prohibited from this if we passed it?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "There are already penalties in place for violations of confidentiality. I believe that they vary from misdemeanors to felonies. But they are already law. I don't know them specifically however."

Speaker Churchill: "Representative Hoeft."

Hoeft: "OK, let's say a hospital that has...or a court that has documents such as this, let's take a hospital or a nursing home or something along that line and the individual inadvertently gives it out. Should there be training by the hospital to make sure that in fact...does the hospital have some responsibility for appropriately training so in fact a worker does not get a misdemeanor or a felony, or something like that?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Representative, I would assume that if a hospital has a liability around the service they provide, they are going to want to do the training. Wouldn't you agree?"

Speaker Churchill: "Representative Hoeft."

Hoeft: "That's what I'm trying to get at. Is...the individual who gives this out might be improperly trained and maybe the liability should be greater than just the individual. It should also be the organization."

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

61st Legislative Day

May 17, 1995

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "You could be right."

Speaker Churchill: "Representative Hoeft."

Hoeft: "Since there is confusion here, don't you think you should take this back to Second Reading so that we could clarify this, so that we could have a good Bill?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "I think the Bill is pretty clear Representative."

Speaker Churchill: "Representative Hoeft."

Hoeft: "I think the Bill is confused, but I think your explanation is clear and I appreciate your discourse in terms of this."

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

Lang: "First, my name was used in debate. Can you start the clock for me Mr. Speaker? First, I would like to thank Representative Wennlund for his excellent effort at a portrayal of Lou Lang. It did not work. The sequel is never as good as the original, Representative. Secondly, I would like to congratulate Representative Feigenholtz because she was able to explain this Bill so far for 15 minutes, and until the last two minutes had no staffers with her whatsoever, so I am hoping..."

Speaker Churchill: "But now she has two."

Lang: "Well, she has two now because she has run out of answers to the inane questions, but I do want the Republican, freshman particularly, to note that you can deal with a Bill, if you know it and understand it, without staffers around you. Good Bill. Vote 'aye'."

Speaker Churchill: "Further discussion? The Lady from DuPage, Representative Pankau."

Pankau: "Thank you Mr. Speaker, I yield my time to Representative

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

61st Legislative Day

May 17, 1995

Black."

Speaker Churchill: "The Chair recognizes the Gentleman from Vermilion, Representative Black, you're on."

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

Speaker Churchill: "She indicates that she will, please proceed."

Black: "Representative, are you surrounded literally by staff? I see two, three, four, there must be a half a dozen staffers around you, contrary to what my friend and colleague just said. Is this Bill so complicated that there has to be that many staffers around you? I thought you were doing rather well. I do have a question however that you didn't answer. Could I see my notes, please, Representative. Remember when I asked you about that Amendment and you said it was permissive and that there might even be agencies in my district that wanted that Amendment? If you will check, the language in that Amendment says 'shall set rates' not 'may set rates', is that not correct?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "....."

Speaker Churchill: "You did great until the staffers started helping you, you know that."

Feigenholtz: "Actually, with all do respect Mr. Speaker, Representative Hughes might be able to do a better job at explaining this Amendment. It was just given to me yesterday. Is she in the Chamber?"

Speaker Churchill: "She's always here, she's always in her seat. The lady does not seek recognition. Perhaps you could try to wing your way through it."

Feigenholtz: "Thank you. I'm sorry, Representative Black, your problem again?"

Speaker Churchill: "It's not his problem, but he does have a question. Representative Black for your question."

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

61st Legislative Day

May 17, 1995

Black: "No, I didn't have any problem with the Bill or the Amendment five minutes ago, but you're beginning to give me a problem with it. You've told me that the Amendment was permissive and requesting that the Department reflect differences in the cost of doing business throughout the geographic areas of the state, and yet the language does not reflect that. The language says 'shall set rates', not 'may set rates'. Now either that's a mandate on the Department, or it isn't a mandate on the Department and I would like to know your intent by Amendment #1."

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Representative Black, what is required or mandated in the language of this Bill, is that DMHDD considers the diverse costs of doing business."

Speaker Churchill: "Representative Black."

Black: "Can you cite the line number in the Bill where it says 'may consider' or 'should consider'? Cite the section in the Bill that makes this section completely permissive and simply a request on the Department. That's not the way I read it."

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "On page 2 of the Amendment, line 12, it reads 'The Department shall take into consideration differences in the cost of doing business among the various geographic regions of the state and shall set rates that reflect those differences.'"

Speaker Churchill: "Representative Black."

Black: "You see, that's where we're differing. You've just sited the language to say 'shall', to me that means you don't...it's not up to you, it's not up to the whims of the Department, that they shall reflect the geographic areas and cost of doing business in payments. Therefore, it

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

61st Legislative Day

May 17, 1995

becomes a cost mandate. Is it your intent that it...that the language...well, you said it, 'shall'. Do you really mean to say 'shall' or 'may'?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Representative Black, I think what you should do, is try and focus on the word 'consider' as opposed to focusing on the word 'shall'. Why don't you read the sentence and try emphasizing the word consider and maybe it will work better for you?"

Speaker Churchill: "Representative Black."

Black: "Mr. Speaker, in all due respect to the Sponsor, I resent be lectured to as if I am a student in Rhetoric 101. I don't have a semantics problem with your Amendment Representative, you do. You're the one who put 'shall' in there, not me. You're the one who doesn't want to tell me whether 'shall' is 'shall' or 'may' is 'may' or 'maybe' is 'maybe. Now it's your Bill and your Amendment. If you refuse to explain the Amendment and/or the Bill, then the Bill is not..."

Speaker Churchill: "Representative Black, bring your remarks to a conclusion, please."

Black: "Somebody will give me some time, I hope."

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

Balthis: "Thank you, Mr. Speaker. I would be pleased to give my time to Representative Black."

Speaker Churchill: "Representative Balthis yields his time to Representative Black. Representative Black."

Black: "Thank you very much. Mr. Speaker, continuing, now I'm getting my self worked up because I can't get a clear answer. I'll take a different attack here. Representative, why did you refuse to accept my Amendment

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

61st Legislative Day

May 17, 1995

on this Bill in committee? You wouldn't even hear it, you wouldn't even give me the pleasure of trying to file my Amendment to your Bill. Why did you do that?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "Representative Black, what Amendment are you talking about? Or is that just another Lou Lang imitation?"

Speaker Churchill: "Representative Black."

Black: "Representative, my memory, to the best I can recall.. the first thing that goes when you get to be my age is the memory, I can't remember the second thing, but I do remember asking you if you would accept my Amendment. All it did in your Bill is to change one word and you said 'no, I won't accept it'. Do you remember saying that to me?"

Speaker Churchill: "Representative Feigenholtz."

Feigenholtz: "No I don't Representative."

Speaker Churchill: "Representative Black."

Black: "I came to you in all due respect, as a colleague in humility. I just had a one word Amendment that I think not only would solve the problem in this Bill, but of all the problems we've been discussing here these many days. Don't you remember that at all? I asked you to change the word billion to trillion, and you refused. I'm shocked quite frankly. Mr. Speaker, I am not getting anywhere with this Sponsor. I wanted to change one word, she wouldn't allow me to do that. She's got me thoroughly confused over whether 'shall' is 'may' or 'may' is 'shall'; whether it's April, June, half November. I don't know the Sponsor of this Bill has me totally confused. I'm not even sure anymore who's on first, or what's on second, or why this Bill is on third, that's the question. But if it is, even if it is, even though I give this woman the benefit of the

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

61st Legislative Day

May 17, 1995

doubt, I will probably, probably, I make no promises Representative, I'll probably vote 'aye' for this Bill, but you have thoroughly confused as to what it does."

Speaker Churchill: "The Chair's heartiest congratulations to Representative Feigenholtz for confusing Representative Black. The Chair now recognizes the Gentleman from Kendall, Representative Cross."

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

Speaker Churchill: "The question is, 'Shall the previous question be moved?' All those in favor signify by saying 'aye'; any opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the previous questioned is moved. Representative Feigenholtz to close."

Feigenholtz: "Thank you, Mr. Speaker. I hope all of you will support this Bill. It passed out of the other chamber unanimously and out of committee. Thank you."

Speaker Churchill: "The question is, 'Shall Senate Bill 176 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 'ayes', no people are voting 'no', no people are voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 365."

Clerk McLennand: "Senate Bill 365, a Bill for An Act that amends the School Code. Third Reading of the Senate Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Whiteside, Representative Mitchell."

Mitchell: "Thank you Mr. Speaker, Ladies and Gentlemen of the house. I bring you Senate Bill 365. 365 is a Bill that will amend the School Code and allows persons who are at

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

61st Legislative Day

May 17, 1995

least 17 years old and have dropped out of school at least one year earlier to take the high school level General Education Development test, commonly known as the GED. Along with this Bill is Amendment #1 which collapses on to that Bill three non-controversial Senate Bills, the first one being Senate Bill 164, which amends the School Code to require the State Board of Education to pay its Regional Superintendent Expenses Grant once a year, rather than spreading the payment out over each of 12 months. This Bill passed the Senate on Third Reading with a vote of 55 to nothing. The second Bill amended onto 365 amends the School Code and deletes the language that makes the state's building code for school's health wide safety requirements to extend to a point of 12 feet beyond the exterior of each building. This Bill passed the senate at Third Reading with a vote of 54 to nothing. The third Bill that was amended onto this Bill to expedite the process changes the references to 'handicapped children' and 'handicapped child', in the School Code, the Council on Vocational Education Act and the Higher Education Student Assistance Act and the Personnel Code to the terms 'children with disabilities' or 'child with disabilities'. This passed the Senate Third Reading with a vote of 55 to nothing. Four Senate Bills collapsed onto one Bill to expedite the process. I urge an 'aye' vote and I would be happy to answer any questions."

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

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

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

Dart: "Representative, how many Bills did we collapse into this one?"

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

61st Legislative Day

May 17, 1995

Speaker Churchill: "Representative Mitchell."

Mitchell: "Representative, we collapsed three Bills onto Senate Bill 365."

Speaker Churchill: "Representative Dart."

Dart: "Why is it that we collapsed all of these Bills into one? Would it not be more effective if legislators were able to vote on individual issues in case they liked two of the Bills and didn't like one of the Bills? Why is it we had to collapse all of them into one?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Representative, according to the Senate Sponsor, he felt that all of these non-controversial topics could be combined and were germane to his Bill and speed up the process. They're all good pieces of legislation and have strong support."

Speaker Churchill: "Representative Dart."

Dart: "Well, in regards to the handicapped...the changes in the language dealing with handicapped children, what necessitated that?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Representative, this was a request by the various groups that deal with handicapped children. They felt that the handicapped child connotation was one that was not really as acceptable to those individuals as 'children with disabilities' they didn't feel that the disabilities of the children had really handicapped them so they really wanted to get rid of that terminology."

Speaker Churchill: "Representative Dart."

Dart: "How many individuals are going to be effected by the change in regards to the GED?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Representative, I don't know that anyone will be

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

61st Legislative Day

May 17, 1995

affected by the change, certainly everyone that falls under that in special education rulings would approve of the change as far as I know. This is also an ADA requirement."

Speaker Churchill: "Representative Dart."

Dart: "Did the provisions though that would allow individuals who are at least 17 years of age and who have been drop-outs to be allowed to take GED tests, do you have an estimate on how many are going to be in this universe? How many potential are there?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Representative, I really couldn't tell you how many people will take the GED exam, but it certainly closes...opens an avenue to those students who have dropped out of high school and may in some locals have no opportunity then to further education if they wish to do so. Junior colleges in particular support this particular Bill because they are the ones that are running those programs."

Speaker Churchill: "Representative Dart."

Dart: "The reason for my question, Representative, is I'm trying to get an idea of how much this going to cost."

Speaker Churchill: "Representative Mitchell."

Mitchell: "I'm sorry Representative, I didn't catch that question."

Speaker Churchill: "Representative Dart."

Dart: "My question regards to the number of potential students that this would effect is driven by the fact that I was trying to get a handle on a cost estimate on how many more people potentially would take this test, so how much more would this cost us?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Representative, there will be no cost to the tax

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

61st Legislative Day

May 17, 1995

payers whatsoever. The cost of the GED exam and the appropriate training for that are borne by the students themselves."

Speaker Churchill: "Representative Dart."

Dart: "Would there not be any state expense whatsoever then for an expanded group of people who now would be eligible to take the GED?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Not to my knowledge."

Speaker Churchill: "Representative Dart."

Dart: "Indeed, the changes you're making in here in regards to the payment as opposed, is it monthly payments now, did you say? You're making some changes in that area? What are those changes and why are those needed?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Representative, at this time there are 11 payments a year, along with the paper work that goes along with this. This should be a cost saving measure, although not enough to really amount to a whole lot. It doesn't change the reporting procedure for the Regional Superintendents, they are still responsible for all of the information that needs to go back to the State Board of Education. It just cuts down the amount of paper work and the issuance of checks on a monthly basis and does it once a year."

Speaker Churchill: "Representative Dart."

Dart: "So how often would they be issued a check then?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Representative, there would be one check a year rather than eleven smaller payments."

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

Mitchell: "These are four Bills that are very non-controversial,

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

61st Legislative Day

May 17, 1995

will help to expedite process within the State Board of Education and help out some young people trying to get an education and I urge an 'aye' vote. Thank you."

Speaker Churchill: "The question is, 'Shall Senate Bill 365 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 116 voting 'aye', none voting 'nay', and none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 455."

Clerk McLennand: "Senate Bill 455, a Bill for an Act concerning Urban and Community Forestry Assistance. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Whiteside, Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I bring you Senate Bill 455. This is a Bill that amends the Urban Forestry Assistance Act and changes the short title to the Urban and Community Forestry Assistance Act and expands the program. It allows units of local government, down to municipalities and not-for-profit groups as co-applicants to apply to the Department of Conservation for financial assistance, technical assistance and training in urban forestry. It limits the grants to 5% of the fiscal year allocation by the Department of Conservation, which is now approximately \$10,000. The allocation of the federal funds for this particularly program is approximately \$200,000 per year, so there are about 20 grants that are competitive, that can be applied for. It's a good Bill. It passed the Senate 56 to

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

61st Legislative Day

May 17, 1995

nothing. I urge a 'yes' vote and I would be happy to answer any questions."

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

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

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

Deering: "Representative, this opens this application process up to...from what was municipalities now to all units of local government so we're going from a certain number up to 6,500 different taxing bodies that could apply for this money, is that correct?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Representative, that's correct and basically, being a competitive grant it is one that's based upon merit. There is a scoring system for it, but it does allow municipalities now to have the right to apply for some of the federal money that they no longer...at this time they don't have the right to apply for."

Speaker Churchill: "Representative Deering."

Deering: "How much money is in the program annually that municipalities, under the current law, can apply for?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "According to the Department of Conservation, there is approximately \$200,000 a year that's given to the State of Illinois to fund this program."

Speaker Churchill: "Representative Deering."

Deering: "Is this a matching program where if a municipality applies for money they have to come up with matching grants, or is this a fully funded grant program?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Yes it is Representative, it is one where there has to

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

61st Legislative Day

May 17, 1995

be some effort from the local group, as well as the right to utilize the grant money."

Speaker Churchill: "Representative Deering."

Deering: "Would park districts and sanitary districts, the taxing bodies of soil and water conservation districts have an opportunity to apply now, under your legislation to get money from this program?"

Speaker Churchill: "Representative Mitchell." Mitchell: "Yes, the will and this was part of the impetus for this Bill, because park districts can certainly utilize the training that is a part of this Bill."

Speaker Churchill: "Representative Deering."

Deering: "Is the soil and water conservation district a unit of local government, or is that part of the federal government?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Representative, the soil and water conservation is a federal entity, however, they are a not-for-profit corporation and do work with local municipalities so they could be a partner in the loan...grant application process. Sorry, it's not a loan, it's a grant."

Speaker Churchill: "Representative Deering."

Deering: "But they're not a unit of local government, is that correct? Their membership is not elected by the tax payers at large, is that correct? Or, their board members?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "That is correct."

Speaker Churchill: "Representative Deering."

Deering: "Park districts in the collar counties, those counties underneath the tax cap, they could then apply for this money and utilize the monies from this program, couldn't they?"

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

61st Legislative Day

May 17, 1995

Speaker Churchill: "Representative Mitchell."

Mitchell: "Well, they certainly can if they can come up with the matching funds that would allow them to do so, however, I think this is a good deal because if in those counties that are under the tax cap, they really struggle, sometimes, to fund their projects and in this situation they will be allowed to work with the local community to apply for this federal money and maybe help them out of a jam."

Speaker Churchill: "Representative Deering."

Deering: "Did I hear you correct? Did you say those taxing districts...the park districts that are in the counties underneath the tax cap are struggling to fund their programs? You did say that on the record did you not?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "What I said Representative, is if they are, this will allow them to do that. Not being from the collar counties, I really couldn't say for certain that they're struggling, but Gentlemen such as yourself have indicated to me that there might be a struggle."

Speaker Churchill: "Representative Deering."

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

Speaker Churchill: "To the Bill."

Deering: "This is just another effort by the other side of the aisle to circumvent the tax caps that the people on the other side of the aisle had imposed on the people on the State of Illinois. We're taken a program that very few communities have an opportunity to apply for and receive monies. Those poor downstate communities that have a...are at their limits on their taxing levies, now we're going to open it up to the collar counties where the richest of the rich live in the State of Illinois, where the tax caps are that everybody wanted, supposedly. We're going to open

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

61st Legislative Day

May 17, 1995

these programs up so the rich can get more money and the poor districts, the taxing districts, units of local government are still going to struggle to survive. I think this a terrible Bill. I recommend everybody vote no."

Speaker Churchill: "Further discussion? The Gentleman from Clinton, Representative Granberg."

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

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

Granberg: "Representative Mitchell, you indicated that this would open this pot, which is currently \$200,000 a year. There is \$200,000 available each year for this program and now this would open it up to park districts, that they can apply for this money, is that correct?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Yes, that's correct."

Speaker Churchill: "Representative Granberg."

Granberg: "Do you know how much is available under the Real Estate Transfer Tax, that goes to park districts that they can apply for currently?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "No I don't, Representative."

Speaker Churchill: "Representative Granberg."

Granberg: "Representative, I think you should check where that money is because under the Real Estate Transfer Tax 35% goes to open space land acquisition, 15% goes to grants, 50% of the real estate transfer tax can go to park districts. Do you know the total amount in that fund?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Representative, I really fail to see the relevance of your question to this particular Bill because, number one, this is for training for municipalities and their entities. It opens up for all of them. It is a matching grant, it's

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

61st Legislative Day

May 17, 1995

not for land development. It's for training purposes, primarily, a little bit of tree planting, but the grants are already there, they have the opportunity now to apply. This just simply allows partnerships of the municipalities and other non-profit entities to share in the grant application process and utilization of those particular funds that are already in the budget."

