

89TH GENERAL ASSEMBLY
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Speaker Daniels: "Unfortunately, our Chaplain must have been detained somewhere so we're going to call the House to order and those not entitled to the Floor, will please retire to the Gallery. We will be led in prayer by Representative Woolard. Those in the Gallery may wish to rise to join us in the invocation."

Woolard: "Father, we thank Thee for Your love. We thank You for the leadership that You provide. Lord, we just pray that each and every one us will keep You in mind as we seek to do the will of the people. Be with us, give us strength, guidance, and especially, Lord, let us to continue to remember You. We ask these things in Your holy and precious name. Amen."

Speaker Daniels: "We will be led in the Pledge of the Allegiance by Representative Hartke."

Hartke- 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 Daniels: "Roll Call for attendance. Representative Lang, we are happy that you could join us today even though you aren't fully dressed. Representative Lang."

Lang: "Well, thank you, Mr. Speaker. I greatly appreciate the fact that you attempted to start on time today and that you held up the proceedings for me. I would like a copy of the picture you took of my chair with the watch on it at 10:02. Thank you, very much."

Speaker Daniels: "Representative Currie is recognized on the Democratic side of the aisle for any excused absences."

Currie: "Thank you, Speaker. Please let the record show that Representatives Shirley Jones and Ben Martinez are both excused today."

Speaker Daniels: "The record will so reflect. Representative

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Cross, do you have an announcement to make as to the Republicans?"

Cross: "I do. We are all here today. We're ready to go and we're ready to work all weekend if we have to, Mr. Speaker. So thank you."

Speaker Daniels: "Thank you, Representative Cross. Take the Roll, Mr. Clerk. On this question there are 116 Members answering the Quorum Call and a Quorum is present. And the House will now come to order."

Clerk McLennand: "Introduction of Resolutions. House Joint Resolution #124, offered by Representative Lindner, is referred to the Rules Committee."

Speaker Daniels: "Mr. Clerk, on page 2 of the Calendar, Senate Bills, Third Reading. What is the Status of Senate Bill 1255?"

Clerk McLennand: "Senate Bill #1255 is on the Order of Third Reading."

Speaker Daniels: "Please return that Bill to the Order of Second Reading. Representative Jones, Representative Lou Jones, we're prepared to call Senate Bill 1661. Are you prepared to...Mr. Clerk, on page 5 of the Calendar is Senate Bill 1661 Order of Second Reading. Call the Bill, please."

Clerk McLennand: "Senate Bill #1661, the Bill has been read a second time previously. No Committee Amendments, no Floor Amendments, no Motions."

Speaker Daniels: "Third Reading. Now on the order of Third Reading, appears Senate Bill 1661. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1661, a Bill for an Act concerning children. Third Reading of this Senate Bill. Representative Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1661 postpones the repeal date of the

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inter-agency authority on residential facilities for children from 12-31-96 to 12-31-97. It also provides that all child care center licensees, and employees who are required to report child abuse or neglect under the Abused Neglected Child Reporting Act must now attend training on recognizing child abuse and neglect. When we...when this Bill passed out of the Senate on a 52 to 0 vote and when it got to the House, there was concerns because this Bill did not...the Amendment on this Bill was not for everyone that had a child care facility. I have checked with DCFS who supports the Bill and they have assured me in writing that this Bill does cover everybody that is licensed in the State of Illinois for day care. The training will be a training that will be conducted by them and they said it will probably be one day and they will use whatever means that they have and it will be no cost to the department. I'll entertain any questions and I ask for an 'aye' vote."

Speaker Daniels: "Thank you. Representative Hartke."

Hartke: "Yes, will the Sponsor yield?"

Speaker Daniels: "She indicates she will."

Hartke: "It is my understanding you are not changing the underlying Bill but rather just delaying the effective date for the implementation of this Act. Is that Correct?"

Speaker Daniels: "Representative Jones."

Jones, L.: "That's correct."

Speaker Daniels: "Representative Hartke."

Hartke: "Did DCFS have appropriate time to do this...you know to do this training or is that required in the original Act?"

Speaker Daniels: "Representative Jones."

Jones, L.: "The Amendment was put on in the Senate requiring this additional training. Is that what you're questioning?"

Speaker Daniels: "Representative Hartke."

Hartke: "Well, the original Act did not require the training. Is

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that correct?"

Speaker Daniels: "Representative Jones."

Jones L.: "From what I gathered, it wasn't. The Amendment that was put on and I asked about the Amendment for the additional training, was because there was at a certain time the only people that were trained and that was around the children were the teachers and directors of the agency. Now you have volunteers coming in and you also have teachers' assistants and the reason for this Amendment was so they could go through a training and they could recognize child abuse and neglect also."

Speaker Daniels: "Representative Hartke."

Hartke: "Well, I don't know that you have to be a professional to recognize child abuse but I think that false reports of child abuse sometimes are over exaggerated or the reports of child abuse are sometimes over exaggerated but we don't want to avoid having those abuse incidents not reported. So I think training is good and I stand in support of the Bill."

Speaker Daniels: "Further questions? Representative Jones to close."

Jones L.: "Thank you, Mr. Speaker and I ask for an 'aye' vote."

Speaker Daniels: "Representative Jones moves for a passage of Senate Bill 1661. All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the Record, Mr. Clerk. On this question there are 116 'ayes', 0 voting 'no', 0 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Committee Announcements."

Clerk McLennand: "Rules Committee will meet at 10:30 in the Speaker's Conference Room. Rules Committee will meet at

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10:30 in the Speaker's Conference Room. Rules Committee will meet immediately in the Majority Leader's Office. Rules Committee will meet immediately in the Majority Leader's Office."

Speaker Daniels: "Mr. Clerk, announcements."

Clerk McLennand: "Committee Report. Committee Report from Representative Churchill, Chairman for Committee on Rules to which the following Joint Action Motions were referred. Action taken on May 17, 1996. Reported the same back 'Do approve for consideration'. To the Floor. Floor Amendment #4 to Senate Bill 1511, Floor Amendment #1 to Senate Bill 1684. Senate Joint Resolution #107 and House Joint Resolution #124. To the Order of Second Reading. Senate Bill 217. To the Order of Concurrence, House Bill 1249, House Bill 2206, House Bill 3048, House Bill 3057, House Bill 3204, House Bill 3309, House Bill 3349, and House Bill 3520."

Speaker Daniels: "Mr. Clerk, for an announcement."

Clerk McLennand: "Rules Committee will meet immediately in the Speaker's Conference Room. Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Daniels: "Ladies and Gentlemen, just for an idea so you'll know what's happening right now, Rules Committee has met, we're loading up your machines so you'll have the information in front of you at the time that the Bills are called. The advantage of course of what we are working with today is that in the past we would have to send the Amendments to the print shop. So now we are scanning this into the machines and shortly it will be loaded and then we can move forward with some of the matters that were before the Rules Committee. We will go to Committees at noon today. So, shortly there'll be a Committee Announcement for noon. We will potentially be working late tonight.

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That's in an effort to finish our work this week so, we don't have to come back into Session until Monday. So, for your own schedule, I anticipate we will be in late tonight and we'll be off for Saturday and Sunday. That's assuming, of course, that our work is finished today. So as soon as our information is loaded in the machines and the Amendments are in front of you, we will be able to proceed. Thank you for your patience."

Clerk McLennand: "Introductions of Resolutions. House Joint Resolution #125, offered by Representative Monique Davis. Referred to the Rules Committee."

Speaker Daniels: "Supplemental Calendar Announcements."

Clerk McLennand: "Supplemental Calendar #1 is being distributed. Members at this time should run an update on their computer system."

Speaker Daniels: "Okay, Members, would you please run an update on your computer system right now and you will update your records. Mr. Clerk, Committee Announcements."

Clerk McLennand: "Attention Members. Committee Notices. The following Committees will meet at 12:00 noon. Health Care and Human Services Committee will meet in room 118. Executive will meet room 114. Judiciary for Civil Law will meet in room D-1. Again, the following Committees will meet at 12:00 noon. Judiciary for Civil Law in room D-1, Executive in room 114, and Health Care and Human Services in room 118."

Speaker Daniels: "Mr. Clerk, on page 5 of the Calendar, under Senate Bill Second Reading appears Senate Bill 1684, Representative Leitch. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1684, the Bill has been read a second time previously. No Committee Amendments, Floor Amendment #1, offered by Representative Leitch, is 'approved for consideration'."

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Speaker Daniels: "Representative Leitch."

Leitch: "This Amendment would put the matter of the dispute between the brewers and the distributors into conference, I hope, once it gets back to the Senate. It's very, very important that we resolve this matter and I would ask for its approval."

Speaker Daniels: "Representative Mautino."

Mautino: "Thank you. Will the Sponsor yield on this?"

Speaker Daniels: "He indicates he will."