Speaker Churchill: "Representative Granberg."

Granberg: "Representative, under the current law, park districts can access 18 million dollars every year, 18 million dollars, under the real estate transfer tax. Now, this Bill gives them access to \$200,000 that currently goes to our municipalities. That's the point, Representative. Why would you give the park districts access to \$200,000 that go to municipalities across the State. Only \$200,000 for the entire state, now your going to open that up when they have access to 15 million that municipalities don't have access to. Why do you want to give park districts the ability to come in and take money away from our municipalities when they have money by legislative intent and by statue available to them under those two programs? \$200,000 for the entire state, Representative Mitchell, and now you want to let them come in?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Representative, that's a real fine question, however, it doesn't speak to the Bill, nor to what we have here. This Bill allows municipalities to now enter into the grant applicant. They don't have the right to do it now. With this legislation, they will now be able to be a partner in this process and have access to this particular money, all over the State of Illinois. Without this legislation it stays closed."

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

61st Legislative Day

May 17, 1995

Speaker Churchill: "Representative Granberg."

Granberg: "That's the intent, you only have \$200,000 for the entire state. You only have \$200,000 to take care of 6 million people in this State of Illinois, that's why it's limited. If you open it up to park districts, you open it up to all of these not-for-profit corporations, we don't have enough money now for this program. You're going to open it up, it depletes the fund. No programs, none of this money for downstate, none for all these other areas. You're going to open this thing up. Right now, under existing law, they have access to 15 million dollars, and you want to give them access to 200,000 more? When downstate doesn't have enough? When no other part of the state, central Illinois, Representative Black's district, Bost, everybody else. We don't have enough money on this and now your going to open up to park districts? That makes no sense, Representative. No offense to you, but why would you let somebody who has access to 15 million have access to 200,000 additional when there is certainly not enough funds for this?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Again, Representative, if you'll take a look at the Bill, just once, instead of your notes, you will see that it's only \$10,000 per district, matching grants for every municipality. No where in here does it say that I am going to take \$200,000 and give it to any individual park district in the State of Illinois. Now, if you want to argue that, you can continue to argue that. If you want municipalities such as Mt. Sterling, Illinois or Beardstown to have an opportunity to take part in these matching grants, then you'll vote for the Bill. If the small towns in your own district are ever going to have a shot at some

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

61st Legislative Day

May 17, 1995

of this money, then you'll vote for the legislation. If you would like to keep those small districts out of the Bill, then vote 'no'."

Speaker Churchill: "Representative Granberg. I'm sorry Representative Granberg, your time is almost up. I'll give you one more minute."

Granberg: "Well, Representative Mitchell, I would think I would say to you, sir, you ought to read the Bill and read the current law on the transfer tax. 15 million dollars is currently available today. \$15 million. Now, if municipalities, you said, can access this \$200,000 with other not-for-profit corporations, there is only \$200,000 in this fund, isn't that correct? \$200,000 for the entire state. Ten municipalities, or ten not-for-profit organizations, ten park districts can wipe that out, the entire State of Illinois. \$15 million is there for them right now in the current law. Why do you want to open this up? It makes no sense Representative. If you want to take money away from those people, that's fine, I have no intention of doing it. It maybe well intentioned, but you're allowing not-for-profits to go in to a fund that has barely any money the way it is today. Down-staters on that side of the aisle, beware of what this will do to your area. This will decimate whatever money you intend to receive. Vote 'no'."

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

Hoffman: "Yes, Mr. Speaker, if this receives the requisite number of votes, we would ask for a verification."

Speaker Churchill: "A verification has been requested on this Bill."

Hoffman: "Representative, I think what Representative Granberg

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

61st Legislative Day

May 17, 1995

was saying is correct. Now, I'm concerned that maybe you down-staters you don't understand the current law. It is my understanding that under current law, only municipalities now can currently get money under the Urban Forestry Assistance Act. Only municipalities, is that right?"

Speaker Churchill: "Representative Mitchell...Representative Mitchell, don't let that Gentleman standing right above you bother you, you may proceed to your answer anytime you wish."

Mitchell: "Thank you. Thank you, Representative. The changes that we're making allow non-for-profit, chartered not-for-profit corporations, as defined in the general not-for-profit corporation act of 1986, doesn't say anywhere in there that it's only park districts that we're adding."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Well, see, here's where I think you're missing the point. Representative Granberg's point is that right now under current law, only municipalities, only municipalities can get this grant, correct?"

Speaker Churchill: "Representative Mitchell."

Mitchell: "Representative, we're having difficulty, according to the Conservation Department in writing good grants without the assistance of some of the other non-for-profit powerful corporations. This act will allow units of government a chance to implement, manage and conserve community forests. That's all that it does. It doesn't allow park districts to get their hands on \$200,000 to do as they wish. The program is a grant program which is scored according to the merits of the grant which allows then that municipality and other non-profit organizations to help them to do a better

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

61st Legislative Day

May 17, 1995

job of understanding urban forestry and the conservation of our natural resources. Now, if you can find difficulty in a Bill like this, then again, I suppose you're going to vote the way you feel, the way I understand the Bill it is going to allow for more people to get involved in urban forestry and help make for better municipalities than we have today."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Well, Mr. Speaker, I asked a 'yes' or 'no' question. The answer is 'yes'. Current law says this: it says that only municipalities can utilize the assistance that's available under this act. Only municipalities can utilize the assistance available under this act. Your Bill, Representative, says that all units of local government could now apply and receive this assistance. Your Bill, Representative, does not increase the amount of money, or the pot, that will be available. Therefore, more units of local government will be able to apply, including, including park districts, including townships, including counties and the municipalities will be losing money to these entities because the pot does not change. The pot does not change. The point is this. The point is there is a fixed amount of money for municipalities. If you're from downstate, you should absolutely be against this Bill because of the little money that is available for these municipalities. Now what's going to happen is the park districts, the forest reserve districts, the counties, the townships and all of northern Illinois are going to attempt to grab this money from the small municipalities and take it away. Take it away. You gotta vote against this Bill if you care about downstate municipalities."

Speaker Churchill: "Further discussion? The Lady from DuPage,

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

61st Legislative Day

May 17, 1995

Representative Pankau. Representative Pankau."

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

Speaker Churchill: "The question is, 'Shall the previous question be moved?' All those in favor signify by saying 'aye'; any opposed say 'nay'. In the opinion of the Chair the 'ayes' have it and the previous question is moved. Representative Mitchell to close."

Mitchell: "Thank you, Mr. Speaker. In spite of the rhetoric from the other side of the aisle, I think all down-staters should understand that small municipalities do not have these wonderful grant writers that large municipalities do. However, if they have the help of soil and water conservation, if they have the help of park districts, they will be able to write a better grant and they'll be able to get some of this \$200,000 that's already now going to larger municipalities that get the money. I urge a 'yes' vote. It's a good Bill. Thank you."

Speaker Churchill: "The question is 'Shall Senate Bill 455 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open, this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 65 voting 'aye', 45 voting 'no', 3 voting 'present'. Mr. Hoffman, do you persist in your request for a verification?"

Hoffman: "Yes."

Speaker Churchill: "Mr. Hoffman persists in his request for a verification. Mr. Clerk, will you please read those voting in the affirmative."

Clerk McLennand: "Those Representatives voting in the affirmative: Ackerman. Balthis. Biggert. Biggins. Black. Bost. Brady. Churchill. Ciarlo. Clayton.

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

61st Legislative Day

May 17, 1995

Cowlishaw. Cross. Deuchler. Durkin. Hanrahan. Hassert.
Hoeft. Hughes. Tim Johnson. Tom Johnson. John Jones.
Klingler. Krause. Kubik. Lachner. Lawfer. Leitch.
Lindner. Lyons. McAuliffe. Meyer. Mitchell. Moffitt.
Andrea Moore. Mulligan. Maureen Murphy. Myers. Noland.
O'Connor. Pankau. Parke. Pedersen. Persico. Poe.
Roskam. Rutherford. Ryder. Salvi. Saviano. Skinner.
Spangler. Stephens. Tenhouse. John Turner. Wait.
Weaver. Wennlund. Winkel. Winters. Wirsing. Wojcik.
Woolard. Zabrocki. Zickus. And Mr. Speaker."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Yes, Representative Moffitt."

Speaker Churchill: "I'm sorry, I didn't hear you."

Hoffman: "Representative Moffitt."

Speaker Churchill: "Representative Moffitt is in the rear of the
chamber. Further names, Representative Hoffman?"

Hoffman: "Representative Ackerman."

Speaker Churchill: "Representative Ackerman is standing right
back there, waving at you. Representative Woolard, would
you like to be verified before you leave? He said he
would."

Hoffman: "What? Who would? He got verified? Representative
Hoeft."

Speaker Churchill: "Representative Hoeft is in his chair."

Hoffman: "I'm sorry, I couldn't see him. Representative Kubik."

Speaker Churchill: "Representative Kubik. Representative Jack
Kubik. Representative Kubik. I do not see Representative
Kubik on the floor, Mr. Clerk, oh, I'm sorry, he just came
in the back door. Representative Kubik."

Hoffman: "Representative Leitch."

Speaker Churchill: "Representative Leitch is in the aisle between
the two Republican sides."

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

61st Legislative Day

May 17, 1995

Hoffman: "Representative Cowlshaw."

Speaker Churchill: "Representative Cowlshaw. Representative Cowlshaw. Representative Cowlshaw. I do not see Representative Cowlshaw, please remove Representative Cowlshaw from the roll."

Hoffman: "Representative Zabrocki."

Speaker Churchill: "Representative Zabrocki is right in the back."

Hoffman: "Representative Jones."

Speaker Churchill: "Which one? Representative John Jones, is that who you're calling?"

Hoffman: "Yes, yes."

Speaker Churchill: "Representative John Jones is in his seat."

Hoffman: "Nothing further."

Speaker Churchill: "On this question, there are 64 'ayes' 48 'noes' 3 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 562."

Clerk McLennand: "Senate Bill 562, a Bill for an Act that amends the Illinois Public Aid Code. Third Reading of this Senate Bill."

Speaker Churchill: "The Chair recognizes the Gentleman from Grundy, Representative Spangler."

Spangler: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. What we have before us is Senate Bill 562. As amended, it clarifies provisions in the Illinois Public Aid Code, relating to ambulance service payments. As introduced, the services provided on or after January 1, 1996 requires that any reimbursement by the Department of Public Aid shall be based on the actual distance traveled if weather, natural disaster or other conditions necessitate use of other than the most direct route. The

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

61st Legislative Day

May 17, 1995

reason that this Bill is being introduced is because back in the flooded times, along the Mississippi River, it became a very significant penalty for a lot of the ambulance service providers, especially for those that were served in that area because due to the flooding they could not go from Point A to Point B, directly. Consequently, when the auditors came in from the Department of Public Aid, concerning mileage reimbursements, they were skewed because they counted those as over charges after they looked at the map and said 'well this distance isn't accurate'. Even worse than that, they applied that ratio (of the over charge) to all trips submitted to the Department for reimbursement by that provider. I'd be happy to answer any questions that anyone may have."

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

Schakowsky: "Thank you, Mr. Speaker. Will the Sponsor yield? He indicates he will, please proceed."

Schakowsky: "First, I would like to make sure I understand the intent of this legislation. Ambulance services are reimbursed, currently, based on mileage, is that correct Representative?"

Speaker Churchill: "Representative Spangler."

Spangler: "That's correct Representative."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Mr. Speaker, I would like to take this Bill off of Short Debate and I am joined with the requisite number of my colleagues to do so."

Speaker Churchill: "I believe you are actually joined by a requisite number of your colleagues and the Bill is off Short Debate."

Schakowsky: "But some ambulances...ran into problems that would

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

61st Legislative Day

May 17, 1995

require them to be paid more than mileage. Could you describe what those circumstances were? You may have, but it was pretty noisy, I couldn't hear."

Speaker Churchill: "Representative Spangler."

Spangler: "Certainly Representative. The problems occurred when we had bridges out or impassable areas for ambulances to go through, due to the flooding. Not only that, the Illinois Department of Public Health does the certification for emergency medical technicians and paramedics requires that they take the most direct route to the hospital that they possibly can and still be able to get through. Obviously, the life of the patients in the back of these ambulances is at stake at the same time. So yes, be it weather, a man-made disaster perhaps, like an explosion at a chemical plant or a refinery or something that would cause them to go around that rather than through it, or it could also mean that there is undue congestion, and while they are radioing ahead the find out they are going to be tied up in traffic for an extended period of time and they won't be able to take that route, but they'll have to take another route to get that patient there as quickly as possible."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Representative, are you telling us that State regulation currently prohibits ambulances from taking that into consideration?"

Speaker Churchill: "Representative Spangler."

Spangler: "No, absolutely not, the problem arose when accountants came in and did audits of the different runs, and due to the number of different runs that they do, they would just simply take a map and the mileage rates for the different cities, go ahead and put those down, and not look at the actual mileage that was traveled by that ambulance service

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

61st Legislative Day

May 17, 1995

provider."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Well, don't those renegade accountants work for the Department of Public Aid, and if they do, then why can't we control them without this legislation?"

Speaker Churchill: "Representative Spangler."

Spangler: "I suspect that they are doing their job as they best know how and as much as they are accountants, and don't take into account some of the other circumstances that may arise."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Representative, doesn't it seem to be a pretty sad day to you when it takes a piece of legislation to make accountants of the Department of Public Aid follow the guidelines of the Department of Public Aid when it comes to ambulance services following routes that make only good common sense? I mean, how low do we have to go and how much legislation do we need?"

Speaker Churchill: "Representative Spangler."

Spangler: "Yes, Representative, I agree with you. It is a said comment on the state of that profession that they would go ahead and simply take the numbers and not take into account some of the circumstances that may arise as a result of taking patients to the hospital for the best possible care."

Speaker Churchill: "Representative Schakowsky."

Schakowsky: "Well, Representative, I was not trying to cast dispersion, necessarily, on the profession of accountants. I was thinking more of the Director of the Department of Public Aid whose employees these are, who it seems to me simply need to be told to do the right thing and might be able to spare us from yet another piece of legislation that

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

61st Legislative Day

May 17, 1995

just says, 'employees of the state are supposed to do what they're supposed to do' which seems to me all this Bill says."

Speaker Churchill: "Representative Spangler."

Spangler: "Unfortunately Representative, I believe that they are in fact doing their job. They do not have that latitude to extenuating circumstances to go ahead and make adjustment provisions. They simply have to go from town.."

Speaker Churchill: "Representative Spangler, please bring your answer to a conclusion."

Spangler: "They simply look at the chart, go from town to town, and put down the mileage that's there. They don't have that latitude now to say, 'well, it took another 2 1/2 miles due to extenuating circumstances', so I think this Bill really is needed and I think that it would be excellent because now they will be able to take into account some of those man-made or natural disasters that may cause a little bit of extra distance to be traveled."

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

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

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

Lang: "Representative, I want to make sure I understand the definition of the term 'ambulance services', can you tell me what you refer to when you refer to 'ambulance services'?"

Speaker Churchill: "Representative Spangler."

Spangler: "Certainly, Representative. That would have to do with an ambulance as you and I both know. A Medi-car, a Service Car, or it could even be a taxi if that was involved in a transport to a medical facility."

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

61st Legislative Day

May 17, 1995

Speaker Churchill: "Representative Lang."

Lang: "So, it included taxi if in an emergency situation, is that correct?"

Speaker Churchill: "Representative Spangler."

Spangler: "That's exactly correct, in certain circumstances there are a number of runs going on where ambulances are already out, the surrounding barns, or ambulance garages are empty and it becomes necessary, at that point, for some of these patients to be transported by taxi. However, it is not the desired or preferred method for them to get to the hospital for emergency care."

Speaker Churchill: "Representative Lang."

Lang: "What guidelines are there in the Bill to govern the use of these taxis in those situations to determine whether it was actually a medically necessary service that should be reimbursed?"

Speaker Churchill: "Representative Spangler."

Spangler: "Representative, that really does not pertain to this Bill, that's a separate set of policies and rules that have to do with the transport of persons requiring emergency medical care."

Speaker Churchill: "Representative Lang."

Lang: "Well, now wait. I want to make sure I understand. You're now saying that under certain circumstances, using a taxi as an ambulance, because that's the only way you can get to the medical provider, can lead to reimbursement. Now I don't think I'm against that, but it seems to me, we should have some set of guidelines here under which, if you're going to include taxis we can determine whether the taxi service should be reimbursed, or should not be reimbursed. Are there no guidelines in this Bill to cover that?"

Speaker Churchill: "Representative Spangler."

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

61st Legislative Day

May 17, 1995

Spangler: "No Representative, there are not. Those are separated into another set of rules governing the transport of people requiring emergency hospital care."

Speaker Churchill: "Representative Lang."

Lang: "Well, I hate to belabor the point, but I'm not getting an answer. Even if it' in another set of statues, in this statute you say that taxis can be reimbursed for these services. If taxis can be reimbursed, if you have no guidelines in this legislation that would mean that if I go to the...if I could get a ride to a hospital trauma center and never go into the trauma center and bill the State of Illinois for the taxi service. Is that what you want?"

Speaker Churchill: "Representative Spangler."

Spangler: "That's a very good observation, Representative, however, when the auditors are making that determination for payment to these providers, that is exactly what they are doing, making that determination based on the need for emergency hospital care, as well as if that has met the parameters for the Department of Public Aid."

Speaker Churchill: "Representative Lang."

Lang: "Well, let me see if I get this straight. You're proposing this Bill because these rules are left to Public Aid and you want to clear them up and yet you say that on the issue of taxis we should let Public Aid create rules. So, you can't have it both ways Representative. Either you have a Bill that clears up the problem of Public Aid having rules that are inconsistent or you have a Bill that makes it worse, which are you trying to do here?"

Speaker Churchill: "Representative Spangler."

Spangler: "I suspect that you're confused Representative. The intent of this Bill is to take care of a disparity with payments to ambulance providers with regards to the fact

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

61st Legislative Day

May 17, 1995

when they have to go out of their way because of natural, or man-made, or other weather conditions, or traffic congestions, to get their patients to the hospital."

Speaker Churchill: "Representative Lang."

Lang: "Representative, the reason you have this Bill is because the auditors are confused, not me. The auditors don't know what the guidelines are. The guidelines shift, they change. They are unaware of what they are, that's why you have this Bill. And yet in the area of taxi service you say 'well let the Department continue to make the rules'. Do you want to continue to confuse the auditors or are you trying to straighten out the problem?"

Speaker Churchill: "Representative Spangler."

Spangler: "As a matter of fact, you're exactly right, they are doing their job, they're following the provisions of the rules for reimbursement based on what they have."

Speaker Churchill: "Representative Spangler, bring your question to a conclusion...your answer to a conclusion."

Spangler: "And this in turn would give them that latitude to make the necessary payments for actual miles traveled in the event of a natural or a man-made disaster, or some other extenuating circumstance."

Speaker Churchill: "Further discussion? The Lady from DuPage, Representative Pankau."

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

Speaker Churchill: "The question is, 'Shall the previous question be moved?.' All those in favor signify by saying 'aye' and the opposed say 'nay'. In the opinion of the Chair the 'ayes' have it. The previous question is moved. Representative Spangler to close, Representative Spangler."

Spangler: "This is a very necessary Bill. To let the different accountants that are involved in the audit know what their

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

61st Legislative Day

May 17, 1995

latitudes are with respect to travel of ambulance service providers to hospitals so that they can adequately get paid for their services rendered. Once again, it was brought to us as a result of the flooding along the Mississippi River, and there have been other circumstances. And, unfortunately, the auditors, during their audit, lumped all these together and applied that ratio of overcharge to all of the runs. I would appreciate an 'aye' vote. Thank you."

Speaker Churchill: "The question is 'Shall Senate Bill 562 pass?', all those in favor vote 'aye'; all those opposed '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 'nay' and none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 613."

Clerk McLennand: "Senate Bill 613, a Bill for an Act in relation to Dental Practices. Third Reading of this Senate Bill."

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

Saviano: "Thank you, Mr. Speaker, Members of the General Assembly. Senate Bill 613 is primarily housekeeping cleanup of the Dental Practice Act which has been agreed by the Department of Professional Regulation and Dental Society. This is a Bill that has been in negotiation in unison with the previous Bill we passed which was Senate Bill 534, which also extended a sunset to January 1, 2006. It is an agreed Bill. Proponents are the Illinois Dental Society, Department of Professional Regulation. I would ask for a favorable vote."

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

61st Legislative Day

May 17, 1995

Speaker Churchill: "The Chair recognizes the Gentleman from Clinton, Representative Granberg."

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

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

Granberg: "Thank you. Representative Saviano, on page 12 of your Bill you discuss restricted faculty licenses, you replace temporary teaching licenses. Do you remember what...or do you know what the intent of that is, why the change, or the necessity for that change?"

Speaker Churchill: "Representative Saviano."

Saviano: "Yes, we change it from five years instead of three years and it cannot be extended or renewed."

Speaker Churchill: "Representative Granberg."

Granberg: "And what is the rationale behind that provision?"

Speaker Churchill: "Representative Saviano."

Saviano: "Primarily, just to avoid any additional cost to the person who is being licensed, sort of a clean up. They ran into a snag and they extended it to the five years to just streamline the process."

Speaker Churchill: "Representative Granberg."

Granberg: "But in prior years, that would expire at the end of every three year period, is that correct? So, I think you expand that to five years and the reason would be to streamline the process. That is your understanding?"

Speaker Churchill: "Representative Saviano."

Saviano: "That is true."

Speaker Churchill: "Representative Granberg."

Granberg: "Was there any opposition to extending the time period? Is there an increase in the fees that would have a corresponding amounts with the time period?"

Speaker Churchill: "Representative Saviano."

Saviano: "There is no increase in the fees, but we did increase

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

61st Legislative Day

May 17, 1995

the civil penalty for unlicensed practice from \$5,000 to \$10,000."

Speaker Churchill: "Representative Granberg."

Granberg: "So the fee would stay the same, you would just extend them another two years before they would have to extend or apply for a license?"

Speaker Churchill: "Representative Saviano."

Saviano: "Your absolutely correct Representative."

Speaker Churchill: "Representative Granberg."

Granberg: "I can't imagine why the dental society would be in favor of that. On a little further down on page 12, Representative, you changed the language and you add provision from line 26 to 27, why the necessity of that language?"

Speaker Churchill: "Representative Saviano."

Saviano: "Primarily because the fine moral character that I represent, I thought that should be included in the Bill."

Speaker Churchill: "Representative Granberg."

Granberg: "Do you have personal experience with that term?"

Speaker Churchill: "Representative Saviano."

Saviano: "In all honesty, that's the standard language that should have been in there in the first place."

Speaker Churchill: "Representative Granberg."

Granberg: "So that in fact should have been in the original Act, and this was overlooked when the Act was re-written a few years ago?"

Speaker Churchill: "Representative Saviano."

Saviano: "That's correct, to make it consistent with the other licensing Acts."

Speaker Churchill: "Representative Granberg."

Granberg: "You also, I believe, revised the license requirements to allow a two year academic credit, or its equivalent. I

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

61st Legislative Day

May 17, 1995

believe that is new language. What is...what would actually qualify for its equivalent? Instead of the two year academic credit?"

Speaker Churchill: "Representative Saviano."

Saviano: "That was at the request of the Department and it was a clarification just to state that one must obtain a license...to obtain a license to practice dental hygiene in Illinois. There was...it wasn't cleared...stately cleared.. clearly stated before and we wanted to make sure it was in there."

Speaker Churchill: "Representative Granberg."

Granberg: "What would constitute 'or it's equivalent', can you just tell me, give me an example of what would be sufficient to be the equivalent of two years of academic credits?"

Speaker Churchill: "Representative Saviano."

Saviano: "That is determined by rules of the Department, say it was school that was outside of the state, or whatever, we would make sure that that program...that educational program was consistent, which is required by the schools in this state."

Speaker Churchill: "Representative Granberg."

Granberg: "Thank you Representative. I just wanted to make sure that that would be the case. So, the Department itself, by rule, would establish what would be the equivalency, instead of a two year academic credit, they would set...Mr. Speaker, by the way, I am joined by the requisite number of colleagues to remove this Bill from Short Debate, Sir."

Speaker Churchill: "I'm sorry, I don't think you have enough hands. Now you have enough hands so it's off Short Debate."

Granberg: "Thank you, Mr. Speaker. So, Representative, you could

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

61st Legislative Day

May 17, 1995

just respond to this..."

Speaker Churchill: "You shouldn't have asked for that...to take it off Short Debate, you might have had your question answered. Further discussion? The Gentleman from Effingham, Representative Hartke."

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

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

Hartke: "I've been sitting here very quietly, Representative Saviano, and it's my understanding that normally the dental license was a three year license, is that correct?"

Speaker Churchill: "Representative Saviano."

Saviano: "Representative, we're not addressing dental licenses here. We're addressing the hygiene license. Restricted faculty license, is that what you're talking about?"

Speaker Churchill: "Representative Hartke."

Hartke: "Well, let me re-phrase that. The Dental Hygienist license, is that for a three year period, is that what the law says now? The license is good for three years?"

Speaker Churchill: "Representative Saviano."

Saviano: "That's correct."

Speaker Churchill: "Representative Hartke."

Hartke: "Correct me if I'm wrong. This legislation would extend that license for a five year period rather than a three year period, is that correct?"

Speaker Churchill: "Representative Saviano."

Saviano: "Representative, we're talking about changing temporary teaching licenses, now classified as 'restricted faculty', 'faculty license' for five years instead of three years. It's not the licensure itself of the hygienists, it's the teacher's license."

Speaker Churchill: "Representative Hartke."

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

61st Legislative Day

May 17, 1995

Hartke: "Yes, is there a...what is that license? What does that cost for three years?"

Speaker Churchill: "Representative Saviano."

Saviano: "It's the same as it always was."

Speaker Churchill: "Representative Hartke."

Hartke: "Yes, and what is that figure? \$200.00? \$500.00? \$1,000.00? \$300.00?"

Speaker Churchill: "Representative Saviano."

Saviano: "There is no increase and this was agreed by all parties so I don't think it's even relevant."

Speaker Churchill: "Representative Hartke."

Hartke: "I think it is relevant if I ask the question. What is the fee for the three year license?"

Speaker Churchill: "Representative Saviano."

Saviano: "Application is \$25.00. \$25.00 for the license fee."

Speaker Churchill: "Representative Hartke."

Hartke: "So, the license is simply \$25.00 for a three year license, is that right?"

Speaker Churchill: "Representative Saviano."

Saviano: "It's simply a teaching license."

Speaker Churchill: "Representative Hartke."

Hartke: "Yes, I realize that, teaching license and that license is a \$25.00 application fee and that's good for three years, is that correct?"

Speaker Churchill: "Representative Saviano."

Saviano: "It'll be good for five if we can pass this Bill."

Speaker Churchill: "Representative Hartke."

Hartke: "Yes, I understand that, but right now it's three for \$25 and now it's going to be five for \$25. Is that right?"

Speaker Churchill: "Representative Saviano."

Saviano: "That's a hell of a bargain, isn't it?"

Speaker Churchill: "Representative Hartke."

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

61st Legislative Day

May 17, 1995

Hartke: "Well it certainly is, but I would think the Department of Professional Regulation, who has been increasing fees over the years, would look to going to \$40 and keeping the fee the same so actually I think this is a reduction in fees, is it not?"

Speaker Churchill: "Representative Saviano."

Saviano: "Representative, as you know, as the Chairman of Registration and Regulation, I am very reluctant to increase fees on any Bill, unless it's very important to the practice of monitoring our professions. If it's not needed, I'm always against increasing fees."

Speaker Churchill: "Representative Hartke."

Hartke: "Well, in this situation what we're doing is we're reducing fees for a profession that actually teaches dental hygienists. Now, I know it's not a whole lot of money, but it is not a fee increase, that is the point I am getting at. It's a fee decrease. I'm concerned that possibly these monies that will have to be made up someplace else. How many dental hygienist instructors now qualify and apply for this fee...or this license?"

Speaker Churchill: "Representative Saviano."

Saviano: "Representative, I can assure that this has a minimal impact on the fund and that the regular licensing fees of dental hygienists and dentists provide more than enough money to monitor this profession and..."

Speaker Churchill: "Further discussion? The Gentleman...the Lady from DuPage, Representative Pankau."

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

Speaker Churchill: "The question is, 'Shall the previous question be moved?', all those in favor signify by saying 'aye'; any opposed say 'nay', in the opinion of the chair the 'ayes' have it and the previous question is moved. Representative

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

61st Legislative Day

May 17, 1995

Saviano to close."

Saviano: "This Bill is been worked on and worked on. I would ask for a favorable vote. Thank you."

Speaker Churchill: "The question is, 'Shall Senate Bill 613 Pass?' All those in favor vote 'aye'; any opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted wish? Mr. Clerk, take the record. On this question there are 115 voting 'aye', 1 voting 'nay' and none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, please read Senate Bill 623."

Clerk McLennand: "Senate Bill 623, a Bill for Act in relation to animals. Third reading of this Senate Bill."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is presented to the House for the protection of guard dogs. It amends the Animal Welfare Act. It provides that guard dogs...that guard dog services must be licensed. That's the crux of the Bill. It provides that guard dog services must be licensed, provides that the Department of Agriculture may refuse to reissue, renew, suspend or revoke a license that has any violation of the Act or abitting or abetting another in the violation of this Act, regardless of whether the violation is willful. I would ask the body to vote 'yes' on this Bill to protect animals that in many cases are not given ample water, ample protection, that are in many cases you can see the ribs showing on these dogs and it is absolutely something that is necessary, especially to those people who can care are concerned about the animals in our society."

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

61st Legislative Day

May 17, 1995

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

Hoffman: "Yes, will the Sponsor yield?"

Speaker Churchill: "He barks he will."

Hoffman: "Representative, this is the Bill that has to do with guard dogs, isn't that right? Guard dogs. The Guard Dog Bill."

Speaker Churchill: "Representative Parke."

Parke: "Woof. Yes."

Speaker Churchill: "Representative Hoffman."

Hoffman: "In the Bill it indicates...it provides that a dog found not free of disease shall be taken away. So what do we do with sick dogs under this Bill?"

Speaker Churchill: "Representative Parke."

Parke: "Well, that's an interesting question, but I've been informed that does not fall under the preview of the Act. That is not part of the legislation I've introduced. It is already in the protection and I'm sure if you look up the statute you could find an answer to your question."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Well, my understanding is that the Bill says it provides that a dog found to be not free of disease shall be taken away. My question is taken away where? Where do you take them to?"

Speaker Churchill: "Representative Parke."

Parke: "Well, quite frankly, if the dog is sick, and is a guard dog that is sick that the Department of Agriculture currently can impound that dog and I'm sure that it can be taken to a veterinarian."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Well, it is my understanding that this would set up

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

61st Legislative Day

May 17, 1995

this Guard Dog Act for home care for guard dogs and set up training for guard dogs and provide protection for guard dogs. What about the non-guard dogs in society. What are we going to do with them? Aren't we discriminating against them?"

Speaker Churchill: "Representative Parke."

Parke: "Well Representative that's up to the individual owner. I know that a lot of us are concerned about dogs and so I have introduced the Bill, but this only pertains to guard dogs and the services must be licensed so they are accountable on the treatment of those animals."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Is this the same Bill that I believe Representative Burke had in the past?"

Speaker Churchill: "Representative Parke."

Parke: "This Bill is very similar to the Bill, as a matter of fact it is probably something...I know that Representative Burke is a Co-Sponsor on this Bill because he feels that is not exactly as he introduced it, but it's pretty close."

Speaker Churchill: "Representative Hoffman."

Hoffman: "So this Bill, even though the Amendment deletes a section from the Bill regarding the treatment and rearing of guard dogs, it still has something to do with the finding of foster home care for animals, guard dog service and century dogs, correct?"

Speaker Churchill: "Representative Parke."

Parke: "That is correct Representative."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Will this then be licensed under the Department of Agriculture or will the Department of Professional Regulations do the licensing?"

Speaker Churchill: "Representative Parke."

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

61st Legislative Day

May 17, 1995

Parke: "The Department of Agriculture which is now in support of this legislation."

Speaker Churchill: "Representative Hoffman."

Hoffman: "How many new Department of Agriculture workers are we going to have to put on to make sure that this legislation, and the intent of this legislation is carried out?"

Speaker Churchill: "Representative Parke."

Parke: "It is the intent of the Department of Agriculture to use current resources to solve that problem."

Speaker Churchill: "Representative Hoffman."

Hoffman: "Well, it is my understanding that apparently right now the Department of Agriculture has two inspectors in all of Cook County, so apparently, it is my understanding that to a large extent the Department of Agriculture is not carrying out its current duties, much less the duties that they are going to be asked to fulfill under this Bill. If we're going to give them more jobs to do, and we're going to pass this type of legislation, let's not just pass feel good legislation, let's pass legislation that really is going to insure that something is done about this problem. If we only have two inspectors in all of Cook County, how are we going to be able...what are we going to do, have just have one inspector in all of Cook County and the other inspector is going to go throughout the state insuring that there are correct licenses for guard dogs and insuring that dogs that are found to be free of disease...or not free of disease won't be allowed to remain there? I mean whose going to...are we going to have dog doctors go into these places and insure that they're not diseased dogs in with these other dogs? Whose going to do this?"

Speaker Churchill: "Representative Parke."

Parke: "Representative, if you know of any situation where a

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

61st Legislative Day

May 17, 1995

guard dog is being inhumanely treated, the Department of Agriculture has investigators that will go out and investigate. I might also point out that there are many volunteers, the people that worked with me on this legislation have told me that there are people who volunteer to go out and to check on dogs that are being mistreated and have reported them to the Department of Agriculture so there are, besides the...."

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

Parke: "Thank you Representative. This truly is a Bill that may be, not as important as and significant as major issues facing this state, but for many people, like myself, who are concerned about the animals in our society, the animals that we love and watch over, and even those dogs that have an ongoing purpose in protection of property, we think this is important to make sure they're humanely treated and I would ask that this body vote 'yes' on this worthwhile Bill."

Speaker Churchill: "The question is, 'Shall Senate Bill 623 pass?' All those in favor vote 'aye'; any 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', 9 voting 'no' and none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Committee Reports."

Clerk McLennand: "Committee Reports. Committee Report from Representative Stephens, Chairman from the Committee on Executive, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the

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

61st Legislative Day

May 17, 1995

same back with the following recommendation/s: 'do pass' Senate Bills 18, 55, 618 and 1133; 'do pass as amended' Senate Bills 274, 323 and 1123; 'do pass Short Debate' House Bills 20, 93, 97, 133 and 830; 'do pass as amended Short Debate' Senate Bills 619, 842, 907 and 908. Representative Wait, Chairman from the Committee on Transportation and Motor Vehicles, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do pass' Senate Bill 1154; 'do pass as amended Short Debate' Senate Bill 1202.

Speaker Daniels: "Mr. Clerk, what's the status of Senate Bill 17?"

Speaker Daniels: "Speaker Daniels in the Chair."

Clerk McLennand: "Senate Bill 17 is on the Order of Third Reading."

Speaker Daniels: "Return that to the Order of Second Reading. Supplemental Calendar Announcement."

Clerk McLennand: "Supplemental Calendars number one and two are being distributed."

Speaker Daniels: "On Senate Bills Third Reading, Senate Bill 624. Read the Bill Mr. Clerk."

Clerk McLennand: "Senate Bill 624, a Bill for an Act concerning transportation, third reading of this Senate Bill."

Speaker Daniels: "Representative Wait."

Wait: "Thank you, Mr. Speaker, Lady and Gentlemen of the House. This is an Illinois State Police initiative, just a little clean up language. First of all, it extends from 10 days to 10 business days the time that a police agency has to send a registered letter to the last known address of an impounded vehicle owner of record, or lien holder. Second, it includes law enforcement equipment in the list of

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

61st Legislative Day

May 17, 1995

vehicles that do not require a commercial drivers license. And third, it provides that certain fines for violation of the Federal Motor Vehicle Carrier Safety Regulations are in addition to the other penalties. And the following agencies are strongly in favor of this Bill: Illinois State Police, Illinois State's Attorney Association, Chief of Police, Sheriff's Association, Appellate Prosecutors and the Secretary of State. I would be happy to answer any questions."

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

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

Speaker Daniels: "He indicates he will."

Dart: "Representative, the changes...we're making a couple of different changes here, the one in particular that I wanted to talk about now was the one dealing with the CDL. What exactly are you doing there?"

Speaker Daniels: "Representative Wait."

Wait: "What we're doing there is simply to allow law enforcement agencies that have vehicles that normally would require a CDL license, their personnel would be able to drive them without a CDL."

Speaker Daniels: "Representative Dart."

Dart: "How many individuals would this affect?"

Speaker Daniels: "Representative Wait."

Wait: "This would be all law enforcement agencies throughout the state."

Speaker Daniels: "Ladies and Gentlemen of the House. Ladies and Gentlemen. Representative Dart."

Dart: "How many people do not have the CDL right now though that are gonna be affected by this? I mean do you have any number?"

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

61st Legislative Day

May 17, 1995

Speaker Daniels: "Representative Wait."

Wait: "I don't because I know the State Police has a few vehicles that normally would require a CDL to drive it. I know my own, Boone County, they have a recreational van that they have used as a command center and normally you would have to have a CDL for that. Whether that has it now, I don't know. But, this would strictly allow those to be exempted. I'm sure now law enforcement agency would allow a person who would not be qualified to operate these type of vehicles."