Mautino: "Okay, David, this Amendment is just making some...just a basic change for the Act to put this in...send it back over to the Senate and probably put it in conference?"

Speaker Daniels: "Representative Leitch."

Leitch: "Yes."

Speaker Daniels: "Representative Mautino."

Mautino: "Just...to the Amendment. Ladies and Gentlemen of the House, I do appreciate the Sponsors hard work on this. This has been a long series of negotiations and I don't know that putting this Amendment on or putting it in conference is going to resolve this issue. We're willing to go ahead and do that at this point in time but I know that the underlying Bill has a tremendous amount of support inside the House here and regardless of what happened, this is an issue that does have to be addressed. In the changes that they've made here we're talking about the ability of a distributor to basically retain control of brands while they're in dispute. It's a 'big guy' verses a 'little guy' Bill. I would say to go ahead and support this Amendment in order to send it over to the Senate but if we can't come to an agreement, I would like to see the underlying Bill and I know there are 94 'yes' votes in this House that are supporting their distributors that would like to see the underlying Bill as well."

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Speaker Daniels: "Representative Leitch now moves for the adoption of Amendment #1. All in favor signify by saying 'aye'; opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments and note requests have been complied with."

Speaker Daniels: "Third Reading. Mr. Clerk, on the order of Third Reading appears Senate Bill 1684. Read the Bill."

Clerk McLennand: "Senate Bill #1684, a Bill for an Act that amends the Beer Industry Fair Dealing Act. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker. Parliamentary Inquiry."

Speaker Daniels: "State your Inquiry, Sir."

Leitch: "I do want to ascertain that as a Conference Committee Bill that I will retain control of this Bill as it is a Conference Committee Report?"

Speaker Daniels: "You are the principal Sponsor of Senate Bill 1684 and will remain that unless you relinquish it voluntarily, Sir."

Leitch: "I just wanted to clarify that in the case of Conference Committee Reports I would still have the control over the Bill."

Speaker Daniels: "You will."

Leitch: "Thank you."

Speaker Daniels: "Anything further, Sir? Would you like to move for the passage of your Bill?"

Leitch: "Yes."

Speaker Daniels: "Okay. Representative Leitch moves for the passage of Senate Bill 1684. Is there any discussion? Representative Hartke."

Hartke: "Well, thank you very much. What I know about this issue and have been talked to about constituents in my district,

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this seems to be only fairness to the industry and so I stand in support of this legislation."

Speaker Daniels: "Further discussion? Being none, Representative Leitch moves for the passage of Senate Bill 1684. All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 'ayes', 0 voting 'no', 0 voting 'present'. This Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, on Supplemental Calendar #1 appears House Joint Resolution #124, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. House Joint Resolution 124 creates a...the Illinois General Assembly's Child Support Enforcement Task Force to investigate the feasibility and benefits of new hire reporting and its effect on collection of child support. Right now every new employee has to fill out a W-4 form that is left in the employee's file. This will explore the feasibility of getting that to the proper people soon enough to catch the child support payments that are delinquent. The Department of Public Aid, the Department of Revenue and the Governor's Office are supportive of this. Secondly, this Resolution also creates a commission to study welfare benefits, assigned to pick, study of the welfare benefits received by family with the state. This is Representative Pedersen's Resolution and if you have any questions on that, please ask him."

Speaker Daniels: "Representative Saviano."

Saviano: "Mr. Speaker, on that last Bill, Senate Bill 1684, I'd be like recorded as an 'aye' vote. My button isn't working properly this morning."

Speaker Daniels: "Sir, the record will reflect that if your

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button had been properly that you would have voted 'yes' in favor of that Bill. Discussion on House Joint Resolution 124. Representative Schakowsky."

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

Speaker Daniels: "She indicates she will."

Schakowsky: "Representative, why is it that we're doing a task force as opposed to just doing it? Is it not a good idea to make sure that new hires are promptly reported?"

Speaker Daniels: "Representative Lindner."

Lindner: "Yes, I think it is a good idea but I think that it was felt that we ought to communicate more with representatives from business and they have been very supportive but it's to work out the program and to see how the forms would be sent, on what basis and who would do the reporting."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "And how long do you anticipate this investigation is going to take place?"

Speaker Daniels: "Representative Lindner."

Lindner: "There is an effective date in the Resolution for an interim report to the General Assembly, I believe, in October 1, 1996 and then to submit a final report no later than February 1, 1997."

Speaker Daniels: "Representative Schakowsky."

Schakowsky: "So the ...I'm sorry that last date, the final report would be...I'm thumbing through the...February of '97. So do you anticipate then that we could come back with legislation in the next Spring Session as the result of your investigation?"

Speaker Wojcik: "Representative Wojcik in the Chair.
Representative Lindner."

Lindner: "Yes, I do."

Speaker Wojcik: "Representative Schakowsky."

Schakowsky: "Well, thank you. It seems to me that this is

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certainly an issue that we ought to be looking into. I'm not all that certain that we need to keep creating task forces et cetera. We have a legislative process, we could have had a Bill, put an interim study and done hearings over the Summer but certainly the goals of this and all of the whereases that back it up warrant passage of this Joint Resolution and I would urge an 'aye' vote."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Cook, Representative Lang is recognized."

Lang: "Thank you. First, Madam Speaker, a Point of Personal Privilege. Up here to my left in the Gallery are some students from Rutledge Hall in Lincolnwood, Illinois from my district. Now will the Sponsor yield?"

Speaker Wojcik: "She indicates she will."

Lang: "Thank you. Representative, in the third paragraph on the very first page you talk about what this new hire reporting will do and what a great thing it would be. Why don't we just go ahead and do this?"

Speaker Wojcik: "Representative Lindner."

Lindner: "As I explained to Representative Schakowsky, business and two representatives from labor are going to participate in the task force and just to effectuate the procedure and make sure that everyone understands it and is on board with it and that's why the task force is being created."

Speaker Wojcik: "Representative Lang."

Lang: "Well, yesterday we had some kind of a Bill where everybody wants to do everything around here by rule. Why don't we just pass this law? You must know that I have a Bill in the Rules Committee to do exactly this. Require new hires to be reported. The state of New York, two months into the same program, uncovered 17 thousand deadbeat parents. Seventeen thousand in just two months. They're collecting \$30 million dollars they weren't collecting two months ago

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from deadbeat parents. Why do we want to do another task force, waste more time when these folks are out there not paying their responsibilities, not paying their child support? And you state in your own Resolution that you drafted that this thing would be the greatest thing since sliced bread. Why don't we go ahead and do this? What are we waiting for?"

Speaker Wojcik: "Representative Lindner."

Lindner: "Well, I think I just answered your question before. Just so that both business and labor including all parties and to see the proper department for collection of the W-4 form and just to make sure that we do a proper procedure and give it the proper hearing before we just pass something out of here so that when they do start collecting, we will have the same results as you point out in New York."

Speaker Wojcik: "Representative Lang."

Lang: "Madam Speaker, Ladies and Gentlemen. To the Resolution. I'm going to vote for the Resolution but what a waste of time. What a waste of effort. What a waste of taxpayer money. This is outrageous. We have a Bill in the Rules Committee that's been sitting there for months that will do this very thing and do it now. Let's take it out of the Rules Committee and debate it and let's bring business and labor to the table. Let's bring the Department of Public Aid to the table and let's figure out these nuances that Representative Lindner wants to figure out. But they have another task force when we can uncover hundreds of thousands of deadbeat parents and bring hundreds of millions of dollars to single parents who need it for their children. To not do that today, and to wait months and months and months and waste further dollars on task forces is an incredible waste of time. So we know we are going to

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vote for this. We're going to vote for this so no one brands us opposed to the collection of child support. But my goodness let's get real. Why don't let's get someone on the Majority side of the aisle to stand up and say, 'Let's do this now. Let's do this now.' I've been talking about collecting from deadbeat parents for the last eight years and I can't seem to get any support. But this is going to pass. We're going to put another task force out there, put it on the shelf next to all the Governor's blue ribbon reports about how to fund education and it will sit on the shelf, too. There's a Bill out here now that will do this. That will do a better job perhaps than even they've done in the state of New York. We're wasting taxpayers' money but go ahead and vote for this. Go ahead and waste more time. Waste more effort. Waste more dollars. while these deadbeat parents are out there not paying for their children."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Cook or the Lady from Cook, Representative Davis is recognized."

Davis M.: "Yeah, Representative, will the Sponsor yield?"

Speaker Wojcik: "She indicates she will."

Davis M.: "This Resolution is saying that any person hired or rehired in the State of Illinois must have this information provided to some state agency. Is that correct?"

Speaker Wojcik: "Representative Lindner."

Lindner: "It already is provided, Representative, through the W-4 form. It's just that right now that only has to be submitted quarterly by the employer and this would be an expedited procedure to submit that W-4 form so that we can catch parents who are not paying child support."