Speaker Daniels: "Representative Dart."

Dart: "I guess that gets to the heart of the question then. If they wouldn't then what's the point of doing this then? If they wouldn't let somebody...I mean if somebody had the qualifications to drive a truck, they would get the CDL. Why do we need this here then?"

Speaker Daniels: "Representative Wait."

Wait: "Well, currently we allow firefighters, for example, who drive fire trucks without at CDL, this does allow a few additional law enforcement people to drive these things. First of all, I don't know if you know, when you go to get a CDL right now, in my county, there's over a two month waiting line to get a CDL. This would hopefully alleviate some of that waiting list."

Speaker Daniels: "Representative Dart."

Dart: "Is there a different blood alcohol content for a CDL license though?"

Speaker Daniels: "Representative Wait."

Wait: "Well, this doesn't address that."

Speaker Daniels: "Representative Dart."

Dart: "But is there, my point once again. My point is that if you're removing the requirement for CDLs, CDLs have higher

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

61st Legislative Day

May 17, 1995

blood alcohol content ceilings, this would expand the pool of people that would not come under that then, would it not?"

Speaker Daniels: "Representative Wait."

Wait: "Well, this doesn't really get into that issue. I don't think there is going to be too many firefighters, or other people that are driving a fire engine and drinking."

Speaker Daniels: "Representative Dart."

Dart: "No, I really...there is a lower blood-alcohol content level for CDLs. Is that correct though?"

Speaker Daniels: "Representative Wait."

Wait: "I believe its .4, .04."

Speaker Daniels: "Representative Dart."

Dart: "So that is what I was getting at there. So this would expand the universe of people who would now not have to comply with that. I do agree with you though, I mean they're not going to be letting people who are drunk operate these vehicles. What type of vehicles are you anticipating would this allow people to drive now?"

Speaker Daniels: "Representative Wait."

Wait: "Pardon, it was a little noisy. I couldn't hear your question."

Speaker Daniels: "Representative Dart."

Dart: "What type of vehicles are you anticipating this language would allow people to drive now and how many individuals have complained to yourself or other people that this has been a problem so they need this?"

Speaker Daniels: "Representative Wait."

Wait: "Well, first of all this is an initiative from the State Police. I understand Chicago has like I say a big recreational van which is a big command center. I also believe the State Police have a big command center. This

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

61st Legislative Day

May 17, 1995

would simply allow these type of people to drive and I'm sure we wouldn't have to worry about them being inebriated."

Speaker Daniels: "Representative Dart, your time is almost up."

Dart: "Yeah, and I agree. The thing was though, I was wondering if we are addressing a specific problem here or are we just making a problem up? Have there been complaints by individuals that we wanted to be able to have an individual drive a certain vehicle and he couldn't do it because he or she did not have a CDL, and so that that language needs to be changed, or did we have certain individuals that could not comply with the requirements of the CDL, or there was some other reason that they couldn't comply, could not...whatever...why are we doing this? What's the problem?"

Speaker Daniels: "Representative Wait."

Wait: "Like I say, this was an initiative by the State Police, apparently they feel that there is a problem out there, if nothing else it is the waiting list. Why require these people that we know...one, we know they're qualified to begin with and two, you know, this is law enforcement vehicles that they're driving. I'm sure law enforcement would not allow them to drive it unless they are properly trained."

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

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

Speaker Daniels: "He indicates he will."

Mautino: "Representative, what class vehicles would we be allowing them to drive without the benefit of the CDL license?"

Speaker Daniels: "Representative Wait."

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

61st Legislative Day

May 17, 1995

Wait: "Whatever emergency vehicles that they have, it does not really specify whether it...you know...be a...you know, like I say, I can cite you an example of recreational vehicle in my area, Chicago has a command center and so does the Illinois State Police. Beyond that, I'm not sure exactly what type of vehicles they would be driving."

Speaker Daniels: "Representative Mautino."

Mautino: "I'm familiar with the State Police's RV that they have that is the command center purchased during the flood. What I'm wondering about is will they be able to drive combination vehicles under this? There is a reason for the CDL being set in place, when you take the test for it, you have to go in, you have to know the brake systems, how they're structured and all of the safety features which are inherent in running any type of a combination vehicle. Is there a reason...will they be allowed to drive, for example, tractor trailer, without having gone through the testing procedure? And that, incidentally, is a second portion of a test which is required for the CDL. You have two basic. One which is on the brake systems for any type of a combination vehicle."

Speaker Daniels: "Representative Wait."

Wait: "First of all, I do not believe that they have any semi's. I mean, which you are talking about. It's strictly an emergency type vehicle. Whatever is declared as emergency type vehicle, but I do not believe that it is a semi type vehicle."

Speaker Daniels: "Representative Mautino."

Mautino: "So the legislation doesn't prohibit the use of combination vehicles? The reason the feds changed that originally was because of the safety factors and maintaining road safety and having a more comprehensive

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

61st Legislative Day

May 17, 1995

form of testing to know that the people that are out on the roads are not going to endanger people inside the driving public."

Speaker Daniels: "Representative Wait."

Wait: "Well, obviously if the State Police, Secretary of State and other law enforcement feel this is proper language, I'm sure they would not be putting forth this language if they did not think that these people would be safe driving on the roads."

Speaker Daniels: "Representative Mautino. Representative Mautino, that's it? Further discussion? The Lady from DuPage, Representative Pankau."

Pankau: "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 and the Gentleman from Boone, Representative Wait to close."

Wait: "I'd simply ask for a favorable vote on this State Police initiative. It's just a little clean up language. I appreciate your support, thank you."

Speaker Daniels: "The Gentleman has moved for the passage of Senate Bill 624, 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 112 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 717, read the Bill Mr. Clerk."

Clerk Rossi: "Senate Bill 717, a Bill for an Act amending the Liquor Control Act of 1934. Third Reading of this Senate Bill."

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

61st Legislative Day

May 17, 1995

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

Krause: "Thank you, Mr. Speaker. I would like to present at this time Senate Bill 717. This Bill has two parts. The first part requires school officials to prohibit the use of tobacco by any person on any school property that is being used for school purposes. It expands the definition of school purposes to include all events, or activities. The second part of the Senate Bill proceeds to limit vending machines that contain tobacco products to certain specified locations. The Bill proceeds and lists five restrictions on the location of vending machines, including that the machine can only be operated by the owner-employee directly or through a device not readily accessible to all customers. The basis, of course, and the intent of the legislation is to limit the accessibility of tobacco for young people. I ask for your support and would be pleased to answer."

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

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

Speaker Daniels: "She indicates she will."

Granberg: "Representative, can you tell me what the differences with the current law in respect to the restrictions on the ability of tobacco products to be sold in public places."

Speaker Daniels: "Representative Krause."

Krause: "This Bill now expands the prohibition on school property and it is a total ban now. Previously I believe that there were some exemptions to it, now though it is a total prohibition on all school property for all school purposes and includes school purposes, all events and all activities on the school property that the school board or school officials authorize or permit."

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

61st Legislative Day

May 17, 1995

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, and I am joined by the requisite number of my colleagues to remove this Bill from Short Debate, Sir."

Speaker Daniels: "Okay."

Granberg: "Representative, could you please...when you spoke about tobacco products, would that include other tobacco products?"

Speaker Daniels: "Representative Krause."

Krause: "It would be...yes...any and all things relating to tobacco. All tobacco products."

Speaker Daniels: "Representative Granberg."

Granberg: "So that is your intent to cover such items as smokeless tobacco, snuff, those types of items that are generally distinguished in the law between smokeless and smoking tobacco."

Speaker Daniels: "Representative Krause."

Krause: "Yes."

Speaker Daniels: "Representative Granberg."

Granberg: "And, this would ban the local school district from authorizing any exception to this practice?"

Speaker Daniels: "Representative Krause."

Krause: "That is correct. There would be no exceptions."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, you indicated that there were some exceptions in the current law. Do you know what those current exceptions are?"

Speaker Daniels: "Representative Krause."

Krause: "I believe locally they could permit smoking lounges or smoking at school events, basketball games."

Speaker Daniels: "Representative Granberg."

Granberg: "So this would prohibit the use of any type of tobacco

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

61st Legislative Day

May 17, 1995

products on school grounds, including, as you are well aware of, sometimes in our schools the teachers have smoking lounges or lounges where they are allowed to smoke and this would not...this would take away that exception?"

Speaker Daniels: "Representative Krause."

Krause: "That is correct. You are correct."

Speaker Daniels: "Representative Granberg."

Granberg: "And this would also take away the exception that a person, an adult, could smoke a cigarette at a half-time, at a local high school football game, so if the Centralia Orphans were playing and my mother was there and she still smokes and at half-time, she'd go in the back of the building, or go outside in the corner and talk with her friends and have a cigarette, she would no longer be permitted to do that?"

Speaker Daniels: "Representative Krause."

Krause: "That is correct, all school property. She couldn't do it."

Speaker Daniels: "Representative Granberg."

Granberg: "And this would apply to all schools, no exceptions, and we would remove the local control capability, or that option so if the people in Centralia, or any other city in my district or yours, felt that they would like to have local control, they would like to provide for a smoking area, say in a school limited area, or outside the classrooms from 3:00 to 4:00 o'clock after school for adults, then they would no longer be able to do so? Is that correct?"

Speaker Daniels: "Representative Krause."

Krause: "This would apply to all public schools and I think the basis for it, Representative, is that it's the issue of health is what is prevailing here, but that is correct."

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

61st Legislative Day

May 17, 1995

Speaker Daniels: "Representative Granberg."

Granberg: "Sir, I just want to make this very clear, Representative, so if there is a PTA meeting at my high school, after hours where there are no children, or minors, in the area, those people could not go to a designated smoking area, either in inside the building, or even outside for that matter, they would not be permitted to smoke on the school property, whatsoever, including being outside of the building, is that correct?"

Speaker Daniels: "Representative Krause."

Krause: "That is correct, as you have stated."

Speaker Daniels: "Representative Granberg, your time is almost up, can you bring your line of questioning to a close?"

Granberg: "Thank you, Mr. Speaker. In closing, let me just...Representative, I appreciate your time."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, I appreciate your time, Representative. I just want to be clear on the parameters of your legislation because I think there is some concerns among us that this would impact some parents, teachers, outside of the building. None of us want to see kids smoke at all, or even use smokeless tobacco, whatever, because the obviously the dangerous product. But to restrict parents and adults on the outside of a building for an adult meeting at 8:00 at night, we have some concerns about that, so I appreciate your frankness."

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

Wojcik: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Daniels: "She indicates she will."

Wojcik: "Representative, I notice that it says, entirely throughout the school building there would be no smoking. Could you tell me that if the school was going to have a

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

61st Legislative Day

May 17, 1995

charitable night, such as we have, you know, our Casino Nights, or what have you, would the individuals in that building be allowed to smoke?"

Speaker Daniels: "Representative Krause."

Krause: "Right, if it is at a public school, Representative, this provision would apply and the smoking would be prohibited for the matter that you have referred to."

Speaker Daniels: "Representative Wojcik."

Wojcik: "So Representative, if they have a special Bingo night, it would be the same thing, in essence. You would not be allowed to smoke under any condition?"

Speaker Daniels: "Representative Krause."

Krause: "Again, if that were held at a public school, that is correct. The smoking would be banned."

Speaker Daniels: "Representative Wojcik."

Wojcik: "Thank you Representative."

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

Kaszak: "Thank you, Mr. Speaker, I rise in support of this Bill. I think this is a Bill that we need to pass in order to protect the health of our children, I think which is one of the most important matters that we can take under consideration in this legislature. The studies that have been done recently have shown that most of the people who smoke start when they are 13 years old, 11, 12 and 13 years old, and we need to start addressing this problem. And furthermore, what they have found is that two-thirds of the children who attempt to...In Illinois, who attempt to buy illegally purchased tobacco, are capable of doing that through vending machines and unsupervised areas so I would like to urge everyone's support of this Bill. Thank you."

Speaker Daniels: "The Gentleman from McLean, Representative Brady."

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

61st Legislative Day

May 17, 1995

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

Speaker Daniels: "She indicates she will."

Brady: "Representative, I may have misunderstood this, but right now, if this passes, and it goes to the Governor's desk, there is absolutely no way on any school property at any time under any circumstance that anyone could smoke?"

Speaker Daniels: "Representative Krause."

Krause: "You have stated it correct, yes."

Speaker Daniels: "Representative Brady."

Brady: "Today, if a school board decided that they wanted to implement this program, could they not do this on their own without our doing this?"

Speaker Daniels: "Representative Krause."

Krause: "That is correct."

Speaker Daniels: "Representative Brady."

Brady: "So in essence, you are preempting a school boards ability to decide on their own. People who are elected by the people of the school district, you are preempting their ability to make their own decisions on how they want smoking to be regulated on their grounds, is that right?"

Speaker Daniels: "Representative Krause."

Krause: "No, that's not right because I don't think you've framed the issue right. The issue here is not a preemption issue. The issue is a health care issue and that is we know of what smoking does, we know the damage it does, we know that it is a cancer producing drug and that there is no basis for it in..any where around a school and I think that is the obligation of this General Assembly to proceed and it is a health care issue, is what is important here."

Speaker Daniels: "Representative Brady."

Brady: "Preemption may be the right word or it may be the wrong word, the fact of the matter is we're taking authority away

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

61st Legislative Day

May 17, 1995

from local school boards, are we not?"

Speaker Daniels: "Representative Krause."

Krause: "I don't think...and I go back to the issue of on health care as far as what is being done here with that type of product which is a cancer producing product and what you're arguing is that we should have that decision made throughout the State on whether or not that should be able to be used. To me, really what should be prevailing here is on the health care issue."

Speaker Daniels: "Representative Brady."

Brady: "Representative, the answer to the question is 'yes', we are taking authority away. I understand your health issue. But, we're willing to take the authority away from local school boards to make that decision with this legislation, but yet we aren't even willing to do that on our own grounds here. There's people that smoke in the Senate, there's people that smoke in the boards, but not others, is that right? The answer is 'yes', we are taking that authority that they presently have away from them."

Speaker Daniels: "Representative Krause."

Krause: "I don't look upon this as an education issue which, then I would agree that we should not have our local school boards be interfered with, that's not what we are doing here."

Speaker Daniels: "Representative Brady."

Brady: "Thank you. To the Bill Ladies and Gentlemen, I as much as anyone want to see us further a health agenda but I have some concerns about the way in which we are going to take authority away from local school boards. We would clearly be limiting their ability to regulate their own uses and non-uses of their facilities and although I commend the Sponsor for her intent, I think we are taking into

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

61st Legislative Day

May 17, 1995

consideration something that we should not be taking at this time and I would vote against this piece of legislation. Thank you."

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

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

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

Krause: "Mr. Speaker, I would like to have the other Sponsor on the Bill, Representative Cowlshaw, close."

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. What is currently Senate Bill 717, so that you have this information, began as House Bill 1223 of which I was a Sponsor and House Bill 1677. House Bill 1223 was the total ban on tobacco product use in public schools. It is important for you to understand that this does not apply to private or parochial schools, it applies only to public schools. And House Bill 1677 is a prerogative of the American Cancer Society because they have found that the very, very young children, ages 8 and 9 who begin a tobacco habit that early in life are nearly always those who get their products from vending machines and so there are some protections applied in here for vending machines. Mr. Speaker, Ladies and Gentlemen of the House, to say that we ought not to have a ban on tobacco products in our public schools, is sort of like saying we don't need to tell every school that they need to teach math. It is every bit as important to teach...."

Speaker Daniels: "Representative Cowlshaw."

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

61st Legislative Day

May 17, 1995

Cowlshaw: "It is every bit as important to teach children good health habits as it is to teach them mathematics and science. This is a good Bill. It is supported by the American Cancer Society, the American Heart Association, it is not opposed by anyone, even the tobacco industry is neutral. I think this is a good Bill. For the sake of the children and their health, we should pass it."

Speaker Daniels: "The Lady has moved for the passage of Senate Bill 1717. 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 66 'aye', 34 'no', 9 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 731. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 731, a Bill for an Act concerning public food and agricultural research programs in Illinois. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Noland."

Noland: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Bill 731 creates the Food and Agricultural Research Act. It's goal is to establish a mechanism to maximize the effectiveness of research dollars for funding food and agricultural research in Illinois. Illinois is a premiere agricultural state, ranking high in gross national product, but we lag when it comes to funding for research dollars. This would create a mechanism to better foster research and get more bang for our buck with research dollars. I'd entertain any questions."

Speaker Daniels: "Excuse me, the Clerk has asked me to announce that there will be a Rules Committee meeting at 9:00

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

61st Legislative Day

May 17, 1995

o'clock a.m. in the Speaker's Conference Room. Rules Committee meeting at 9:00 o'clock a.m., Speaker's Conference Room. Excuse me, 9:00 o'clock, p.m., 9:00 o'clock p.m., that's in 11 minutes. Any discussion on Senate Bill 731? The Gentleman from Effingham, Representative Hartke."

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

Speaker Daniels: "He indicates he will."

Hartke: "What is the fiscal impact of this legislation, Representative Noland?"

Speaker Daniels: "Representative Noland."

Noland: "Mr. Hartke, there's a request for a \$3 million appropriation. This is enabling legislation. There currently is no funding. This is enabling legislation only. The request is for \$3 million."

Speaker Daniels: "Representative Hartke."

Hartke: "If this were to be funded from some source, what source would that be?"

Speaker Daniels: "Representative Noland."

Noland: "Well, we would appropriate those funds through the Board of Higher Education."

Speaker Daniels: "Representative Hartke."

Hartke: "Yes, I understand that, I can read it. Where would the funds come from? Not where they're going to."

Speaker Daniels: "Representative Noland."

Noland: "Those funds, Mr. Hartke, would be taxpayer dollars and they would come from Board of Higher Education to the...and in the...for the... Department of Agriculture. The Department of Agriculture would be the...would then distribute the funds."

Speaker Daniels: "Representative Hartke."

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

61st Legislative Day

May 17, 1995

Hartke: "Yes, which taxpayer funds would they come from? Would they come from income tax, would they come from sales tax? Would they come from gas tax? Where would those funds come from?"

Speaker Daniels: "Representative Noland."

Representative Noland: "I'd anticipate those to be general revenue funds, but that hasn't been decided yet, Mr. Hartke."

Speaker Daniels: "Representative Hartke."

Hartke: "Revenue funds, well, I'm a farmer and I understand what we're trying to do and I'm for See Far, but the problem I have with this is that several years ago I sponsored a piece of legislation creating a tax on the fertilizer industry. As a matter of fact, I doubled the tax called the Fertilizer Research in Education Council and that tax doubled and that agreement was that we would take \$400,000.00 per year from the general revenue fund to match the Fertilizer Research...or the fertilizer tax to be spent for our research and development for the environment. The State of Illinois has never lived up to that commitment and we continue to put forth new programs for research when we're not funding old programs that we have made commitments to. Do you anticipate any time in the future that we will have enough funds to be able to do this?"

Speaker Daniels: "Representative Noland."

Noland: "Mr. Hartke, you're talking about the Fertilizer Research Education Fund. This Bill also is endorsed by the Illinois Fertilizer and Chemical Association, as well as environmental groups, Audubon Council, Stewardship Alliance, the State Agricultural Society, as well as all the main line agricultural groups, so they're in support of this Bill as well."

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

61st Legislative Day

May 17, 1995

Speaker Daniels: "Representative Hartke."

Hartke: "I realize that and I am too, but there still sticks in my mind that we're not living up to that commitment. I noticed here on your suggestion in the Bill that the University of Illinois would get the biggest bulk of the dollars, should we appropriate them at some time out of the general revenue fund. Could you explain to the Body why?"

Speaker Daniels: "Ask you, Representative Noland."

Noland: "Mr. Hartke, as you know now, the University of Illinois, through its agricultural research station gets the bulk of the dollars now. Almost all of the research dollars now, essentially they have extrapolated...the See Far Group has extrapolated that U of I gets 82%, then they...currently SIU, ISU and Western receive no state dollars for agricultural research, so they would receive 11% for..11% would be for Southern, 4% for Western and 3%, excuse me, 3% for ISU, just a minute please. 4 for ISU, 3 for Western, WIU."

Speaker Daniels: "Representative Hartke."

Hartke: "Yes, would you anticipate this to be for food production, is that correct? To enhance the development of food products here in Illinois. Would that be value added products or would it be for let say, agriculture production in the line of livestock, dairy, swine or vegetable production"

Speaker Daniels: "Representative Noland."

Noland: "All of the above. Mr. Hartke, the title of the Act is Food and Research Act, it includes everything you mentioned and more."

Speaker Daniels: "Representative Hartke, your time is almost up sir, bring your line of questioning to a close, Representative Hartke."

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

61st Legislative Day

May 17, 1995

Hartke: "Well, thank you very much. I stand in support of the program. I don't have any problem with it except the fact that we don't have the money and here we are, maybe making a commitment to something that we cannot finance at all. I appreciate your answering the questions."

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

Skinner: "Mr. Speaker, I wonder if the Sponsor would mind telling us how much he thinks the appropriation level will be five years from now."

Speaker Daniels: "Representative Noland."

Noland: "Mr. Skinner, I'm not a...I'm not able to predict the future, we are asking for 3,000,000. We are hopeful that something we appropriated, that's our process that we're going through right now, I do not know."

Speaker Daniels: "Representative Skinner."

Skinner: "Mr. Speaker, I feel that great sucking sound coming into the Chamber, taking money away from Northern Illinois into somewhere in the rest of the State, into those areas that haven't been covered with subdivisions yet. This is coming out of the general fund. We can spend general fund money for State aid education, we can spend general fund money for more day care, we can even pay off hospitals, or we can help develop better crops for farmers to grow and who will make money off of it. It seems to me that if the various commodities want more research to improve soybeans, or corn, or you name it, that there should be a check-off, they should pay for it and then pass on the cost through the price of their products. I don't think the general fund taxpayers should have to pay this."

Speaker Daniels: "Further discussion? Lady from DuPage, Representative Pankau."

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

61st Legislative Day

May 17, 1995

Pankau: "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 Noland to close."

Noland: "Mr. Speaker, I'd request that all those who eat, please vote yes."

Speaker Daniels: "The question is, 'Shall Senate Bill 731 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 110 'ayes', 2 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 760. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 760, a Bill for an Act Amending the Toll Highway Act. Third Reading of this Senate Bill."

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

Pankau: "Thank you, Mr. Speaker. I rise to ask your support for Senate Bill 760. The underlying Bill establishes legislation that would authorize the toll highway authority to establish a system to administratively adjudicate civil fines for persons who evade the payment of tolls on the toll highway authority. However, there is also, in addition to that, there's an Amendment #1 on the Bill which has numerous things in it and if you'll allow me a few minutes I will go through all the different contents of Amendment #1. First of all, it has language that would add to Senate Bill 395. That was the Bill that dealt with fingerprinting of school bus drivers and this clean up language would provide that fees should be paid into the State Police Service Fund, rather than the Road Fund and it

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

61st Legislative Day

May 17, 1995

would add two offenses to the list for which an applicant is prohibited from driving a school bus. Those two offenses would be endangering a child and child abandonment. Then, it also adds the effective date of July 1, 1995, because they didn't put it in there originally. Then, also in this Amendment, you have language for Senate Bill 168. This was suggested by Representative Winters, and it involves an Administrative Adjudication of fines for toll bridges. There is a toll bridge in his district and, as best we can figure out, maybe three or four toll bridges total in the state that this would effect. Then also, you also you have clarifying language that Representative Roskam suggested and his deals with vehicles that are earlier than 1965. Under your current law, no person can sell a vehicle after 1965 unless it is equipped with seat belts, however, no person can operate a 1961 or older vehicle unless it's equipped with seat belts. So this clarifies it and makes it uniform to the 1965 date. And then, finally, we have language by Representative Black that's trailer legislation to Senate Bill 539, and that provides that 50% of the fees that are deposited because of the increase in renewal in the dealer licenses...or dealer authorization licenses, 50% of that will go to the Secretary of State and 50% will go to the Road Fund, and then there's also some other clean up language in there that after Senate Bill 539 was passed, they discovered that they needed. So, with that I ask for your approval of Senate Bill 760."

Speaker Daniels: "Representative Dart."

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

Speaker Daniels: "She indicates she will."

Dart: "Representative there was some mention with regards to the

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

61st Legislative Day

May 17, 1995

road fund. Is there money being taken out of the road fund, and if so, where is it going and how much?"

Speaker Daniels: "Representative Pankau."

Pankau: "There were two sections in which I mentioned the road fund, one dealt with the fingerprinting of school bus drivers. And in that case, although that legislation was passed last year, that doesn't take effect until this year, July 1st. So, no money has been collected for that whole program yet, by putting in the effective date...the original legislation had the Road Fund in it. They are not the ones that process these fingerprints. Its the State Police, so no, there is no diversion out of the road fund, the road fund was mentioned incorrectly in the initial legislation. The second area that I mentioned the road fund dealt with the dealer authorization. And those fees were increased. The automobile dealers fees were increased and at the last minute, they realized that all of those fees were then going to be going to the Secretary of State, whereas right now, the existing fees stay in the road fund. So, because the fees are basically doubling, they said, Okay, road fund you get this amount of money and you're going to get that mount of money again, but the extra amount, the amount that is increasing is now gonna go to the Secretary of State for the operation of his office."

Speaker Daniels: "There will be Rules Committee meeting immediately in the office of the Majority Leader. Immediately in the office of the Majority Leader. Representative Dart."

Dart: "Thank you. Is this is similar...I want to say last week, maybe, we had a Bill that dealt with a movement of money for just this same thing, for the fingerprinting, I'm pretty sure it was last week. Is this the same language or

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

61st Legislative Day

May 17, 1995

is this just language that is amending that in some way?"

Speaker Daniels: "Representative Pankau."

Pankau: "Yes, this is the same legislation from last week, and it adds the effective date of July 1st of this year."

Speaker Daniels: "Representative Dart."

Dart: "There is language in here which changes...which sets up a process for toll evaders, for people who evade paying tolls. What do they do know? What is it that requires us to do what you're doing? What are they doing to these folks now?"

Speaker Daniels: "Representative Pankau."

Pankau: "Yes, Representative Dart, that's the underlying Bill, actually. There are...there is a system right now where they can charge different fees for evading the toll gates, etc. But what they have to do is they have to take it to the State's Attorney in the County that the toll way is located. And basically, there isn't a whole...how do I phrase this gently? The State's Attorney's office looks at these amounts of money and they're rather little and they're basically saying should we waste our time on this? So this establishes...it doesn't change the fees, they're already there, but it establishes a process where they can do this adjudicatively by taking different pictures in the toll area itself and you have a hearing officer and you go before the hearing officer, they play the tape. The tape has to show that the transaction in front of you and in back of you was legal, that they paid the fee, so it isn't a breakdown of the system and so by setting this up they're hoping to collect more of these fees and stuff that they're missing right now. They're estimating right now, that they're losing approximately \$2 million a year in tolls by people that evade the tolls."

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

61st Legislative Day

May 17, 1995

Speaker Daniels: "Representative Dart."

Dart: "Now, who will be paying for these new administrative...will they be administrative hearing officers that would be...who would be paying...where's that money coming from for them and who would be selecting these folks to do it?"

Speaker Daniels: "Representative Pankau."

Pankau: "The toll highway authority will be paying for it. They estimate that approximately the first time, setting it up, it'll have to be about 1.8 million of which they have already spent about 600,000 to do, but they figure in the first year they should get back at least 2 million, and thereafter even more and then everything will be set in place so they won't have ongoing costs. So, they're basically paying it out of the money that they're getting."

Speaker Daniels: "Representative Dart."

Dart: "Finally, will these hearing officers, will they comply with standards they have presently for hearing officers, namely, will they be lawyers?"

Speaker Daniels: "Representative Pankau."

Pankau: "Yes, lawyers need work."

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 by saying 'no', the previous questioned is moved, motion carries. Representative Pankau to close."

Pankau: "I ask for your favorable approval."

Speaker Daniels: "The Lady has moved for the passage of Senate Bill 760. All those in favor signify voting 'aye'; opposed by voting 'no'. The voting is open. Have all voted who

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

61st Legislative Day

May 17, 1995

wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 'ayes', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 831. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 831, a Bill for an Act Amending the Pharmacy Practice Act of 1987. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker and Members of the House. Senate Bill 831 Amends the Pharmacy Practice Act to provide that \$2.50 of a pharmacy technicians license renewal fee shall be deposited into the pharmacy disciplinary fund for the support of a substance abuse program. It also has proposed language which would amend the juvenile court act and the alcoholism and other drug dependency act to remove the option of placing an addicted minor under the treatment and supervision of DASA. It also allows a judge to place an addicted minor under the supervision of DASA. Judges and the State's Attorneys routinely interpret this provision to mean that they can place custody of an addicted minor with DASA. DASA does not have that authority. It also looks at the drug, (ephedrine), its a good drug, its proposed for the schedule four designation due to its significant potential abuse as a prime ingredient of the illegal drug (cat). This is an agreed Bill. The Illinois Medical Society, DASA, Governor, Illinois Pharmacists have all agreed to this Bill. Some language that is put in the Bill is pertinent to the various groups and it passed out of Committee without a negative vote and I would just ask for a favorable vote."

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

61st Legislative Day

May 17, 1995

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

Granberg: "Will the Lady yield?"

Speaker Daniels: "She indicates she will."

Granberg: "Representative Wojcik, what was the name of that drug that you just mentioned?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "(Ephedrine)."

Speaker Daniels: "Representative Granberg."

Granberg: "I couldn't hear when you were explaining the Bill, could you please repeat that?"

Wojcik: "Representative, I was trying to read the Bill very fast. It's Ephedrine, it's a drug that you can purchase at gas stations, over the counter and what it's used for is for asthma sufferers but now they've found that they can use it to get a high, so what they want to do is take it off the market."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you Representative. You indicated that there were fees in this legislation. Are these new fees, Representative, that have not been initiated before on the pharmacy industry?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Representative, this is not a fee increase."

Speaker Daniels: "Representative Granberg."

Granberg: "Oh, I'm sorry, I thought you indicated that there was a service charge or something being put on each prescription. Could you please elaborate then?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Representative, what we're doing is we're shifting it from the licensing fee. It's not a new increase."

Speaker Daniels: "Representative Granberg."

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

61st Legislative Day

May 17, 1995

Granberg: "I'm sorry, you're shifting it from the current license fee, did you say?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Yes."

Speaker Daniels: "Representative Granberg."

Granberg: "Oh, now I think I know why the pharmaceutical association might be in favor of this, I think I understand. So, currently each pharmacy is charged this fee, the licensee is charged a fee, is that correct?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Correct."

Speaker Daniels: "Representative Granberg."

Granberg: "So, we're going to move the fee from the licensee to the actual prescription, is that correct?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Representative, that is not correct. We are removing it from the licensing fee to the drug program. What they have found is that this is also done for the pharmacist. Now they have discovered that some pharmacist technicians have developed a drug addiction, so what they're doing is they're taking this money from the pharmacist license fee to support a substance abuse."

Speaker Daniels: "Representative Granberg."

Granberg: "I just want to make sure I understand it, Kay. So, the fee is in existence now, it's deposited into this fund which does...deals with the drug rehab of pharmacists, is that correct?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "That is correct."

Speaker Daniels: "Representative Granberg."

Granberg: "And so now you would transfer this fee, or expand the fee for a different area, for drug rehab?"

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

61st Legislative Day

May 17, 1995

Speaker Daniels: "Representative Wojcik."

Wojcik: "For pharmacy technicians."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, I don't know, is there any other industry that puts a fee on itself for drug rehabilitation?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Representative, the pharmacist. So now we're doing it to the pharmacist technicians."

Speaker Daniels: "Representative Granberg."

Granberg: "But that is the only industry that you're aware of that actually puts a fee on itself, on its industry in order to deal with the drug rehab, or potential drug rehab of its members, is that my under...is that correct?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "That is correct, Representative. Actually, what they're doing is to help themselves within their own industry."

Speaker Daniels: "Representative Granberg."

Granberg: "So they initiated this fee themselves in order to deal with the potential problem in their industry that they might be more susceptible to abuse, was that the initial rationale?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "That is correct."

Speaker Daniels: "Representative Granberg."

Granberg: "And so now they're just expanding it to a different classification. What I don't understand Representative is are those costs then passed on to the prescription drugs that are administered by the pharmacy?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Representative, the answer is no. Let me read something to you so you can understand this fee. 'The application

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

61st Legislative Day

May 17, 1995

fee for a pharmacy technicians license is initially \$40.00 and the renewal fee is \$25.00 per year.' That's where it's coming from."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I am joined by the requisite number of my colleagues to remove this Bill from Short Debate, Sir. Representative Wojcik, thank you for the answers because that helped clarify to me, I think Representative Lang is concerned about what is going to be used on the juvenile portion of your Bill which I didn't have a chance to address, but thank you."

Speaker Daniels: "The Lady from DuPage, Representative Cowlshaw."

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

Speaker Daniels: "She indicates she will."

Cowlshaw: "Representative, as I understand this, \$2.50 of the current pharmacy technicians license renewal fee is going to be deposited into this fund. Where does that \$2.50 go now?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "It doesn't go anywhere now."

Speaker Daniels: "Representative Wojcik...Representative Cowlshaw."

Cowlshaw: "Well, I find that somewhat incredible, Representative Wojcik, they send in their money for this license fee and we just keep putting it away in a shoe box somewhere? What are we doing with this money?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Long days, long nights, Representative. In a moment I'll explain it to you."

Speaker Daniels: "Representative Cowlshaw."

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

61st Legislative Day

May 17, 1995

Cowlshaw: "I would appreciate an explanation, if the Lady has one."

Speaker Daniels: "Representative Wojcik."

Wojcik: "Representative, it's a licensing fee for yearly checks and to cover their area and out of that currently the practice is that if you're a pharmacist there is a fee taken out of your pharmacist license. Now, what they're doing, this is for the technician that assist the pharmacist and what they have found is that having such good access to the drugs there have been some technicians that have been addicted, so as the pharmacists are doing this, they take the \$5.00 out of their licensing fee, they are now going to take \$2.50 of the pharmacist technicians license fee."

Speaker Daniels: "Representative Wojcik...Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. It's kind of hard to keep track in this ping-pong type of thing, I understand. Representative, I still don't know what we're taking this away from, but I guess that, I guess there is no explanation so let me just ask one other thing. Does this remedial program for substance abusers that are putting together the prescriptions that you and I go to the drug store and pick up in good faith, are these mostly just the technicians, or are these the pharmacists as well?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Representative, they are both becoming addicted, so we're trying to help both the pharmacist and the technician with their own money, we're not taking anybody else's money, there's no diversion of funds. It comes right out of their own licensing fees, at their request."

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Representative, I really am concerned about the

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

61st Legislative Day

May 17, 1995

extent of this problem. Are you...do you have any statistics to indicate the extent to which substance abuse is prevalent among those people who fill our prescriptions when we order them from our local drug stores?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Representative, we don't have any hard numbers, other than what the industry so states to us. It's the industry's concerns and they feel that they have a problem so therefore that's why this is going to become in effect."

Speaker Daniels: "Representative Cowlshaw."

Cowlshaw: "Thank you very much for your answers, Representative Wojcik. I am grateful to you for being willing to answer the questions."

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

Pankau: "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 Wojcik to close. Representative Wojcik, to close."

Wojcik: "Mr. Speaker, I think that it's a long night, we've heard some very good debate, I hope questions have been answered and I just ask for your favorable passage."

Speaker Daniels: "The question is, 'Shall Senate Bill 831 pass?' All in favor signify by voting 'aye'; opposed by voting 'no', 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 110 'aye' 1 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 859. Read the Bill, Mr. Clerk."

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

61st Legislative Day

May 17, 1995

Clerk McLennand: "Senate Bill 859, a Bill for an Act in relation to the Department of Professional Regulation. Third Reading of this Senate Bill."

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

Wojcik: "Thank you, Mr. Speaker and Members of the House. This also is an agreed Bill, passed out of committee without...no negative votes, it amends the Civil Administrative Code, the Controlled Substance Act, the State Finance Act, and other regulatory acts for which dedicated funds have been established for the deposit of fees and fines. It declares that regulation of professions, trades and occupations effects the public health, safety and welfare and to that end the Assembly shall appropriate the necessary funding for the expenses of these public interests as they exceed funding available from fees and fines. It establishes that appropriations for the direct and allocable indirect costs of licensing and regulating professions and occupations are to be payable from the fees and fines generated by the regulation to the extent those revenues are sufficient. It provides that in a fiscal year when the revenues are insufficient to finance these direct and allocable indirect costs the costs shall be financed from appropriations payable from other sources."

Speaker Daniels: "Representative Lang."

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

Speaker Daniels: "She indicates she will."

Lang: "Thank you. Representative, are you planning to take unused balances from dedicated funds to allow for general operations?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Would you repeat that question, Representative Lang."

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

61st Legislative Day

May 17, 1995

Speaker Daniels: "Representative Lang."

Lang: "Sure, would this Bill allow unused balances from dedicated funds to allow for general operations?"

Speaker Daniels: "Representative Wojcik."

Wojcik: "Actually, it will provide some stability in the management of financing the operations."

Speaker Daniels: "Representative Lang."