Speaker Wojcik: "I'd like to point out that the eighth grade class of Amboy Junior High School are in the Gallery with

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their teachers, Dennis Marcilli and Tom Pull. The students are guests of Representative Jerry Mitchell. Representative Davis."

Davis M.: "Yes, it is reported based upon their income in order to file income tax. But it appears to me what we're doing is you're saying to people who are not deadbeat parents, who are paying any support they should for their children, in my opinion you're invading their privacy. You're requiring a lot more work from an employer and you're really invading in my opinion the privacy of a lot of people. I know that this is...meant to collect dollars from those who are working and not paying child support but what it really smacks of is the government is going to know every single thing about every single person. You know it really concerns me that people who are not doing wrong will have their privacy invaded. If a person is rehired some place, if they're rehired, you're saying that the employer must immediately notify you. Now is this going to be a business cost to that employer? Will they have to hire someone to do this quarterly for you?"

Speaker Wojcik: "Representative Lindner."

Lindner: "There is no other information required, Representative, than is already required on the W-4 form. They do do it quarterly now so I assume that employers already have people who are doing this. It's just that the task force is to explore the feasibility of doing this in a more expedited manner in order to effectuate child support payments."

Speaker Wojcik: "Representative Davis."

Davis M.: "Suppose a person is running from a domestic abuser. They run to Illinois and they're rather private in their living because they don't want this spouse to find them, but now this information will be available at a state

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agency that does not or will not necessarily protect that information. I know this is going to fly out of here but I really think it is a very bad idea. I think it's a terrible idea. I think there are certainly other ways to find out where deadbeat dads are. I think there are other ways to make sure that people who have children, support them. And I really think that we should stop invading the privacy of everybody just to supposedly stop a few. I just think it is a very bad idea and I will be voting 'no'."

Speaker Wojcik: "With no one seeking recognition, the Lady from Kane, Representative Lindner, to close."

Lindner: "Yes, I just want to stress that this has nothing to do with invasion of privacy because there is no information that's going to be provided that is not already provided on the current W-4 forms and also to address Representative Lang, there is absolutely no cost associated with the new hire reporting task forces. We fly Bills out of here way too fast without looking at the basis of them sometimes and I think we are doing the proper thing now by bringing all parties together to discuss how this can be effectuated to collect child support. I would urge an 'aye' vote."

Speaker Wojcik: "The question is, 'Shall House Joint Resolution 124 pass?' All those in favor will vote 'aye'; all those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 'ayes', 1 'nay', 1 voting 'present'. And this House Joint Resolution, having received the required Majority is hereby adopted. Mr. Clerk, on page 4, Senate Bill 1511, please read the Bill."

Clerk McLennand: "Senate Bill #1511, the Bill has been read a second time previously. Committee Amendment #1 was adopted. Floor Amendments #2 and #3 have been referred to

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Rules. Floor Amendment #4, offered by Representative Winters, has been approved for consideration."

Speaker Wojcik: "The Gentleman from Winnebago, Representative Winters, is recognized."

Winters: "Thank you Madam Chairman, Members of the House. Floor Amendment #2 is identical with the original House Bill 17, however all counties covered by a multi-county taxing district must hold a referendum before those taxing districts will be capped. It changes some of the language on which elections may hold the referendum and imposes the tax caps beginning January 1 of the year following the year in which they are approved instead of the levy year. I'd be willing to answer any questions on the Amendment."

Speaker Wojcik: "Is there any discussion? The Gentleman from Cook, Representative Dart is recognized."

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

Speaker Wojcik: "He indicates he will."

Dart: "Representative, is it...are you imposing tax caps on downstate counties with this Bill?"

Speaker Wojcik: "Representative Winters."

Winters: "Absolutely not. What we're doing is offering the county boards the option to put it on the ballot and then the voters would have the ultimate decision. This is not an imposition of tax caps."

Speaker Wojcik: "Representative Dart."

Dart: "So then this is not a tax cap Bill as such because we are not imposing it on downstate at all?"

Speaker Wojcik: "Representative Winters."

Winters: "It enables the downstate counties to have tax caps which they are not allowed to have at this point."

Speaker Wojcik: "Representative Dart."

Dart: "Then is it changing the law to allow for that or does it also provide for a referendum or is it doing more than just

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changing the law?"

Speaker Wojcik: "Representative Winters."

Winters: "It allows for referendums similar to what Cook County did last year. And when that passes then they become imposed."

Speaker Wojcik: "Representative Dart."

Dart: "You'd mentioned something initially about after a certain date they'd be imposed. Is there a deadline on this?"

Speaker Wojcik: "Representative Winters."

Winters: "No, we're again leaving local control up to the county board. They can decide to put it on this fall's ballot. They can decide to do it next year. There is a change in that before it was to be held in any general election, all we're doing now is to restrict them from having it a consolidated primary but any other election would be applicable."

Speaker Wojcik: "Representative Dart."

Dart: "Representative, are there provisions also in here about an airport authority and if so what is that?"

Speaker Wojcik: "Representative Winters."

Winters: "The provision is for the airport authorities that have had a contract signed as of last year dependent on short term bonds. They cannot meet the terms of that contract. It is similar to what we did for the Chicago Metropolitan Water Reclamation District."

Speaker Wojcik: "Representative Dart."

Dart: "And what airport authorities would this apply to?"

Speaker Wojcik: "Representative Winters."

Winters: "This applies to the Greater Rockford Airport Authority in that it is the only one that we were able to identify that had the type of bonding and the long term contract that was already signed. If we pass tax caps without that exemption, that airport authority will not be able to pay

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its bonds off and will have to declare bankruptcy. We're simply allowing them to honor a contract that they had signed in good faith in the past. It will not allow any airport boards in the future to do this in hope to get around tax caps. When they pay off that bond which is estimated to be in 10 years, they will then have a lowered cap as those bonds are paid off, the cap automatically lowers on them as if that bond had never been there."

Speaker Wojcik: "Representative Dart."

Dart: "Now, Representative, this is a different...we've had about four or five different versions of this Bill this Session. There was one, a recent one, that actually delineated certain counties. This is different than that one, correct?"

Speaker Wojcik: "Representative Winters."

Winters: "Yes, there was a distinction made based on their past equalized assessed valuation allowing some counties to have tax caps and others not to, depending on where their assessment levels are. This is uniform. All 96 counties are treated the same. We had to do that because of the multi-county taxing districts, the junior colleges that in central southern Illinois stretch across many counties so this is a uniform Bill."

Speaker Wojcik: "Representative Dart."

Dart: "This is the exact same Bill as the House Bill 17 that you had earlier, correct?"

Speaker Wojcik: "Representative Winters."

Winters: "No, there are the three distinctions that I laid out. One, how we deal with the multi-county districts. All counties would have to have a referendum before a multi-county district would be capped. It does change slightly which elections are allowed at which the referendum could be held and changes the time of the year

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and when they take place instead of a levy year, it deals with January 1st, just as we did with the other, the collar counties and Cook County."

Speaker Wojcik: "Representative Dart."

Dart: "Have you gotten information back from the Senate, particularly the Senator from your area, that they are in support of this version of the tax caps?"

Speaker Wojcik: "Representative Winters."

Winters: "Senator Syverson was the Sponsor in the Senate. I believe he has agreed with this language. I don't know what the full Senate will do but in a conference last week, this is what we had arrived at."

Speaker Wojcik: "Representative Dart, bring your questions to a close. Any further discussion? The Gentleman from Effingham, Representative Hartke, is recognized."

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

Speaker Wojcik: "He indicates he will."

Hartke: "Representative Winters, why do you want to do this?"

Speaker Wojcik: "Representative Winters."

Winters: "I'm responding to the demonstrated need of my own constituents. The tax bills in Rockford, Winnebago County, Boone County, have been rising astronomically. We have looked on at the collar counties that are quite close to our own communities and seen that the property taxes there have, after a period of rising by 12 to 15% a year and in some cases up to 20%, after tax caps were placed on those counties, they are rising at less than four percent a year. We have some demonstrated need of people on fixed incomes who bought a house years ago and retired and now can't pay their property taxes. When they raise 20% a year over three or four years you've doubled the property taxes. They're selling their houses and leaving our community

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because they can't afford to pay their property taxes. We're simply asking for them knowing that their property taxes will be capped to the rate of inflation."

Speaker Wojcik: "Representative Hartke."

Hartke: "Did you know that property taxes now are frozen for senior citizens if they apply and they're qualified and they're poor?"

Speaker Wojcik: "Representative Winters."

Winters: "That is one of the provisions that can help senior citizens. There are others on fixed income that may not be available to."

Speaker Wojcik: "Representative Hartke."

Hartke: "Assessed valuations may go up. Who makes the decision on how much money those local units of government are going to spend and for what services?"

Speaker Wojcik: "Representative Winters."

Winters: "Who makes the money on what they spend is made up by the governing board of each taxing district. If that was the question that you had."