Lang: "Well, I don't think that answers the question, Representative, but thank you for that answer. We have dedicated funds here, you want to take those dedicated funds away, are you going to use them for general operations, that's the question."

Speaker Daniels: "Representative Wojcik."

Wojcik: "Representative, I think that the intent is to, again...would you wait a moment Representative, I have to read this. Rep...Mr. Speaker, would you take the Bill out of the record for a short while, please."

Speaker Daniels: "Take this Bill out of the record. Senate Bill 948, read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 948, a Bill that Amends the Intergovernmental Cooperation Act. Third Reading of this Senate Bill."

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

Hughes: "Thank you, Mr. Speaker. Senate Bill 948 has two components. The first amends the Intergovernmental Cooperation Act by raising the population limit from 500,000 to 1,000,000 for counties in which a special district may be consolidated into township government, so long as the boundaries of the special district are co-terminous with the township boundaries. The second portion of this Bill Amends the Local Governmental and Governmental employees tort immunity act to address several

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

61st Legislative Day

May 17, 1995

questionable and/or inappropriate fiscal practices. The act currently permits creation of self-insurance reserves for expected tort liability costs through issuance of bonds and/or an unlimited tax rate levy. This Bill prohibits the accumulation of excessive reserves in self-insurance funds and the levy or extension of additional property taxes if excessive surpluses exists. It restricts the use of excessive surpluses in self-insurance funds to property tax abatements and specifies the use for which local public entities can levy property taxes to specific insurance risk management and tort liability purposes. This portion of the Bill has been negotiated for some time and there is agreement and support for it from the taxpayers federation, the State Chamber, the Illinois Farm Bureau, the realtors and I urge a 'yes' vote."

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

Hartke: "Will the Sponsor yield?"

Speaker Daniels: "She indicates she will."

Hartke: "Representative Hughes, would you explain a little bit more about the insurance fund, to us please?"

Speaker Daniels: "Representative Hughes."

Hughes: "Yes. Currently, it is...the language is somewhat unclear as to what purposes the tort fund can be used. What this Bill does, basically, is say that where bonds are issued and taxes are levied for that fund, they can be used for specific insurance, risk management or tort liability purposes. They cannot be used for other purposes, but must be abated back to the taxpayers if there are surplus funds accumulated."

Speaker Daniels: "Representative Hartke."

Hartke: "Yes, Representative Hughes, if you remember in Committee

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

61st Legislative Day

May 17, 1995

we had a discussion about a couple districts in the state. Could you inform the Body of the outcome of those discussions, I think on these three taxing bodies who had previous commitments on this fund with some problems."

Speaker Daniels: "Representative Hughes."

Hughes: "Yes, there was some concern for three community colleges. We have had a meeting with the parties from those community colleges and determined that this Bill will not create a problem for them. In one instance there is a lease purchase agreement for which funds have been dedicated, it's a contractual agreement and that would not be impacted by this piece of legislation and that is the only instance we are aware of where there are funds dedicated in such a manner."

Speaker Daniels: "Representative Hartke."

Hartke: "Yes, there was some question about elections in DuPage County, could you explain that too, please."

Speaker Daniels: "Representative Hughes."

Hughes: "The purpose of that portion of the Bill is simply, is not to change anything except to allow for the population growth which has occurred, thus increasing the threshold from 500,000 to 1,000,000. It simply is taking into account population growth, nothing more."

Speaker Daniels: "Representative Hartke."

Hartke: "What was that provision for? I know it was to keep them in line with certain things that they could do with that population, what were those things that this townships could do?"

Speaker Daniels: "Representative Hughes."

Hughes: "It is to allow for those cases in which...it is to allow for a special district to be consolidated into township government as long as the boundaries of the special

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

61st Legislative Day

May 17, 1995

district and the township are co-terminous. So this is, I think, a good government provision in that it allows for consolidation of taxing districts and again, it doesn't change that except to provide for growth in population."

Speaker Daniels: "Representative Hartke."

Hartke: "This would then allow for a fire protection district that was, shall we say...under the same boundaries as a township, would the fire protection district duties then be...consolidated with the township and there would be no need for the fire protection district trustees that but, rather the township trustees would take over that authority?"

Speaker Daniels: "Representative Hughes."

Hughes: "That's correct."

Speaker Daniels: "Representative Hartke."

Hartke: "I have no further questions, thank you."

Speaker Daniels: "The Gentleman from Knox, Representative Moffitt."

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

Speaker Daniels: "She indicates she will."

Moffitt: "Representative Hughes, I would like to further clarify one of the issues raised by Representative Hartke. The proponents of this Bill have indicated that it will have prospective application. Given that, how will this legislation affect two current lease-purchase arrangements already undertaken by Carl Sandberg Community College?"

Speaker Daniels: "Representative Hughes."

Hughes: "The intent of this legislation is that it will not have an impact on those ongoing obligations for a number of reasons. First, the obligation was entered into prior to the effective date of this legislation. Assuming that the funding source of the lease-purchase body of the outcome is

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

61st Legislative Day

May 17, 1995

included in the terms of the lease-purchase. Second, the arrangements of the lease-purchase were approved at the time by the local board of trustees, the State Community College Board and the Illinois Board of Higher Education. Finally, it is not the intent of this legislation to impair an ongoing contractual obligation between a taxing district and another party."

Speaker Daniels: "Representative Moffitt."

Moffitt: "Thank you, no further questions."

Speaker Daniels: "The lady from DuPage, Representative Pankau."

Pankau: "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 Hughes to close."

Hughes: "I think it's clear what the intent of the Bill is, I urge a 'yes' vote. Thank you."

Speaker Daniels: "The question is, 'Shall Senate Bill 948 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 113 'aye', none voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 978. Read the Bill, Mr. Clerk. Senate Bill 978."

Clerk McLennand: "Senate Bill 978, a Bill for Act relating to the rehabilitation and liquidation of certain insurers. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Brady."

Brady: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 978 provides some clean up language for the Department of Insurance. It provides some changes in our

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

61st Legislative Day

May 17, 1995

present mine subsidence and prohibits stacking on auto policies. I ask for your favorable consideration."

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

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

Speaker Daniels: "He indicates he will."

Lang: "Representative, you added the provisions of Senate Bill 1191, part of that authorizes the Illinois Mine Subsidence Insurance Fund to establish deductibles for mine subsidence insurance. They didn't have deductibles previously?"

Speaker Daniels: "Representative Brady."

Brady: "The same deductible applied to other coverage in the policy."

Speaker Daniels: "Representative Lang, excuse me, Representative Brady."

Brady: "It didn't have a different deductible like we're providing for."

Speaker Daniels: "Representative Lang."

Lang: "Well, I'm not sure I understood, can you explain what you've done in this area?"

Speaker Daniels: "Representative Brady."

Brady: "What we've allowed is for more flexibility, Representative, on the deductible, to make the program more affordable and more financially solvent."

Speaker Daniels: "Representative Lang."

Lang: "How do you provide for that flexibility? What do you change?"

Speaker Daniels: "Representative Brady."

Brady: "Representative, we give them complete authority to determine that."

Speaker Daniels: "Representative Lang."

Lang: "You give the Department of Insurance full authority to

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

61st Legislative Day

May 17, 1995

make that determination? Who gets that authority?"

Speaker Daniels: "Representative Brady."

Brady: "The mine subsidence insurance fund. It's a statutorily created entity."

Speaker Daniels: "Representative Lang."

Lang: "Who sits on that entity? Who make these decisions?"

Speaker Daniels: "Representative Brady, excuse me, are you done Representative Lang?"

Lang: "That's the question."

Speaker Daniels: "Representative Brady."

Brady: "Insurers, insurance agents, the director of the Department of Insurance and its consumer representatives."

Speaker Daniels: "Representative Lang."

Lang: "What is the ratio of insurance people on this committee to consumers?"

Speaker Daniels: "Representative Brady."

Brady: "I don't know."

Speaker Daniels: "Representative Lang."

Lang: "Well, you don't know is a pretty good answer, except that if its top heavy with insurance companies, and they're going to decide the rules for these deductibles, isn't it possible that consumers are going to get hurt by the results of the decisions this board makes?"

Speaker Daniels: "Representative Brady."

Brady: "Representative, we aren't changing anything that deals with that and if they don't want to buy the insurance, they don't have to."

Speaker Daniels: "Representative Lang."

Lang: "Well, now wait a minute, that, that's not much of an answer Representative. You've said that you're giving them the flexibility to make decisions regarding deductibles and I've asked you how that's done and you say 'well, they have

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

61st Legislative Day

May 17, 1995

complete authority'. Now it seems to me that regulating the insurance business, if the fox is going to guard the chicken house, we better find out about that. So, the question I think is relevant as to whether or not this is top heavy with insurance people. How many people sit on this board who are going to make these decisions regarding these deductibles and...how many votes does it take to pass one of their rules?"

Speaker Daniels: "Representative Brady."

Brady: "Representative, I told you, I don't know."

Speaker Daniels: "Representative Lang."

Lang: "Well, Okay, you don't know. So you don't know, and so you don't know if the tax...if the consumers are going to get hurt by the decisions this board makes and you don't know if the consumers have any right to say anything on this board, so you just simply don't know, is that right?"

Speaker Daniels: "Representative Brady."

Brady: "You catch on quick, Representative."

Speaker Daniels: "Representative Lang."

Lang: "Well, it's nice to know we have another majority party member sponsoring a Bill that they don't know anything about. Let me see if I can find something you do know something about. What is this section regarding coverage by only two cars when a person has three cars?"

Speaker Daniels: "Representative Brady."

Brady: "Representative, I do know the answer to your previous question. You were so diligent in your efforts. The board is made up of nine members, five whom shall be insurance industry directors and four of whom shall be public directors. The industry directors shall be elected annually in the manner provided by articles of governance adopted by the fund and the public directors shall be

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

61st Legislative Day

May 17, 1995

appointed by the director and shall not be employees of, or otherwise affiliated with, the insurance industry. And, Representative I must apologize, I was so earnestly trying to find an answer to your great question that I didn't hear your second question."

Speaker Daniels: "You're out of time, Representative Lang. Representative Flowers. Representative Mautino."

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

Speaker Daniels: "He indicates he will."

Mautino: "Representative, can you explain the provisions for the mine subsidence insurance. We talked earlier in committee and just for the intent of the Bill, I want to make sure that we don't allow for the reduction of coverage to people who currently have mine subsidence insurance."

Speaker Daniels: "Representative Brady."

Brady: "Representative, as you and I discussed, and I believe it's on..."

Speaker Daniels: "Representative Mautino."

Brady: "excuse me..."

Speaker Daniels: "Representative Brady."

Brady: "I believe it's on page 10 and begins on parag...line four, is that the area you're referring to? Okay. And as the Bill states, for all policies issued or renewed on or after January 1, 1996 the amount of reinsurance available for the fund shall not be less than \$200,000 per residence, \$200,000 per commercial building or \$15,000 per living unit. The fund may from time to time adjust the amount of reinsurance available as long as the minimum set by this section is met. So as long as we're meeting those minimums, Representative, as you and I discussed earlier, they can adjust it, but we must meet those minimums."

Speaker Daniels: "Representative Mautino."

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

61st Legislative Day

May 17, 1995

Mautino: "And then Section (f), at the bottom of page 10, there where it says no insurer shall be required to offer the mine subsidence coverage in excess of the reinsured limits. That refers back to that language and that is not allowing another company to go anywhere below those levels 200,000 per residence and 15,000 per living unit, or condo?"

Speaker Daniels: "Representative Brady."

Brady: "Yes, I think the answer to your question is yes, Representative. Is that not what you're asking for?"

Speaker Daniels: "Representative Mautino."

Mautino: "Thank you. The reason this is necessary is because the fund, at this point, is less than 300,000 or in the 300,000 range so they are about broke."

Speaker Daniels: "Representative Brady."

Brady: "That is the issue, Representative."

Speaker Daniels: "Representative Mautino."

Mautino: "In the provision that you have regarding the hit and run, the uninsured motorist, just for clarification. That will not apply, for example, if I were to borrow my brother's car and go out...I have my own coverage on my vehicle and he has his own coverage, but if I get hit by an uninsured motorist, then that will...my comprehensive coverage still follows the policy, correct?"

Speaker Daniels: "Representative Brady."

Brady: "In the example you mentioned, yes."

Speaker Daniels: "Representative Mautino."

Mautino: "I have no further questions, thank you."

Speaker Daniels: "The lady from DuPage, Representative Pankau."

Pankau: "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

61st Legislative Day

May 17, 1995

Brady: "Thank you, Mr. Speaker and Ladies and Gentlemen. Although not all that exciting, interesting, this piece of legislation is very important. The mine subsidence fund is in critical need of these changes, as are the changes for the Department of Insurance, as are the changes for consumers..."

Speaker Daniels: "The Gentleman has moved for the passage of Senate Bill 978. All those in favor, signify by saying...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 115 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1005, read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1005, a Bill for an Act amending the School Code. Third Reading of this Senate Bill."

Speaker Daniels: "The Gentleman from Lake, Representative Lachner."

Lachner: "Mr. Speaker, Members of the House. Senate Bill 1005 amends the School Code. This Bill, as amended, requires the State Superintendent of Education to appoint a committee to review the Illinois Goals and Assessment Program, the IGAP Test. It requires that the committee shall consist of school administrators, teachers, parents and concerned citizens. Basically, it amends the school code and puts some accountability into the IGAP tests. I would be happy to answer any questions."

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

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

Speaker Daniels: "He indicates he will."

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

61st Legislative Day

May 17, 1995

Lang: "Thank you, I am joined by the requisite number to remove it from Short Debate Mr. Speaker, thank you for your nod. Representative, I'm concerned about the provisions in the Amendment to the Bill, regarding discipline of students. As you know, it took us many years to finally pass a Bill that banned corporal punishment in the public schools and I'm concerned as to whether or not this changes that. Can you tell me what you think about that?"

Speaker Daniels: "Representative Lachner."

Lachner: "Yes, Representative, the Amendment to the Bill passed out of this House almost unanimously, with the exception of one vote. It was attached to this specific Bill, it simply extends the tort immunity that is currently offered to certified teachers to teachers aids that are acting in loco parentis, to allow them to have the same tort immunity that certified teachers do. And, I'll be more specific, in the case that we have now more and more, with special education, where we have inclusion cases, where we're asking aids to come into the classroom to take care of these inclusion cases. When you have a student that's acting out, in previous cases you would have the certified teacher restrain that particular student, now with the aid in the classroom, we'll have those aids being responsible for those students. This extends the tort immunity that currently exists for certified teachers to those aids."

Speaker Daniels: "Representative Lang."

Lang: "Well, so this doesn't...just say yes or no...does it repeal corporal punishment bans that we have in this state?"

Speaker Daniels: "Representative Lachner."

Lachner: "Representative, this Bill has nothing to do with corporal or temporal punishment."

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

61st Legislative Day

May 17, 1995

Speaker Daniels: "Representative Lang."

Lang: "Well, Representative, I'm reading the Amendment and I see nothing about tort immunity, at all. But let me tell you what I do see. I see that you're adding to the list of people who can discipline children, anyone, whether they're not a certified employee, providing a service with respect to a student. This could be a janitor, this could be a cafeteria worker, this could be a hall guard, this could be a playground monitor. Are we going to allow cafeteria workers and janitors to discipline students?"

Speaker Daniels: "Representative Lachner."

Lachner: "Representative Lang, if you read the Bill carefully, which I know you're able to do, you'll find that the Bill indicates that it provides for someone that is providing a related service to a student to have the tort immunity extended to them. Currently in the classroom, if you have an aid, or a cafeteria monitor, where that person is acting in loco parentis, they will be providing the discipline to those students. This Bill simply extends the current tort immunity that is offered to certified personnel to those persons acting in loco parentis for a related service."

Speaker Daniels: "Representative Lang."

Lang: "Well, Representative, two comments. First, the Bill in no place and the Amendment in no place, defines the term 'related service', so to read the Bill strictly would say that a cafeteria worker or maintenance worker, or anybody that has anything to do with the student can be disciplining them, that's first. Second, would you please point out to me where this Amendment has anything to do with the Tort Immunity Act. I don't see those words anywhere here. No where. Not in the Bill, not in the Amendment. This is an Amendment about discipline, this

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

61st Legislative Day

May 17, 1995

isn't a Bill about tort immunity. Can you straighten this out?"

Speaker Daniels: "Representative Lachner."

Lachner: "Yeah, Representative, under line 11, if you take a look at the Amendment, it talks about maintenance of discipline subject to limitations of all policies established or adopted under Section 14-8.05, where it says teachers, or other certified educational employees, and the changes we have in here, and any other person whether or not a certificated employee providing a related service with respect to a student, shall maintain discipline in the schools. The tort immunity provision is listed in another section of the school code which refers to this area of the ability of a teacher to maintain discipline within the classroom."

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

Davis, M.: "Thank you, Mr. Speaker. Does this Bill state that students can discipline other students?"

Speaker Daniels: "Will the Gentleman yield? He indicates he will. Representative Lachner."

Lachner: "Representative, in no place in this Bill does this indicate that students can discipline other students, the purpose of this Bill is to simply allow those aids in the classroom who are helping the certified teachers to be protected, as other certified teachers are, from actions that may arise out of their ability to maintain discipline in the classroom."

Speaker Daniels: "Representative Davis."

Davis, M.: "Based upon the language in the Bill, it says any other person, whether or not a certified employee providing a related service, are you saying that bus monitors, or bus

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

61st Legislative Day

May 17, 1995

drivers would have the same rights as certified teachers?"

Speaker Daniels: "Representative Lachner."

Lachner: "Representative, if the bus driver happens to be an employee of the district and they're providing a related service, for example, and this question was asked in committee and by the way, you voted for this Bill almost unanimously, to send out of the house, if the bus driver, for example, is on a field trip and is an employee of the district and is acting under the guidance and for a related service of a teacher and a student is acting out, for example a student with a behavioral disorder, and that bus driver is required to maintain order, they would be included under this Bill. This doesn't change anything or any action that an employee would be involved in. This simply extends the current tort immunity that is applied to certificated personnel to other personnel in the district."

Speaker Daniels: "Representative Davis."

Davis, M.: "But, Representative, first of all if there is any student that that bus driver should never attempt to discipline, it would be that special special education student because that student has special problems that certified personnel has been made aware and surely...surely a bus driver would not have the skills and knowledge to deal with children that are really under federal mandates. Where does it say in this Bill that there is tort immunity? Would you tell me what line and what page, Sir?"

Speaker Daniels: "Representative Lachner."