Speaker Wojcik: "Representative Hartke."

Hartke: "Absolutely, and it's a problem in the collar counties and maybe in your county. Maybe you ought to change that taxing board or that governing board rather than putting a hamstring on every county in the State of Illinois just because you've got a problem. I contend that local officials downstate are responsible. They meet their responsibilities by being frugal and conservative in their spending practices. Property taxes get out of line when local government bodies are irresponsible with their spending whether it be school boards or municipalities or county governments. Just because assessed valuations of land and property keeps going up is no sign that continued rate increases should be allowed in these communities.

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That could be determined locally. You know I hear a lot of complaints around here about how we mandate expenses on local governments and they can't pay those expenses because of all the mandates. What we're doing here is we're mandating that they can't even pay the expenses that they now occur. I think it's a poor concept. I think you are making it a political issue when you say, 'Well, let the people decide. Let the people decide.' Do you anticipate any county board turning down this proposition of putting property tax caps on a referendum?"

Speaker Wojcik: "Representative Winters."

Winters: "I can't speak for all 96 downstate counties. I know that my...or I assume that my county board will. It is up to your own county boards and I think that there very well may be many downstate counties that have not facing property tax pressures, they may very well say, 'There's no need for it.' We may look at it two years from now or five years from now. We are allowing them that flexibility. They don't have to put it on the referendum. It's not a mandate. It really does leave it up to them and if they've been doing a good job as you say, and I have no reason to doubt that, there won't be the pressure that I face. The problem we had and the reason that all counties are eligible and that is all that it is, is they're eligible to put it on the referendum, is because how do you...before the voters have had a chance, before the county boards have had a chance to speak to it, how can you determine which counties should and should not have that opportunity? If I said I want my counties to have that opportunity and the next county not to. Is that fair? I didn't think so and that's why this Amendment is drafted as it is."

Speaker Wojcik: "Representative Hartke."

Hartke: "Well, Representative Winters, I contend that if you put

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on the ballot to lower property taxes by 50%, every county would pick it up and every county would pass it. County governments and local governments would actually starve to death downstate. We're having a hard time now putting together the resources necessary to finance all the services that county government does. When you put a fear of property tax caps out there, all units of local government are going to increase their tax rates to the maximum allowed by law today up to that 5% or whatever..."

Speaker Wojcik: "Representative Hartke, I'll give you a minute to bring your remarks to a close."

Hartke: "...or whatever your limit is that you're putting on, the rate of inflation or whatever. My county board in Effingham, Illinois, in fear of such legislation, automatically increased their rate. They didn't need it this year. They'll readily admit that but they realize that if down the road something does happen they are going to need these extra moneys so what they're doing they're guaranteeing a property tax rate increase because of the fear of property tax caps. Local government should be able to decide on where their rates are going to be and what rate they should tax to provide those services and I think it's wrong of the General Assembly to put this measure forward to stir fear and hope that property taxes will go down if property tax caps are applied in their county. So I stand in opposition to this Amendment and this piece of legislation."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Madison, Representative Stephens is recognized."

Stephens: "What a remarkable perspective. You know, I don't understand. You've got local officials who'll say they're going to raise the tax rate because of the fear of living within inflation. This is not about tax rates. If your

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local officials, your county board, wants to irrationally raise their tax rate, they ought to have to pay a price for that on election day. All this will allow, with the local option of the county board, is the referendum that if it passed would say that you would not grow the total assessed valuation of a county excepting new growth, can not grow at the rate of inflation or five percent, whichever is less, as a maximum. Now I just don't understand how you say your county is going to starve to death. Your county officials or your local elected officials are going to starve to death if they grow not...with the exception of new growth, new buildings, they get all of that extra value. But if they have to live within the rate of inflation or five percent whichever is less, they're going to starve to death. Well, welcome to the real world. If that were true, there would be thousands and thousands of families in Illinois starving to death who are living at or below the rate of inflation. Now this is just a common sense piece of legislation that is not nearly as strong as it probably should be. It allows the local option and then if it's implemented, they still get all of their new growth. So don't fearmonger with that issue. They get all of that and above and beyond that, they get the natural rate of inflation or five percent whichever is less and that's what people expect of government to live by the same economic rules by which we have to govern our families and our own budgets. It's time for us to step forward and quit fooling around with this issue. Quit misrepresenting it. Property tax caps time has come. It is time for all governments, local, state, and the federal, read the writing on the wall. It's time for all of us to live within our budgets and we ask not too much of the local officials to do the same."

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Speaker Wojcik: "Is there any further discussion? The Gentleman from Rock Island, Representative Boland, is recognized."

Boland: "Thank you, Madam Chairman...Madam Speaker. Will the Sponsor yield?"

Speaker Wojcik: "He indicates he will."

Boland: "Just a couple questions, Representative, to clarify this because I and some of my other colleagues are...just want to get this procedure all clarified here. Now, on this Bill, there will be a decision by each county board as to if they want to put a referendum on the ballot. Correct?"

Speaker Wojcik: "Representative Winters."

Winters: "It is at the option of the county board. They may choose not to even make a decision. So your phrasing was incorrect. They can simply ignore it if they wish but it cannot go on the ballot without the county board passing a resolution to put it there."

Speaker Wojcik: "Representative Boland."

Boland: "And the county board can, if they choose not to do this say within a year, they could do this five years down the road?"

Speaker Wojcik: "Representative Winters."

Winters: "That is correct. There is no time limit in the Bill on when they could hold that referendum."

Speaker Wojcik: "Representative Boland."

Boland: "And this referendum, if they decide to do it, this is a binding referendum if it is passed rather than advisory referendum?"

Speaker Wojcik: "Representative Winters."

Winters: "That is correct."

Speaker Wojcik: "Representative Boland."

Boland: "That's all."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Livingston, Representative Rutherford, is recognized."

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Rutherford: "Thank you, Madam Speaker, I move the previous question."

Speaker Wojcik: "The question is, 'Shall the main question be put?' All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the main question is put. The question is, 'Shall Floor Amendment #4 be adopted?' All those in favor say 'aye', those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and Floor Amendment #4 is adopted. Any further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments. Fiscal Note and a States Mandates Note that had been requested have been filed."

Speaker Wojcik: "Third Reading. Mr. Clerk, on the order of Senate Bills, Third Reading appears Senate Bill 1511. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill #1511, a Bill for an Act that amends the Property Tax Code. Third Reading of this Senate Bill."

Speaker Wojcik: "The Gentleman from Winnebago, Representative Winters if recognized."

Winters: "Thank you, Madam Chairman, Members of the House. Again, Senate Bill 1511 amends the Property Tax Extension Limitation Law. It makes it possible that any of the county boards in the 96 downstate counties not now covered by the Tax Extension Limitation Act to put that on the ballot for a public referendum. If it is passed, the tax caps would then be imposed the following January 1st. It calls for local option if the county board decides not to put it on the ballot, they do not have to. It deals with multi-county districts by requiring that all counties in that district must put it on the ballot before they would be imposed on that district and again, ultimately, comes

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back to the voter. If they wish to cap their taxes, they may. If they wish not to, they may. If they wish at a future date to increase the levy for a particular taxing district, they can do that at a referendum. I would be happy to answer any questions."

Speaker Wojcik: "Is there any discussion? The Gentleman from Washington, Representative Deering, is recognized."

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

Speaker Wojcik: "He indicates he will."

Deering: "Representative, you have some clauses in here for multi-county school districts, I think, dealing with community colleges. Can that also affect public education district such as elementary and secondary districts? Will they be affected by this also?"

Speaker Wojcik: "Representative Winters."

Winters: "Yes, the language was not drafted for specific community college districts. It deals with multi-county districts whether it's a sanitary district, mosquito abatement, school districts, any district which crosses county lines."

Speaker Wojcik: "Representative Deering."

Deering: "Okay, what are we going to do with the situation where we're going to have a charter school develop and now we're going to use state dollars to pull from one public school district to put into a charter school district leaving school districts short of money where they might have had an option to increase their tax levy? How are we going to handle that situation?"

Speaker Wojcik: "Representative Winters."

Winters: "As I understand the charter schools they'll be getting the same funding per student as the rest of the students in that district so they will all sink or swim together. They all always have that taxing district has the opportunity

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under tax caps to come back, make the case to the voters saying, 'We need additional funds, here's how we'll spend them, here's why we need them, here's what we'll do with it. Pass the higher taxes or we'll live within what we have.' They have that right today to pass a referendum and they will continue to have that right."

Speaker Wojcik: "Representative Deering."

Deering: "How are we addressing public building commissions? Now we're talking about capping...tax caps here. We have public building commissions in this state that have the authority to do back door referendum that can take money out of anybody's operating funds to construct buildings. The voters have no say. So what if we inflict these caps on a local county and then a public building commissioner in that county decides to build a municipal building, the taxpayers are going to wind up paying for it although they have no say. So then you're robbing more money from either the local government or the county government. Are you going to address anything with public building commissions? Now I have had a Bill in for a couple years to take away the authority of the building commissions to do back door referendum, however your side of the aisle keeps blocking that initiative. So how are we going to deal with those public building commissions?"

Speaker Wojcik: "Representative Winters."

Winters: "Well, as far as public building commissions are concerned, I was not aware of your Bill, Representative Deering. If you'd bring that to me, I might very well support it. Again, they would be capped just as any other taxing district would be. So it would probably restrict their ability to pass these back door referendums because sure they can pass it, but they can't levy the taxes to support it. So they would be capped just as any other

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taxing district would be."

Speaker Wojcik: "Representative Deering."

Deering: "Well, I don't think this tax cap proposal will stop any public building commission's ability to levy a back door referendum. I mean they're going to do it. You get five or seven members on a board, or however they're made up, if they feel they want to build a municipal building, and they can't pass a referendum, they're going to do it. Now we took away the authority from the building commission to build schools just for that reason. Schools were being built. The voters had no say-so in the size of the schools, the cost of the schools, they were just getting an increased tax bill in the following or subsequent years. So we took away that authority from the commission. But any time there's a popular project between those board members or an elected group, whether it's county board or any municipal board, you know they are going to have enough pressure to sway those public building commissions to pass those referendum. I think that we're stepping in a situation here, to the Bill, Madam Speaker, I think we're stepping in a situation here to where we're going to have county board members to circumvent the issue and take the pressure off their backs. They're going to easily put this referendum on the ballot. Those county board members probably aren't the board members that are running the schools. They're not the board members that are running the municipalities. There are extenuating circumstances. I don't know if we should allow those county boards that much authority. However, that goes back to local control and it's a situation that I think we're going to open up a bigger can of worms just like the collar counties are now since tax caps went into effect in the collar counties. You know as well as I do those collar county

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Representatives have been coming down here year after year, an exemption for this taxing district, an exemption for that. Give us more public dollars. We want our share of dollars. So it's just something else that I think we're really not fully aware of the impact it's going to have."

Speaker Wojcik: "Is there any further discussion? The Gentleman from McHenry, Representative Skinner, is recognized."

Skinner: "Will the Gentleman yield for a question?"

Speaker Wojcik: "He indicates he will."

Skinner: "I have a minor question. The Rock Valley Community College District and the Belvidere School District have maybe two sections of land in McHenry County. Previously, you said that a...for a tax district that was in two or more counties to be under the tax cap, that all the counties in which any of the property laid had to have a referendum passed. Now, obviously, there's going to be no referendum passed in McHenry County, so does that mean that all the counties...well if Boone County, for example, and DeKalb County hold a tax cap referendum and pass it, and McHenry County doesn't, that the Belvidere School District because they're two sections of land in McHenry County would be exempt from the tax cap."

Speaker Wojcik: "Representative Winters."

Winters: "I believe the language is that if there is any county which does not have tax caps already, that county would then have to have a referendum. So in this case, the Belvidere School District and Rock Valley College already would be capped within McHenry County, so McHenry County would not have not have to have the referendum."

Speaker Wojcik: "Representative Skinner."

Skinner: "Thank you for clarifying that minor point."

Speaker Wojcik: "Is there any further discussion? The Gentleman from Coles, Representative Weaver is recognized."

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Weaver: "Thank you, Madam Speaker. A previous speaker on the Amendment, had mentioned that his local taxing authorities were behaving responsibly and then followed up by indicating that they were raising their rates in anticipation of a cap going on which doesn't seem to gel with the responsibility factor. But I have another local abuse story to tell you and it may very well happen in your district. There is a provision in the Revenue Code that allows your county assessor to apply a countywide multiplier without referendum, without input by the local officials, and without input by the local voters. It happened in our county two years ago to the tune of a four percent increase. It happened last year to the tune of a 10% increase. This is without any feedback from the voters and without any input from the elected officials. And in our wisdom in the General Assembly a couple of years ago, we passed a law that requires that if we don't notify the appointed assessors within 120 days of the expiration of their term, that they're not going to be reappointed, they're automatically reappointed. And so in fact we've got a fellow that we can't get rid of for another four years, raising our taxes by 10% without referendum. This is a local effort. This is grassroots politics at its best. It allows not only the local officials to make a decision, but more importantly allows the local voters to make a decision. It's time we consider the position of the voters and the taxpaying public as opposed to the tax-spending officials. This is strictly an option. If the county board doesn't want to do it, they don't have to do it but by golly, they have to answer to the voters who put them into office for why they don't do this. I think it's an excellent Bill. It's long overdue and one that the taxpayers in downstate Illinois have been screaming for for

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the past five years. Vote 'yes' on this Bill."

Speaker Wojcik: "Any further discussion? The Gentleman from Bureau, Representative Mautino is recognized."

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

Speaker Wojcik: "He indicates he will."

Mautino: "Representative, is there any point where we had statewide tax caps in the past? Are you familiar with it?"

Speaker Wojcik: "Representative Winters."

Winters: "At least not in this present form. I'm not aware of any."

Speaker Wojcik: "Representative Mautino."

Mautino: "Well, actually up until 1970 we did have tax caps. In the ...we've had tax caps in the past which has also led to Illinois having such a large number of units of local government as it is. Once they hit their cap, they expanded. That's why tax caps were done away with in the past. It was a gimmick that really didn't work. I have a couple of questions here. Let's take a look at Ogle County, a county that's now that when the Property Tax Appeal Board is going and saying that something is assessed...that the new plant was assessed at such a high level they have to pay this back and they've basically bankrupted the county. You have a county that's gone to the courts and said, 'We can't afford to pay this back.' What happens to them if they're under the tax caps?"

Speaker Wojcik: "Representative Winters."

Winters: "Well, I would make a small quibble and I think the county board got itself in trouble by its spending patterns with the windfall of the Byron Nuclear Plant. Again, they will still be allowed if the assessment on the power plant is appealed and successfully upheld that it ought to be lower than their overall extension...their levy could go up to make up for that lowered assessment. The number of

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dollars that they'll be pulling out of their county would be capped and that's what we're capping."

Speaker Wojcik: "Representative Mautino."

Mautino: "And when we look at counties that have gone and...now with that decision, there are other counties throughout the State of Illinois that face this. Now I look at LaSalle County that has basically 24% of its assessed valuation that's been abated through TIF districts, enterprise zones, different programs that have been up and that the state has supported in the past and ask that we use. They've used these to grow theirs. Now they're looking at the same basic situation with the Com-Ed Plant that is there. Should that decision come back and the county be forced into a similar situation of bankruptcy, what would a tax cap do in that situation as well?"

Speaker Wojcik: "Representative Winters."

Winters: "The only thing the tax caps will do is to require that the citizens be asked to raise referendum or raise their own taxes by referendum instead of simply allowing the county board to do it by themselves. And in many cases the county board would not have that power anyway. They would be already capped on their levy. The assessment still can fluctuate. But all we're doing is putting the hands back in the hands of the citizen. Counties that have been looking at TIF, at other tax abatement issues, probably will take a much more responsible approach to these gimmicks that we've had in the past. They may decide that it's not worth the risk of these by burdening their present property owners. So it changes the mix of what they look at before they decide on these things. But again it doesn't permanently cap except with the proviso that the taxpayer and the citizen has the right to change it by referendum."

Speaker Wojcik: "Representative Mautino."

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Mautino: "So those counties that have used the TIFs and issued the bonds and everything to bring in development have acted irresponsible. If that's correct then why are you exempting your project while you're trying to impose caps on the rest of us downstate. I find that very ironic that you didn't even wait like the suburbs did to come down and ask for other exemptions throughout this state or to raise their...to go out and reissue bonds without a referendum up to the levels that we had decided they could have in the past, below the cap so they could reissue. But some of these municipalities have gone and tried and promote economic growth and development through here and we're going to say, 'You're not going to have the ability to control your own destiny.' I see it's very fortunate that you've taken your own people out of that as you've imposed it on the rest of the 96 counties. I want to know about downstate airport authorities in here as well. What is going to be the impact there?"

Speaker Wojcik: "Representative Winters."

Winters: "Downstate airport authorities if they are approached for a major issue, instead of the airport board being able to raise taxes willy-nilly they will have to ask the voters ahead of time, 'Do you want to be taxed to support this project?'"

Speaker Wojcik: "Representative Mautino, would you bring your questions to a close, please?"

Mautino: "I will, I don't think there's any point in further questions on it. To those Members from downstate, we've seen what has happened to the suburbs. A lot of the Members are saying, 'Well, we know they're coming so let's pick the way that we get them.' I find that ridiculous. I don't find that a viable option. We've got a...as a matter of fact, most of the Members here have received letters

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from Dr. Karonavich of Putnam County that showed what the out years effects of these are going to be on the small rural school districts. We ask them to act responsibly. We ask them to follow our programs to try and build their development and then we are going to impose these throughout the state. I find it very irresponsible and maybe it's not keeping our hands behind our backs. Maybe we just don't want to make the hard decisions that are necessary that are driving those property taxes that they have to face. These will.."