Lachner: "Representative, in addressing your question on the bus driver, in maintaining the safety of all students in the transportation of those students to and from the school, the person that's driving the vehicle, if they're an employee of the district, is required to maintain the

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

61st Legislative Day

May 17, 1995

safety of that vehicle and the safety of those students in transport from the point where they pick those students up to the point where they drop those students off. And in the case of a driver, which I know may or may not happen from time to time when you have somebody who is acting out or has a problem, that driver is required to maintain discipline on that bus, as is the aid in the classroom, as is the aid on the playground and those people are required to maintain discipline and safety for all the students and the purpose of this Bill is simply to allow those people to do what they're doing now and extend to them the same immunities that are extended to certified personnel."

Speaker Daniels: "Representative Davis."

Davis, M.: "Excuse me Representative, we're still...I'm still looking for tort immunity in this legislation. I'm seeking some section that gives me the wording, tort immunity, and it isn't here, it just is not here. I'm not sure that...I'm not sure that we want to give lunch room help or janitors the same right to discipline children in the classroom that we give to certified people there are certain children with special needs who should not have ever be disciplined in the same way a student who does not have special needs, and I think we'd make an awful mistake to just open the board and say that...."

Speaker Daniels: "Bring your line to a close, Representative Davis, you're out of time."

Davis, M.: "I think we'd be making a mistake to just say that any person in a school building could discipline children. I think we're going to open ourselves up to lots and lots of suits and there's absolutely nothing in this Bill that says there's tort immunity."

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

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

61st Legislative Day

May 17, 1995

Currie: "Thank you Speaker, I'd like to yield my time to Representative Lang."

Speaker Daniels: "Representative Lang."

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

Speaker Daniels: "Sure."

Lang: "Thank you. Representative, it's just absolutely necessary that we continue to pursue some of these questions we're not getting answers to. To me, this is not one of those frivolous Bills where we're spending time. To me this is an important Bill. We're dealing with disciplining children and I think it's important that we understand where your going and this is a very serious matter to me because of the amount of time I've spent on the corporal punishment issue. Now you've indicated to me this has nothing to do with corporal punishment. I'll take you at your word there, but Sir. I'm still waiting for you to point out the line in here that indicates this deals with the Tort Immunity Act, or tort immunity, or any kind of immunity. This has nothing to do with immunity unless you can point it out to me, Sir."

Speaker Daniels: "Representative Lachner."

Lachner: "Representative, tort immunity is extended to certified personnel in certain instances, for example, when the teacher in the classroom is required to discipline a student, restrain a student, this extends the definition for the purposes of tort immunity to any other person whether or not a certificated employee providing a related service with respect to a student. Let me give you an example as to the genesis of this Bill, why this Bill was created and where it came from. I was formerly the vice-president of northern suburban special education district and formerly the board president of Lake Bluff

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

61st Legislative Day

May 17, 1995

District 65. We've recently encountered many, many inclusion cases where we've been required to hire non-certificated personnel to assist our children in the classroom. Unfortunately, because of the way the law is structured right now, those non-certificated personnel who are acting on a one to one basis with these special education students on inclusion basis are required to help those students and from time to time, due to behavioral disorders, or other issues, these students act out. Teachers in the classroom are responsible for the entire classroom. Those certificated..non-certificated aids are required to be responsible for that one student. We felt that because of the non-certificated aids responsibility that they should also be extended the same rights and responsibilities as the certificated personnel, given the fact that they were being responsible for this individual student's ability to participate in classroom activities. Thank you Representative Lang."

Speaker Daniels: "Representative Lang."

Lang: "Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. Representative Lachner is talking about aids, this doesn't say aids. He's talking about the Tort Immunity Act, this doesn't talk about tort immunity. This is in the section of the code regarding discipline of students. This is about discipline of students, it's not about...it's not about tort immunity, it's about who can discipline students. Now we spent a lot of time over the last several years discussing disciplining students and this Body decided that we would ban corporal punishment in the public schools because we were concerned about how discipline was being administered and by who. This Bill says clearly that anybody that has anything to do with a student can

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

61st Legislative Day

May 17, 1995

discipline a student. We're not talking about the Tort Immunity Act, we're talking about who may discipline a student. Do you want a cafeteria worker to discipline students? Do you want a hall monitor to discipline students? Do you want a bus driver to discipline students in the school building? This is about who should have the right to discipline students and let me tell you that what the Representative said has nothing to do with this legislation. The legislation would allow anybody, even another student, that has contact with a student in some superior capacity to discipline a student. It says anybody in the school that has any relation to a student. Now Ladies and Gentlemen, we're all for keeping order in schools, but there's a right way to do it and a wrong way to do it. This is the wrong way to do it. It gives too broad powers to too many people. Now when we send our children to school we have a right to expect that the people who will discipline them will be people who have some training in this area. Who's gonna pay to train cafeteria workers to discipline students? Who's gonna pay to train playground monitors to discipline students? This goes way to far, its way too broad, this is dangerous for your kids going to school. You should vote no."

Speaker Daniels: "The lady from DuPage, Representative Pankau. Representative Pankau."

Pankau: "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 Lachner to close."

Lachner: "Representative..Representatives and members of the House, it's dangerous not to have a Bill like this. As we move forward with changing the educational process, as we

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

61st Legislative Day

May 17, 1995

bring more and more people into the process, as we bring aids, as we bring assistants, as we bring helpers into the classroom, as we change technology and we bring inclusion cases into the classroom, more and more we're asking and demanding of our non-certificated personnel to take on increasing responsibilities and as we ask them to take on increasing responsibilities we also need to provide them with the same types of rights and privileges we provide our certificated teachers. I ask you for the support of this Bill as amended. This Bill passed out of this House unanimously with the exception of 1 vote. Needless to say, I urge your support of the..."

Speaker Daniels: "The question is, 'Shall Senate Bill 1005 pass?' All those in favor signify by voting 'aye'; opposed by voting 'no', 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 88 'ayes', 22 'noes' 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1037. Excuse me, Committee Reports."

Clerk McLennand: "Committee Reports: Committee Reports from Representative Churchill, Chairman from the Committee on Rules, to which the following Bills and Resolutions were referred, action taken on May 17, 1995, reported the same back with the following recommendation/s: 'do adopt' House Resolution 47; 'do approve for consideration' Senate Bills 17-FA 6; 'do approve for consideration' Senate Bill 1208-FA5."

Speaker Daniels: "Senate Bill 1037, read the Bill Mr. Clerk."

Clerk McLennand: "Senate Bill 1037, a Bill for an Act that amends the Illinois Plumbing License Law, Third Reading of this Senate Bill."

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

61st Legislative Day

May 17, 1995

Speaker Daniels: "Representative Saviano."

Saviano: "Thank you Mr. Speaker, members of the House. Senate Bill 1037 amends the Illinois plumbing license law. It provides that a plumber may be licensed as a retired plumber if he or she meets certain requirements and surrenders his or her plumber's license. It provides that the holders of a retired plumber's license may not perform certain functions that are performed by licensed plumbers, it provides that no municipality or county shall charge or collect a fee for a permit to install or repair plumbing unless the installation or repair is inspected by a competent plumbing inspector. This Bill is prompted by the plumbers union in Chicago, the Department of Public Health opposes this Bill as amended. We felt this was an important Bill because it requires licensed plumbers to do work, regardless if a municipality issues a permit or not. I would ask for your favorable vote."

Speaker Daniels: "Representative Granberg."

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

Speaker Daniels: "He indicates he will."

Granberg: "Representative Saviano, you indicated that the Department of Public Health is now opposed to your Bill, cause I had thought they were proponents when the Bill was first introduced."

Speaker Daniels: "Representative Saviano."

Saviano: "They were proponents until we put the unions Amendment on it."

Speaker Daniels: "Representative Granberg."

Granberg: "They don't like the unions Amendment?"

Speaker Daniels: "Representative Saviano."

Saviano: "No they don't..."

Speaker Daniels: "Representative Saviano."

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

61st Legislative Day

May 17, 1995

Saviano: "Because it requires that all plumbing jobs have to be done by a licensed plumber, Okay, and that's services, not mains. Your services from a home or from an establishment to the main."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, is the municipal league still in opposition to your legislation as well? The unions are for it."

Speaker Daniels: "Representative Saviano."

Saviano: "Yes, they were always in opposition to it, whether it was amended or not."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, and what was the reason for the municipal league's opposition?"

Speaker Daniels: "Representative Saviano."

Saviano: "Because of the fact that it, in some cases they weren't able to charge the fee for the permit. They weren't able to issue a permit if it was a licensed plumber doing the work."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, I'm not sure if I understood that correctly, could you please..."

Speaker Daniels: "Representative Saviano."

Saviano: "If you'll notice, in your analysis I'm sure it also reflects this, it provides that no municipality or county shall charge or collect a fee for a permit to install or repair plumbing unless the installation or repair is inspected by a competent plumbing inspector. What they were running into was, they would collect a fee and issue a permit, but they would never inspect the work, so this Bill, by requiring the work to be done by a licensed plumber would insure that the work would be done correctly."

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

61st Legislative Day

May 17, 1995

They were charging a fee for a permit and not necessarily inspecting the work. This would mandate that the work would be done by a licensed plumber to give you a double safeguard and be inspected if they're gonna collect the fee."

Speaker Daniels: "Representative Granberg."

Granberg: "So you believe that it's important to have a union plumber certify all work done through the municipality, any of those types of operations for safety, performance, make sure the work is performed correctly, that was the rationale behind that?"

Speaker Daniels: "Representative Saviano."

Saviano: "I believe you're correct, but that's not what the Bill addresses. This gives a two-fold safeguard when work is being done. If the municipality is going to charge a fee for a permit and not inspect the work, at least have a licensed plumber do the work. Presently, that is not required."

Speaker Daniels: "Representative Granberg."

Granberg: "And then, Representative Saviano, how would this interplay with the retired plumber, that that person can actually go in and do this work with your legislation."

Speaker Daniels: "Representative Saviano."

Saviano: "The retired plumber clause in the Bill is just solely as an honorary thing so they can keep their plumber's number. That's sort of a technical thing, it's an honorary clause and that was the original intent of the Bill."

Speaker Daniels: "Representative Granberg."

Granberg: "Mr. Speaker, I'm joined by the requisite number off Short Debate thank you. Representative Saviano, some of us from downstate, we don't understand what you meant by the honorary so could you talk about that, please. Explain

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

61st Legislative Day

May 17, 1995

what that means, how that impact us downstate that a retired plumber would need to keep his or her honorary license. What the necessity for that would be and how that would apply, particularly to downstate."

Speaker Daniels: "Representative Saviano."

Saviano: "We have found that this is a very cherished thing for retired plumbers. Issuing retired plumber's license for honorary purposes, like I stated, the intent of this Bill was to allow retired plumbers to escape the fee required to reinstate license, so even though they retired, they could retain their card...."

Speaker Daniels: "Representative Saviano, bring your answer to a close."

Saviano: "...but not continue to have to pay their reinstatement license fee. Would allow retired plumbers to keep their license number obtained at the time at the time retirement. This apparently is a more of a sentimental thing to retired plumbers to retain their card and their number."

Speaker Daniels: "The Gentleman from Cook, Representative Hassert. The Lady from DuPage, Representative Pankau."

Pankau: "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 Saviano to close."

Saviano: "I would ask for a favorable vote, this is good legislation, it provides some safeguards for municipalities who don't have the opportunity to inspect, at least that we insure that we have a licensed union plumber doing the work and I would ask for a favorable vote. Thank you."

Speaker Daniels: "The question is 'Shall Senate Bill 1037 pass?' All those in favor signify by voting 'aye'; opposed by

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

61st Legislative Day

May 17, 1995

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...Clerk will take...the...record. This question having received 108 'ayes', 7 'noes', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1095. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1095, a Bill for an Act concerning radiation protection and installations, Third Reading of this Senate Bill."

Speaker Daniels: "Representative Krause."

Krause: "Thank you, Mr. Speaker. Present Senate Bill 1095. This provides that the Department of Public Health is to include in its brochures on guidelines for the screening detection of breast cancer a statement that mammography is the most accurate method for making an early detection of breast cancer, however, no diagnostic tool is 100% effective. The Amendment provides that mammography equipment must meet certain federal standards. In addition, there are two other Amendments that were added on to this Bill, one by Representative Flowers. House Bill 895 that provides that the Department of Public Health shall include in its summary of breast cancer information on alternative treatments information on re-constructive surgery as well as the use of implants and their risk. The other Amendment was Representative Feigenholtz' House Bill 2235 that changes all references of 'venereal disease' to 'sexual transmitted disease' and in addition provides that a consent to a medical or surgical procedure by a parent who is a minor is not voidable because of the persons minority. That is the content of Senate Bill 1095 and I'd be pleased to answer any questions."

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

61st Legislative Day

May 17, 1995

Speaker Daniels: "Does anyone stand in opposition? The Lady from Cook, Representative Schakowsky, enlighten us."

Schakowsky: "Thank you Mr. Speaker. I'd like to take this Bill off of Short Debate and I'm joined by sufficient number of people. Will the Sponsor yield?"

Speaker Daniels: "Will the Lady yield? She indicates she will."

Schakowsky: "Thank you. Can you tell me what the underlying Bill, before the Amendments will do, Representative?"

Speaker Daniels: "Representative Krause."

Krause: "Okay. The underlining Bill, being Senate Bill 1095, proceeds on providing that the brochure that the Department of Public Health is to issue is to have guidelines for the screening and detection of breast cancer, as well as a statement that the mammography is the most accurate method for making early detection, however, it is not 100% effective and therefore it is to include instructions for performing self-examination and a statement also that this should be done monthly. It also proceeds and talks about that mammography equipment must meet certain federal standards."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Is this last point about the mammography equipment itself, how will this further assure Illinois women that mammography equipment is more accurate or safer?"

Speaker Daniels: "Representative Krause."

Krause: "I think it just merely, the brochure is to set forth the information on the equipment."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "So, this does not require any changes in the equipment itself, this is all part of the brochure, so what is it that it says about the mammography equipment then?"

Speaker Daniels: "Representative Krause."

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

61st Legislative Day

May 17, 1995

Krause: "I think...yea...it doesn't say anything about the equipment. It requires the operators...yea...to instruct women regarding the limitations of mammography, and then goes on as to the importance of self-examination."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "So Representative, this Bill has nothing to do with the standards for the equipment itself, have nothing to do with the issue of radiation or the safety of the equipment at all, is that true?"

Speaker Daniels: "Representative Krause."

Krause: "...Yea...under the Amendment, mammography equipment must meet certain federal standards. The Federal Mammography Quality Standards Act, enacted in 1992 to insure that there are uniform standards, as far as all of the machines."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker. In the moments remaining, let me just address the Bill itself. I think the underlying Bill and the Amendments that have been added to this will be helpful, particularly in warning women about alternatives and side effects and the limitations of mammography will be great."

Speaker Daniels: "The Lady, Representative Krause, moves for the passage of Senate Bill 1095. 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 116 'ayes', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. (Senate Bill) 1111. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1111, a Bill for an Act that amends the River Conservancy District Act. Third Reading of this

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

61st Legislative Day

May 17, 1995

Senate Bill."

Speaker Daniels: "Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1111 amends the River Conservative District Act and requires river conservation districts to include, in every publication of any ordinance, which authorize bonds or dissolves such districts a general description of the boundaries of the district using easily recognizable description. It also lowers the requirement of number of signatures for a back door referendum from 10% of the registered voters to 5% of the voters. And, as amended it also includes the same language that was in House Bill 944, which was an Amendment that had been worked on and negotiated with the Illinois Association of Realtors, Association of Illinois Soil and Water Conservation Districts and Department of Agriculture, through the work of Representative Klingler and the Amendment says that the contents of the Natural Resource Information Reports issued by the districts will be according to standard guidelines established by rule by the Department of Agriculture. That if the district does not issue a written opinion with 30 days of the receiving a petition or proposal the county agency or municipality shall not be obligated to receive the written opinion of the district before proceeding with the...approving zoning ordinances or variances. That the district changes responsible fee...reasonable fees, that the schedule of the fees and any revisions shall be available to the public on request. I'll be glad to answer any questions and on the Amendment, I would like to refer the questions to Representative Klingler."

Speaker Daniels: "Ladies and Gentlemen, let me recognize the presence of former Representative Dick Hart from Benton,

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

61st Legislative Day

May 17, 1995

Illinois. Representative Hart, nice to see you again, Sir.
Is there any discussion? The Gentleman from Winnebago,
Representative Scott."

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

Speaker Daniels: "He indicates he will."

Scott: "Representative, what was the reasoning behind both the
underlying Bill and then the Amendment, what were the
problems that were trying to be corrected with those?"

Speaker Daniels: "Representative Bost."

Bost: "On the first part of the Bill, the problems were that it
just basically was to give a more easible...more reasonable
access for the people to stop a referendum...or stop a tax
increase through a back door referendum. It was just good
legislation, it was sent over by State Representative
Ray...by Senator Ray and at his request I decided to carry
the Bill. The Amendment, I would let Representative
Klingler answer."

Speaker Daniels: "Representative Scott."

Scott: "I'm not...I don't know if he wanted to do that
procedurally or not, let...it's fine with me if
Representative Klingler wants to answer that part of the
question, that's fine."

Speaker Daniels: "Representative Klingler."

Klingler: "Thank you, Mr. Speaker. The question I believe was
what was the rationale behind House Bill 944, which is now
Amendment #1. The Bill originated from concern that arose,
not only in Sangamon County but in other counties, both on
the contents of natural resource information reports and
when they would be received and also the amount of the
fees. The House Bill 944, which was passed by this Body
simply standardized the contents of the report and
indicated that the Department of Agriculture would issue

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

61st Legislative Day

May 17, 1995

rules and regulations for these contents. Also, it set reasonable fees for these."

Speaker Daniels: "Representative Scott."

Scott: "Representative Bost, was there...two questions, first of all, how many of these districts are there? How many districts will be affected? And second of all, were there problems in Senator Ray's district or in yours with these districts not be able to get on the ballot because 10% is too many...I mean that's a fairly standard number for back door referendums throughout the laws of the state. Why would this particular Act, is that a problem?"

Speaker Daniels: "Representative Bost."

Bost: "In answer to the first part of the question, it is my understanding at one time there were about 13 to 15 of these districts around the state, now over the years, there's about 3. Most of them are located down in the southern part of the state and that's the information I received. One of them is in my district, one is in Senator's Ray's district and then one is further south in the state. But as far as to answer your second part of your question, it's just an opportunity for the voters to be more involved with these local districts."

Speaker Daniels: "Representative Scott."

Scott: "Then a couple more quick questions about the Amendment. For either of you to explain. Is the soil water conservation district, the association, are they in support of this now? And, secondly could you explain the portion briefly that says...if the written...there supposed to issue a written opinion but if they don't the municipality or county's not obligated to receive it. Could you give me an example of how that would work?"

Speaker Daniels: "Representative Bost. Representative Klingler,

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

61st Legislative Day

May 17, 1995

you want to answer that? Representative Klingler."