Speaker Wojcik: "Bring your remarks to a close."

Mautino: "These were taken out because in the past because they were a gimmick that hasn't worked. We have seen the suburbs come down here and say, 'We need your help.' And we've seen the suburban Legislators trying to promote the interest of the peoples whose hands they've tied to offer the services to those they represent. The Senators, there's a good reason they let this die and I hope they will let it die over there again. Those were good downstate Senators that took their position. I hope that the downstaters, both sides of the aisle, will pay attention to this Bill and to do what's right. Vote 'no'."

Speaker Wojcik: "Any further discussion? The Gentleman from Vermilion, Representative Black, is recognized."

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

Speaker Wojcik: "He indicates he will."

Black: "Representative, I've been negotiating in good faith on this Bill since last year. I had a public hearing in my district and I know there were public hearings held throughout the State of Illinois. I'm a little disappointed this morning in that I had been led to believe I would see a synopsis of what we were talking about yesterday and we're now on the Bill and I still don't have

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the synopsis. But I understand the closing days of Session can be rather hectic. Let me ask you a couple of questions. I want to make sure I understand some things. When you talk about multi-county districts, for example, the further downstate you go, it's not unusual say to have a community college in seven, eight, nine, 10 counties. Now, explain to me how that will work. If a county in which the community college campus is located, adopts and accepts the referenda and then the Property Tax Limitation Act takes effect. What happens to the community college EAV budget figures et cetera in the counties, let's say, the seven counties that they're in who don't adopt the act? What happens in that case?"

Speaker Wojcik: "Representative Winters."

Winters: "That taxing district would not be capped until all county boards called for referendum in their own districts. If you had 10 county boards, nine of them called it to a referendum and it passed with 99% of the voters in all nine counties but the tenth county decides they don't want tax caps, that taxing cap...that taxing district would not be capped until that tenth county at least calls it for a vote. Now it does not have to pass in all 10 counties. It would have to pass with the weighted EAVs to be more than 50% of that district but again all counties would have to at least put it to the voter."

Speaker Wojcik: "Representative Black."

Black: "So that would offer a measure of protection for a community college as I understand it. Do you have any feel for how those rates can be, how the levy can be extended given the fact that that taxing body in their home county may be the only one not covered under the Act. I mean have assessors or clerks told us...given us an idea that...I guess I'm asking is that possible? Or is it going to be so

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totally confused that nobody is going to understand how to extend that community college's levy for example."

Speaker Wojcik: "Representative Winters."

Winters: "I don't know if I have the answer to this question.

With the Department of Revenue would compile the EAVs for the different counties and would then tell that taxing district, 'Okay, you now are under the tax cap or you still are not under the tax cap.' So I believe the Department of Revenue has looked at the language and believes that they can work the details out."

Speaker Wojcik: "Representative Black."

Black: "Let me ask you this, Representative. What do you think?

Is it your intent to take this back to the Senate and do you think we're going to end up in conference or do actually think this is the Bill the Senate will in fact accept?"

Speaker Wojcik: "Representative Winters."

Winters: "I can't speak for the Senate. I would hope that it would pass this version. It may well end up in Conference Committee but I can't speak for them."

Speaker Wojcik: "Representative Black."

Black: "Well, I think that is the most forthright answer that anybody's going to hear today and that answer being nobody can hazard a guess as to what the Senate is going to do. Madam Speaker and Ladies and Gentlemen of the House, to the Bill. I have expressed my opposition to this concept for a number of years. I had a hearing in my district and I heard many different ideas expressed and I would like to see more exemptions in here. I think fire protection districts can be irreparably harmed, but we have to as downstaters realize that on some issues we don't have the votes to prevail. At least and my good friend from Bureau is probably right, but at least, this gives local government

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officials who are closest to the EAV and the services provided will have the input as to whether or not they want to put this on the ballot. And that gives me some comfort, a lot more comfort than having them imposed by the General Assembly of the State of Illinois. I think we still have a number of things to work out. We continue to negotiate and at this point I'll stand in support of the Bill. I think we have a long way to go but at least we're empowering the locals to make some decisions. That, to me, is much more palatable than having these imposed upon us. And I think sometimes as the measure yesterday, the Cook County issue, where we are subsidizing the GED exam. We couldn't pass that. So I think perhaps, it's time that we recognize the demographics in the State of Illinois and do the best we can for our districts recognizing that about 54% of the people now live in six counties in the State of Illinois and I don't know what the 2000 census will bring. I shudder to think. The downstate caucus may be able to be held in the phone booth outside Room 300. I think we've done the best we can. I'm comfortable with it. I hope we continue to negotiate. I'll vote 'aye'."

Speaker Wojcik: "Any further discussion? The Gentleman from DeKalb, Representative Wirsing is recognized."

Wirsing: "Thank you, Madam Speaker. I move the previous question."

Speaker Wojcik: "The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it and the main question is put. Representative Winters to close."

Winters: "Thank you, Madam Speaker. Again, this is an issue of local control of the property taxes. It empowers the local county boards to put this question before their voters. It

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empowers the local voters to say whether or not they want property tax caps. It allows flexibility which is what we need in downstate communities. It does not impose anything on them, but simply opens the door and allows them the opportunity to vote. I would appreciate an 'aye' vote."

Speaker Wojcik: "The question is, 'Shall Senate Bill 1511 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 90 'ayes', 21 'nays', 3 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. Committees are scheduled for noon, however, the Democratic Caucus Chair has informed the Chair that the Democrats are requesting a caucus. Representative Brunsvold, is that correct?"

Brunsvold: "Thank you, Madam Speaker. Yes, we request a conference for approximately 45 minutes."

Speaker Wojcik: "Alright, in that event, Representative Biggert, do the Republicans request a caucus?"

Biggert: "Yes, Madam Speaker, the Republicans would request a conference at...immediately in Room 114 for approximately 30 to 40 minutes. We will be through before 1:00 o'clock, but, if the Members could go immediately for conference."

Speaker Wojcik: "The updated schedule is as follows, the Republican Caucus is immediately in Room 114. The Democratic Caucus is immediately in Room 118. Committees scheduled for noon will be held at 1:00 and the House will reconvene at 2:00 P.M. The House stands in recess until the hour of 2:00 P.M."

Clerk McLennand: "The following committees will meet at 1:00 P.M. Judiciary for Civil Law will meet in Room D-1. Health Care and Human Services will meet in Room 118. And Executive

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will meet in Room 114. Again, at 1:00 Executive in Room 114. Health Care and Human Services in Room 118. And Judiciary for Civil Law in Room D-1."

Speaker Daniels: "The House will come to order. Members will please be in their Chairs. Those not entitled to the Floor, will please retire to the Gallery. We have with us today in the Speaker's Gallery, teachers, Laurie McAllister, Jason Orman, and Melissa Battern and the eighth grade students of Lyndon Middle School of Prophetstown School District. They are the guests of Representative Jerry Mitchell. Will you please welcome them? Committee Reports."

Clerk McLennand: "Committee Reports. Committee Report from Representative Stephens, Chairman for Committee on Executive to which the following Joint Action Motions were referred. Action taken on May 17, 1996. Reported the same back 'Do approve for consideration'. To the House Floor, Floor Amendment #4 to Senate Bill 1516, Floor Amendment #3 to Senate Bill 11, Floor Amendment #2 to Senate Bill 1288. On Motion to Concur, there's 'approve for consideration' on Senate Amendments #1, #2, and #3 to House Bill 2206."

Speaker Daniels: "Mr. Clerk, on the Supplemental Calendar #1 appears House Bill 2206, on the order of concurrence."

Clerk McLennand: "Committee Report. Committee Report from Representative Stephens, Chairman of Committee on Executive to which the following Joint Action Motions were referred. Action taken on May 17, 1996. Reported the same back 'Do approve for consideration' Floor Amendment #4 to Senate Bill 1516. Floor Amendment #3 to Senate Bill 11. Floor Amendment #2 to Senate Bill 1288. And Motion to Concur on Senate Amendments #1,2,3 to House Bill #2206. And to House Bill 2206 on the Order of Concurrence a Motion to Concur has been 'approved for consideration'."

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Speaker Daniels: "Representative Saviano, on a Motion regarding House Bill 2206."

Saviano: "Thank you, Mr. Speaker, Members of the House. I would ask that the House concur with Senate Amendments #1, #2, and #3 on House Bill 2206."

Speaker Daniels: "Could you explain the Amendments, Representative Saviano?"

Saviano: "Yes, Amendment #1 spells out the individual fee increases which fund the overall proposal. There's three separate increases in this Amendment #1. It increases the cost of a driver's abstract from two dollars to five dollars, which the last time that was raised was 1967. It increases the corporation annual filing report from \$15 to \$25. That was last raised in 1969 and it raises the Uniform Commercial Code filing fee from six dollars to \$20 which was last raised in 1973. That would total out to a total of \$19.4 million in new dollars to fund the main frame conversion for the Secretary of State's Office. That would provide \$6 million for that purpose annually. It would also provide \$8.4 million annually for office automation and technology, \$4 million annually for library automation and technology, and \$1 million annually towards the Family Literacy Program. I would ask that we concur on Senate Amendment #1. Senate Amendment #2 simply states the effective dates for each of these fee increases. July 1st would be the effective date for drivers' license abstract request and January 1, 1997 would be the effective date for the Corporation Filing and the UCC Transaction Fee. I would ask that the House concur with Senate Amendment #2. Senate Amendment #3 is the result of the negotiations with the insurance industry to remove their opposition. This would provide some streamlining and cross-referencing new drivers' history with insurance companies to provide more

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complete and thorough information throughout the insurance industry. I would ask the House to concur with Senate Amendment #3."

Speaker Daniels: "Committee Announcements, Mr. Clerk."

Clerk McLennand: "Rules Committee will meet immediately in the Speaker's Conference Room. Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Daniels: "Representative Granberg."

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

Speaker Daniels: "He indicates he will."

Granberg: "Representative Saviano, it's my understanding that this is, together, that the total amount raised by this proposal, the total amount by this fee increase would be almost \$20 million. Is that correct?"

Speaker Daniels: "Representative Saviano."

Saviano: "That is correct."

Speaker Daniels: "Representative Granberg."

Granberg: "So this would be added to the gas tax increase yesterday and all the other taxes and fee increases that the 'New Majority' has put forward?"

Speaker Daniels: "Representative Saviano."

Saviano: "Representative, this is an initiative of the Secretary of State's Office. I'm sure in your district you're familiar with the facilities that service your constituents. If you've been in them lately, you know that the computer systems that are currently operating and servicing our constituency is quite antiquated and has a real problem when we're talking about different situations. We don't have the proper technology to fight off different fraudulent schemes of people trying to get illegal drivers licenses. We're looking for the most up to date technology so we can provide that to the Secretary of State so he could service our constituents the best."

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Speaker Daniels: "Representative Granberg."

Granberg: "Well, I just wanted to make sure I understood what another Republican tax increase was going to be before I decide to vote for it. But I thank you for your time but it is a total of almost \$20 million. I just want our side of the aisle to be familiar with that, \$20 million."

Speaker Daniels: "Representative Black."

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

Speaker Daniels: "He indicates he will."

Black: "Representative, on the system it doesn't indicate that the Senate Amendments become the Bill. It's my understanding from staff, that in fact, is the case. The underlying House Bill is no longer applicable. There's no mention of the road fund. Is that correct?"

Speaker Daniels: "Representative Saviano."

Saviano: "That is correct, Representative."

Speaker Daniels: "Representative Black."

Black: "Thank you very much, Representative, Mr. Speaker and Ladies and Gentlemen of the House. To the Motion to Concur and in all due respect to my good friend and colleague from Clinton County, you know I suppose you can spin this any way you want. I intend to vote 'yes' and I'll gladly travel to any county in the state and explain this and as a Republican, if you want to spin it, you go ahead and do this. But as a Republican, I'm voting to put fees on corporations, big insurance companies, the Uniform Commercial Code, banks, et cetera. Boy that's really going to wipe out the working men and women in this state. So if you want to spin it that way, to bring Illinois Driver's License Services into the next century, which is only four years away, you do it. But here's one Republican who's going to stand up and tax big companies and big

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corporations so that they can pay a fair share to automate and bring the Illinois Driver's License System into the twenty-first century. Now if that's a 'direct-mail' piece or if that's something that I'm supposed to hang my head about and cry 'alligator tears', maybe you can spin it that way if you want to waste your time and energy. I have no intention of trying to spin it. It's the right thing to do. I intend to vote 'yes' and I dare say, a goodly number of you will as well."

Speaker Daniels: "Further discussion. Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I suppose we should probably congratulate the Secretary of State for finding some fees we haven't raised in a few years and coming to us and asking us to make sure that we raise those as well. But the truth is that no matter how you want to spin it, this is another tax increase. It's a fee increase and it's raising the cost of doing business to businesses in Illinois and if you don't think they're going to pass those costs along to people and make this a less competitive state, I think that you are sadly mistaken. It's going to cost about \$20 million to the Illinois taxpayers and that's ultimately who is going to be paying the bill. Now when I came down here a few years ago, it was my philosophy and I think that most of us would share it, that the people in the State of Illinois are fed up with tax increases. They're tired of seeing us come down here and raise this fee and raise that fee and then go home and say, 'Well, we didn't raise your taxes.' Well, I'm not sure what it is that we're doing if we're not raising taxes, but it seems to me very clearly that yesterday and again today, we're casting votes to raise taxes. So if you want to be part of the problem and not a part of the solution, then go ahead and vote for this proposal. But if

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you think Illinois should go in a different direction and you think it's time we finally held the line on taxes, I'd urge you to vote 'no'."

Speaker Daniels: "Further discussion? Representative Mautino."

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

Speaker Daniels: "He indicates he will."

Mautino: "The portion of Amendment #3 here, where you're going to be supplying additional information on the abstracts. Can you explain that a little bit? What is it that's going to be placed on there?"

Speaker Daniels: "Representative Saviano."

Saviano: "Representative, as you probably know, currently insurance companies share information to get a good idea on drivers' history, background on their driving record. This would assist them in identifying drivers who have a history of accidents and tickets, or whatever the case may be. Now, this only affects people after the effective date. The bottom line is this, if we assist the insurance companies in identifying problem drivers, hopefully, they will assess them their due share of the premiums so we're not always subsidizing the bad drivers on the road. And I think that this is something that we should support because the more we assist them in identifying these problem drivers, let their rates go up. I don't want my rates subsidizing some other driver's record because he's had a bad driving record. I have a good driving record."

Speaker Daniels: "Representative Mautino."

Mautino: "So, then do you think the insurance rates could possibly go down for the good drivers? I've never claimed to be one. I'm just kind of wondering because the flip side of your argument there, is that if you and I get in an accident and it's a little fender bender in the supermarket parking lot and it's \$250, I have a \$200 deductible. So we

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decide to take care of it amongst ourselves. That then would go and it would show up on this new abstract I believe. Is that correct?"

Speaker Daniels: "Representative Saviano."

Saviano: "Being that the insurance company didn't pay on that claim, that wouldn't be a chargeable occurrence towards your record."

Speaker Daniels: "Representative Mautino."

Mautino: "Well, what you are saying here is that you want to find out more information. Normally, this would be available if they bought. So this is just an extra tick on the abstract that's going out there. So I think, I think that there might be another reason on that. How's the, in the Live and Learn there was \$13 million that was dedicated towards operations. When we did the original plan that was to go towards operations. In this Bill, two years later or three years later, is another \$8 million which is going to go towards operations, plus \$6 million for a \$24 million computer system. I'm assuming you're going to pay that out in a few years. So, say in four years they paid that out, where does this continued increase in dollars go from that point?"

Speaker Daniels: "Representative Saviano."

Saviano: "Representative, as you know, the day you buy a computer is probably the next day it's obsolete. The continued funding will continue to update the technology so we don't have to make these big, big expenditures on a regular basis. It is going to be a continually updating process to make sure that our libraries, our Secretary of State's Office is always state of the art. Which I know our Secretary of State is always, always shooting for."

Speaker Daniels: "Representative Mautino."

Mautino: "Yes, first of all, I'd like to ask to divide the

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question and have them verified. Mr. Speaker, extra verification on one, two and three."

Speaker Daniels: "Further discussion? Representative Wennlund. Representative Mautino."

Mautino: " Okay, I just did ask for a verification but I did have one more question for the Representative. Excuse me. I want to divide the question, Mr. Speaker."

Speaker Daniels: "Is that Representative Saviano?"

Saviano: "Question of the Speaker right now. We'd like to divide the question on Amendments one, two and three. Deal with Amendment 1 right now and ask for a verification on the votes."

Speaker Daniels: "Further information? Okay, further discussion? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, you can demagogue this issue all you want as a tax increase but you're not looking at it right. Because what it really is, instead of making all of the taxpayers in the State of Illinois pay for certain services in the Secretary of State's Office, all this does is require those who use those services to pay them. Instead of making all of the residents of Illinois pay for the services of the Secretary of State's Office, it requires those who use them and use them often to pay for the cost of providing them. It's as simple as that. It's pay as you go. It's not requiring all the taxpayers in Illinois to subsidize the services for a few. Like those who use the Uniform Commercial Code Filings. Those who use specialized services that the Secretary of State's Office, by law, is required to provide. It makes those people who use them, pay for them. Not all of the taxpayers of Illinois. That's why this is a good vote. It's not a tax increase. It merely asks those who use those services to

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pay for them. It's as simple as that and you ought to vote for it."