Klingler: "...Representative, the situation regarding the 30 days arises from situations where zoning, in fact, was being held up waiting for the report, even though the local planning and zoning commission may have felt that it had the necessary information. So this simply emphasizes that if the report is not received within the 30 days that...the local municipality, be it a city or county, may go ahead with the zoning procedures."

Speaker Daniels: "Further discussion? The Lady from DuPage, Representative Pankau moves the previous question. All those in favor signify by saying 'aye'; opposed 'no', the 'ayes' have it. The Gentleman, Representative Bost moves for the passage of Senate Bill 1111. 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 115 'ayes', 1 voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1115, read the Bill Mr. Clerk."

Clerk McLennand: "Senate Bill 1115, a Bill for an Act to amend School Code, Third Reading of this Senate Bill."

Speaker Daniels: "Representative Woolard."

Woolard: "Thank you Mr. Speaker, Ladies and Gentlemen of the House, what we've got here is a situation where a school district in Southern Illinois is requesting the authority to extend or increase their bonding authority. We've got a school district that has the, probably, worst high school building in the State of Illinois. That's not something we're proud of, but it's a fact and it's a reality. They don't have the ability, locally, to stand up and take care

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

61st Legislative Day

May 17, 1995

of their own, unless we give them the authority to extend, or increase, their bonding authority. I think that it's specific in nature, it only addresses the problems of one local school district, it will allow them to accomplish something that they're going to have to do through health life-safety bonds and some fashion, either repair or replace and this will give us a chance to actually save money because we can build a new facility for almost half what it would cost to repair the existing facility..."

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

Black: "Thank you very much Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. This Bill came out of the Education Committee with absolutely no negative votes. There are no known opponents. Mr. Speaker, I am joined by the requisite number of people on this side of the aisle to keep this Bill on Short Debate."

Speaker Daniels: "Representative Jones."

Jones: "Thank you Mr. Speaker, I simply rise in support of this Bill as Representative Woolard said, this school, if mine and your children were going to it, we would want in condemned immediately. It is going to cost approximately 10 million dollars to repair this building and for about half that price, \$5 million, we can build a new school. I just urge all of my colleagues, on my side of the aisle, to give an 'aye' vote to this Bill. Thank you."

Speaker Daniels: "Representative Bost."

Bost: "Mr. Speaker, I also rise in support, this is an opportunity to give...give this school district a chance to survive and a chance to provide good schools and I just ask all the colleagues..."

Speaker Daniels: "Representative Cowlshaw."

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

61st Legislative Day

May 17, 1995

Cowlshaw: "Thank you Mr. Speaker, to the Bill. Representative Woolard is attempting to address a very serious problem in his own area. I think this Bill is a reasonable way for him to go about doing that. It is really needed and Mr. Speaker, I think this Bill should get a 100% yes vote."

Speaker Daniels: "Representative Lachner."

Lachner: "Mr. Speaker, I rise in support of this Bill. I had discussions with the president of the Board of Education, both during and after the committee session and I have assurances for her of her interest in providing a front door referendum, should it be required for this Bill. I urge my colleagues to support this also, as Representative Cowlshaw said, unanimously."

Speaker Daniels: "Representative Parke."

Parke: "Thank you Mr. Speaker, I rise in support of this Bill, too."

Speaker Daniels: "The Gentleman, Representative Woolard, moves for the passage of Senate Bill 1115. 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 115 'ayes', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1140. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1140, a Bill for an Act that amends the Adoption Act. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. This Bill amends the Adoption Act by having some cleanup language on the Baby Richard Bill. Also, has an Adoption Reform Committee to study the Adoption Act and addresses problems of standing with the

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

61st Legislative Day

May 17, 1995

Baby Jane situation and says that in international adoptions you only have to have one background check. I would be happy to answer any questions."

Speaker Daniels: "Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House.

I rise in support of this proposal. I have these situation in my district where we have a Baby Jane case, where a lady is trying to get standing in the court for an adoption procedure. And you know, Ladies and Gentlemen, a lot of the things we do down here in Springfield only affect our constituents maybe in an indirect way or perhaps they have some impact on their life. But this is a Bill that really gives us an opportunity to have a very important impact on a young child's life and on a mother's life. People who are very concerned about the future of a baby. So I would rise in support of this proposal. Urge all my colleagues on both sides of the aisle to support this proposal. To give a young child a chance to be adopted into a family that cares very much and to give a judge the opportunity to make a ruling on the best interest of the child. Ladies and Gentlemen, I'd urge your 'yes' vote."

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

Pankau: "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. The Lady moves for the passage of Senate Bill 1140. 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 115 'aye', none voting 'no', 1 voting 'present'. This Bill, having received a Constitutional

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

61st Legislative Day

May 17, 1995

Majority, is hereby declared passed. Okay, we're now going to do Second Readings on the Calendar and the First and Second Supplemental. Second Readings. Senate Bills Second Reading. Senate Bill 50, read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 50, the Bill has been read a second time previously. Committee Amendments #1, 4, 7 and 8 have been adopted on the Bill. No other Amendments have been approved for consideration. A fiscal note has been requested and has been filed."

Speaker Daniels: "Third Reading. Senate Bill 51."

Clerk McLennand: "Senate Bill 51, the Bill has been read a second time previously. No Committee Amendments, no Floor Amendments have been approved for consideration. A fiscal note has been requested and has been filed."

Speaker Daniels: "Third Reading. Senate Bill 86."

Clerk McLennand: "Senate Bill 86, a Bill for an Act concerning adoption. Second Reading of this Senate Bill. Committee Amendment #1 was adopted. No Floor Amendments. No note requests."

Speaker Daniels: "Third Reading. Representative Lang, for what purpose do you rise, Sir?"

Lang: "I was wondering if the Amendments on Senate Bill 86, has been printed and distributed, Mr. Speaker."

Clerk McLennand: "Committee Amendment #1, has been printed and distributed."

Speaker Daniels: "Senate Bill 165. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 165, it has been read a second time previously. Committee Amendment #4, has been adopted and has been distributed. No Floor Amendments have been approved for consideration."

Speaker Daniels: "Third Reading. (Senate Bill) 292."

Clerk McLennand: "Senate Bill 292, the Bill has been read a

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

61st Legislative Day

May 17, 1995

second time previously. Committee Amendment #5, has been adopted and has been distributed. No Floor Amendments have been approved for consideration. States mandate note and fiscal note requested and have been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 317."

Clerk McLennand: "Senate Bill 317, the Bill has been read a second time previously. No Committee Amendments. No Floor Amendments, have been approved for consideration."

Speaker Daniels: "Third Reading. (Senate Bill) 384. For what purpose does Representative Lang, arise?"

Lang: "Thank you, Mr. Speaker. I'm just trying to just clear the record the record here. On Senate Bill 165, the Amendment that was distributed to us was Amendment #4. But our records seem to indicate the Amendment that was adopted was Amendment 1. I just want to make sure we're handling these Bills correctly in a parliamentary way, Sir."

Speaker Daniels: "Mr. Clerk."

Clerk McLennand: "Amendment 4, is the only Amendment that has been adopted on the Bill."

Speaker Daniels: "Your records are in error. (Senate Bill) 384."

Clerk McLennand: "Senate Bill 384, the Bill has been read a second time previously. Committee Amendment #1, has been adopted and has been distributed. No further Amendments have been approved for consideration."

Speaker Daniels: "Third Reading. (Senate Bill) 465."

Clerk McLennand: "Senate Bill 465, the Bill has been read a second time previously. Committee Amendment #1, has been adopted and has been distributed. No further Amendments has been approved for consideration. Fiscal note, states mandate note have been requested on the Bill and has been filed."

Speaker Daniels: "What purpose does Representative Lang, arise?"

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

61st Legislative Day

May 17, 1995

Lang: "Thank you, Sir. Going back to Senate Bill 384, I believe there's a note..."

Speaker Daniels: "Just a second. Just a second, Sir. (Senate Bill) 465, will be moved to Third Reading. Now, your question, Sir."

Lang: "On Senate Bill 384, we believe there is a note request filed. I'm not sure if the note had been filed...the note itself has been filed, Sir."

Speaker Daniels: "Mr. Clerk."

Clerk McLennand: "We have no record of a note request."

Speaker Daniels: "Representative Lang, we're going to move on but we will get back to your question. Mr. Rossi, is calling upstairs to see if they have any record. They don't have a record here of one having been filed. We will get back to you. Mr. Lang, we do have an answer for you. There is no record of it upstairs or here in the well. So, that Bill has been moved to Third Reading. Senate Bill 549. Read the Bill:"

Clerk McLennand: "Senate Bill 549, the Bill has been read a second time previously. No Committee Amendments. No Floor Amendments. State mandates note, fiscal note have been requested and have been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 585."

Clerk McLennand: "Senate Bill 585, the Bill has been read a second time previously. Committee Amendment #1, has been adopted and distributed. No Floor Amendments approved for consideration. Fiscal note, state mandates note requested and have been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 710."

Clerk McLennand: "Senate Bill 710, the Bill has been read a second time previously. No Committee Amendments. No Floor Amendments have been approved for consideration. Fiscal

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

61st Legislative Day

May 17, 1995

note, state mandates note have been requested, have been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 810."

Clerk McLennand: "Senate Bill 810, the Bill has been read a second time previously. No Committee Amendments. No Floor Amendments have been approved for consideration. Fiscal note requested and has been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 947, read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 947, the Bill has been read a second time previously. No Committee Amendments. No Floor Amendments approved for consideration. States mandates note and a home rule note have been requested and have been filed. A fiscal note has also been filed on the Bill."

Speaker Daniels: "Third Reading. (Senate Bill) 1066. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1066, the Bill has been read a second time previously. Committee Amendment #1, was adopted and has been distributed. No Floor Amendments have been approved for consideration. Fiscal note has been requested on the Bill as Amendment and has been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 1186. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1186, the Bill have been read a second time previously. Committee Amendment #1, has been adopted and distributed. No Floor Amendment have been approved for consideration. Fiscal note has been requested on the Bill and has been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 46. Read the Bill. This is Supplemental Calendar #1. Senate Bill 46."

Clerk McLennand: "Senate Bill 46, a Bill for an Act concerning site remediation. Second Reading of this Senate Bill.

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

61st Legislative Day

May 17, 1995

Committee Amendment #1, has been adopted and has been distributed. No Floor Amendments. Fiscal note, state mandates note have been filed on the Bill as Amended."

Speaker Daniels: "Third Reading. Senate Bill 68. Read the Bill, Mr. Clerk. Senate Bill 68. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 68, a Bill for an Act to amend the Environmental Protection Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No note requests are pending."

Speaker Daniels: "Third Reading. Senate Bill 269. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 269, a Bill for an Act to amend the Board of Higher Education Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. Fiscal note, state mandates note, have been requested and have been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 271."

Clerk McLennand: "Senate Bill 271, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments approved for consideration. Fiscal note has been requested on the Bill and filed."

Speaker Daniels: "Third Reading. (Senate Bill) 273."

Clerk McLennand: "Senate Bill 273, a Bill for an Act that amends the State Employees Group Insurance Act of 1971. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No note requests."

Speaker Daniels: "Third Reading. (Senate Bill) 327."

Clerk McLennand: "Senate Bill 327, a Bill for an Act concerning coal combustion by-products. Second Reading of this Senate Bill. Committee Amendment #1, was adopted and has been distributed. No Floor Amendments approved for

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

61st Legislative Day

May 17, 1995

consideration. Fiscal note, and a state mandates note have been requested on the Bill as amended and they have been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 399."

Clerk McLennand: "Senate Bill 399, a Bill for an Act concerning liquefied petroleum gas. Second Reading of this Senate Bill. No Committee Amendment. No Floor Amendments. State mandates note and a fiscal note have been filed on the Bill as requested."

Speaker Daniels: "Third Reading. (Senate Bill) 447."

Clerk McLennand: "Senate Bill 447, a Bill for an Act concerning the leasing and ownership of condominium. Second Reading of this Senate Bill. Committee Amendment #1, has been adopted and distributed. No Floor Amendments approved for consideration. A fiscal note has been requested on the Bill as amended and that has been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 628."

Clerk McLennand: "Senate Bill 628, a Bill for an Act concerning leases of real property. Second Reading of this Senate Bill. Committee Amendments...no Committee Amendments on the Bill. No Floor Amendments approved for consideration. Judicial note, state mandates note and fiscal note have been requested and filed."

Speaker Daniels: "Third Reading. (Senate Bill) 629."

Clerk McLennand: "Senate Bill 629, a Bill for an Act that amends the Environmental Protection Act. Second Reading of this Senate Bill. Committee Amendment #1, has been adopted and distributed. No Floor Amendments. Fiscal note has been requested on the Bill and has been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 718."

Clerk McLennand: "Senate Bill 718, a Bill for an Act concerning Higher Education. Second Reading of this Senate Bill.

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

61st Legislative Day

May 17, 1995

Committee Amendment #1, has been adopted and distributed.

No Floor Amendments. Fiscal note and a home rule note have been requested on the Bill and they have been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 763. Read the Bill. I'm sorry."

Clerk McLennand: "On Senate Bill 718, a state mandates note, balance budget note and a state debt impact note have also been requested on the Bill. They have not been filed."

Speaker Daniels: "Okay. On 718, hold that on Second Reading. (Senate Bill) 763."

Clerk McLennand: "Senate Bill 763, a Bill for an Act that amends the Personnel Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. A fiscal note and a state mandate note have been requested on the Bill and they have been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 964."

Clerk McLennand: "Senate Bill 964, a Bill for an Act that amends the Illinois Public Aid Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. A fiscal note has been requested on the Bill and has not been filed."

Speaker Daniels: "(Senate Bill) 964, then you want to hold on Second Reading. (Senate Bill) 1056."

Clerk McLennand: "Senate Bill 1056, a Bill for an Act that amends the State Finance Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. State mandates note and fiscal note have been requested and they have been filed."

Speaker Daniels: "Third Reading. Supplemental Calendar #2. Senate Bill 92. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 92, a Bill for an Act regarding information. Second Reading of this Senate Bill. No

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

61st Legislative Day

May 17, 1995

Committee Amendments. No Floor Amendments. Fiscal note and a state mandates note have been requested and they have been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 114. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 114, a Bill for an Act in relation to health benefits for benefits for recipients of the teachers retirement system. Second Reading this Senate Bill. Committee Amendment #1, has been adopted. No Floor Amendments approved for consideration. A pension impact note has been requested, has been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 540. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 540, a Bill for an Act in relation to taxation of motor vehicles. Second Reading of the Senate Bill. Committee Amendment #1, has been adopted. No Floor Amendments. Fiscal note has been requested on the Bill as amended and has been filed."

Speaker Daniels: "Third Reading. (Senate Bill) 1211. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1211, a Bill for an Act concerning rent control. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. Fiscal note, home rule note and state mandates note have been requested on the Bill and they have been filed."

Speaker Daniels: "Third Reading. Representative Black, now moves that the House stand adjourned until Tuesday, May 18, 1995 at the hour of 9:00 a.m. Thursday. Thursday, May 18, 1995 at the hour 9:00 a.m. All those in favor signify by saying 'aye'; opposed, 'no'. In the opinion of the Chair, the 'ayes' have it and following time and allowing time for Perfunctory Clerk...Perfunctory time for the Clerk. The

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

61st Legislative Day

May 17, 1995

House now stands adjourned until Thursday, May 18, 1995 at
the hour of 9:00 a.m."

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

96/07/30
14:44:47

MAY 17, 1995

SB-0017	RECALLED	PAGE	61
SB-0046	SECOND READING	PAGE	131
SB-0050	SECOND READING	PAGE	128
SB-0051	SECOND READING	PAGE	128
SB-0068	SECOND READING	PAGE	132
SB-0086	SECOND READING	PAGE	128
SB-0092	SECOND READING	PAGE	134
SB-0114	SECOND READING	PAGE	135
SB-0165	SECOND READING	PAGE	128
SB-0176	THIRD READING	PAGE	8
SB-0269	SECOND READING	PAGE	132
SB-0271	SECOND READING	PAGE	132
SB-0273	SECOND READING	PAGE	132
SB-0292	SECOND READING	PAGE	128
SB-0317	SECOND READING	PAGE	129
SB-0327	SECOND READING	PAGE	132
SB-0365	THIRD READING	PAGE	24
SB-0384	SECOND READING	PAGE	129
SB-0399	SECOND READING	PAGE	133
SB-0447	SECOND READING	PAGE	133
SB-0455	THIRD READING	PAGE	29
SB-0465	SECOND READING	PAGE	129
SB-0540	SECOND READING	PAGE	135
SB-0549	SECOND READING	PAGE	130
SB-0562	THIRD READING	PAGE	41
SB-0585	SECOND READING	PAGE	130
SB-0613	THIRD READING	PAGE	49
SB-0623	THIRD READING	PAGE	56
SB-0624	THIRD READING	PAGE	61
SB-0628	SECOND READING	PAGE	133
SB-0629	SECOND READING	PAGE	133
SB-0710	SECOND READING	PAGE	130
SB-0717	THIRD READING	PAGE	67
SB-0718	SECOND READING	PAGE	133
SB-0718	HELD ON SECOND	PAGE	134
SB-0731	THIRD READING	PAGE	76
SB-0760	THIRD READING	PAGE	81
SB-0763	SECOND READING	PAGE	134
SB-0810	SECOND READING	PAGE	131
SB-0831	THIRD READING	PAGE	86
SB-0859	THIRD READING	PAGE	93
SB-0859	OUT OF RECORD	PAGE	94
SB-0947	SECOND READING	PAGE	131
SB-0948	THIRD READING	PAGE	94
SB-0964	SECOND READING	PAGE	134
SB-0964	HELD ON SECOND	PAGE	134
SB-0978	THIRD READING	PAGE	98
SB-1005	THIRD READING	PAGE	104
SB-1037	THIRD READING	PAGE	113
SB-1056	SECOND READING	PAGE	134
SB-1066	SECOND READING	PAGE	131
SB-1095	THIRD READING	PAGE	118
SB-1111	THIRD READING	PAGE	120
SB-1115	THIRD READING	PAGE	124
SB-1140	THIRD READING	PAGE	126
SB-1186	SECOND READING	PAGE	131
SB-1211	SECOND READING	PAGE	135
HR-0047	FILED	PAGE	7
HR-0048	FILED	PAGE	7

REPORT: TIFLDAY
PAGE: 002

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

96/07/30
14:44:47

MAY 17, 1995

SUBJECT MATTER

HOUSE TO ORDER - REP CHURCHILL	PAGE	1
PRAYER - REP BOST	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
COMMITTEE REPORTS	PAGE	2
MESSAGE FROM THE SENATE	PAGE	6
COMMITTEE REPORTS	PAGE	60
SPEAKER DANIELS IN THE CHAIR	PAGE	61
COMMITTEE REPORTS	PAGE	113
HOUSE ADJOURNED	PAGE	135