Speaker Daniels: "Representative Erwin."

Erwin: "Thank you, Speaker. I rise in support of this Motion to Concur in Senate Amendments. To my colleagues on this side of the aisle, whether you are aware of it or not there was a Library Finance Task Force of this General Assembly and the Library Finance Task Force looked at a number of critical issues in terms of how to finance the automation of libraries, how to bring libraries across the state into the technology age, since we're frankly not doing it much in our schools these days, at least the local library is where a student can go and have access to the Internet. Can be able to research papers using advanced technology. The Library Finance Task Force looked at a variety of ways to pay for this. There are no good fees, I would suggest to you. Nobody there is going to be an opponent to every single possible option. But I think this at least offers the most the fairest way where users of particular services have to help pay for it. If we don't bring our libraries and our Literacy Programs into the technology age, I think that we'll be very sorry. I only wish that we could continue doing this in public education. So, I rise as a strong supporter of this. It is Live and Learn too. If you want to call it that. But I think Live and Learn has made a significant contribution in every community around this State. So if you don't want to vote for fees, don't vote for it. But if you want to vote for kids being able to learn how to read and have access to the Internet in all of these communities, I'd vote 'aye'."

Speaker Daniels: "Representative Currie"

Currie: "Thank you, Speaker. I'm rising just to let the record reflect that while Representative Schakowsky has been with

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us all day she has now left town for family business, her daughter's graduation and on future Roll Calls should be marked as excused."

Speaker Daniels: "Representative Winkel."

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

Speaker Daniels: "The Gentleman moves the previous question. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. Representative Saviano to close."

Saviano: "Thank you, Mr. Speaker. I ask that the House concur with Senate Amendment #1."

Speaker Daniels: "The Gentleman moves that the House concur in Senate Amendment #1. 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? Okay, have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 61 'aye'; 49 'no'; 1 voting 'present' and Representative Mautino requests a verification. Read the Affirmative Roll Mr. Clerk."

Clerk McLennand: "Those Representatives voting in the Affirmative are: Ackerman. Balthis. Biggert. Biggins. Black. Blagojevich. Brady. Bugielski. Burke. Capparelli. Churchill. Ciarlo. Clayton. Cross. Currie. Deuchler. Durkin. Erwin. Feigenholtz. Goslin. Granberg. Hassert. Hoeft. Johnson, Tim. Kaszak. Kubik. Lawfer. Leitch. Lindner. Lopez. Lyons. McAuliffe. McGuire. Meyer. Moffitt. Moore, Andrea. Morrow. Mulligan. Murphy, Maureen. Noland. Pankau. Parke. Persico. Ronen. Rutherford. Ryder. Saltsman. Santiago. Saviano. Skinner. Spangler. Stephens. Tenhouse. Weaver. Wennlund. Winkel. Winters. Wirsing. Wojcik. Zickus and Mr. Speaker."

Speaker Daniels: "Representatives Biggert, Leitch and Wojcik,

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they have leave to be verified. They're right up here in front. Leave is granted. Representative Mautino any questions of the Affirmative Roll?"

Mautino: "Representative Parke?"

Speaker Daniels: "Representative Parke. Terry Parke? Representative Moffitt asks for leave to be verified up front, leave is granted. Representative Parke in the Chambers? Remove him. Further questions? None further. No further questions?"

Mautino: "Yes. One minute. One minute. Representative McAuliffe.

Speaker Daniels: "Representative McAuliffe. In the back of the Chambers. Further questions?"

Mautino: "Representative Kaszak."

Speaker Daniels: "Representative Kaszak. She's in the rear of the Chambers. Further questions?"

Mautino: "Representative Saltsman."

Speaker Daniels: "Representative Saltsman. Representative Saltsman. Looks like him over there. Gentleman in the Chambers. Representative Parke has returned. Return him to the Affirmative Roll. Representative Saltsman. Remove him. Further questions? None further. Take the record. On this question there are 60 'aye'; 49 'no' and 1 voting 'present'. And the Gentleman's motion to concur in Senate Amendment #1 to House Bill 2206 is hereby passed. And now we're on Senate Amendment #2. Representative Saviano."

Saviano: "I would ask that the House concur with Senate Amendment #2. That's the effective dates in Senate Amendment #2. Thank you."

Speaker Daniels: "Any discussion? Representative Lang."

Lang: "Well, I don't really want to debate all these issues again but we would ask for a verification, Mr. Speaker."

Speaker Daniels: "The Gentleman moves for the passage of, in

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concurrence of in Senate Amendment #2. 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? Take the record Mr. Clerk. There are 91 'aye'; 20 'no'; 0 voting 'present'. Do you still want a verification? The Gentleman removes his request for a verification and the House does concur on Senate Amendment #2. Senate Amendment #3, Representative Saviano."

Saviano: "I would ask that the House concur with Senate Amendment #3."

Speaker Daniels: "Is there any discussion? Representative Lang."

Lang: "Thank you. I know the Sponsor feels that he gave us a complete discussion of Amendment #3 just now but maybe I missed it. Could the Sponsor tell us what Amendment #3 does?"

Speaker Daniels: "Representative Saviano."

Saviano: "Senate Amendment #3 was a result of initial opposition by the insurance industry. It put in certain mechanisms to cross records, with cross reference with driving records to insure that they have the proper information of history of driving records of individuals licensed to drive in Illinois."

Speaker Daniels: "Representative Lang."

Lang: "Well, so, let me get this straight. If somebody was not at fault in an accident would there name then be turned over to the insurance companies and put in their computers. Couldn't that cause non-negligent parties to be considered to be at fault by their insurance carrier?"

Speaker Daniels: "Representative Saviano."

Saviano: "No, it doesn't. What it simply does is allows the Secretary of State to note the accidents on the driving abstract, rather than the insurance companies being required to gather this information elsewhere. So

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actually, I think we're in a better situation where the Secretary of State's objectiveness is probably more trusted than if you had an insurance company gathering that information and putting it on the record."

Speaker Daniels: "Representative Lang."

Lang: "However, the Secretary of State would then be required to put on the driving abstract of both the perpetrator and the victim of an accident, that they were both in an accident. And isn't that some sort of an indicia of fault? And is that the appropriate thing to be doing?"

Speaker Daniels: "Representative Saviano."

Saviano: "Insurance companies and others will not be given detailed information on the nature and fault of the accident. Only an indication that an accident has occurred."

Speaker Daniels: "Representative Lang."

Lang: "Well, what's exactly the point? So, if you strike my car, I have a parked car, you strike it, both of our driving records indicate that we were in an accident. The insurance company doesn't know who was at fault. They're not going to bother to try to find out who was at fault. When they look at that driver's record, they're just going to raise everybody's rates. In addition, I have this problem. Why is the Secretary of State in the business of helping out these insurance companies? Why are we saving them money? What's the purpose of that?"

Speaker Daniels: "Representative Saviano."

Saviano: "Well, some of the, obviously the fees that are included in this Bill a lot of them are being paid by the insurance companies. So this is somewhat of a service that we felt that objectivity on part of the Secretary of State's Office could be interjected in the process and at the same time they're getting something for the amount of money they're

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going to be spending additionally on an annual basis. So what we're trying to do here is make sure that any accidents that occur after the effective date are the only ones affected. You are not going to go into back histories of driving records and update these driving abstracts. That's number one. Number two, you're going to have people, if you're in a car lot and somebody hits your car, you may or you may not, for the minimal amount of damage, fill an accident report and send it into the State. Okay. That's still going to be your option here. Where, your insurance company, once you're going to notify your insurance company, obviously, that's going to be on your driving record, regardless. Whether it's charged to you as a fault or not it doesn't really..."

Speaker Daniels: "Do you want to conclude your answer Representative Saviano?"

Saviano: "Whether it's your fault or not it really doesn't matter at that point. The insurance company is still going to be notified if they are making a payout. So, in other words, this is just a stopgap to catch and be more thorough on other peoples driving records."

Speaker Daniels: "Further discussion? Representative Saviano now moves that the House does concur in Senate Amendment #3. All those in favor signify by voting 'aye'; opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 76 'aye'; 28 voting 'no'; 1 voting 'present' and this House does concur on Senate Amendment #3 to House Bill 2206. The House now concurring in Senate Amendments #1, 2 and 3. This Bill having received a Constitutional Majority is now declared passed. Committee Reports."

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Clerk McLennand: "Committee Reports. Committee Report from Representative Cross, Chairman on Judiciary for Civil Law. To which the following Joint Action Motions were referred. Action taken on May 17th, 1996. Reported the same back, 'do approve for consideration'. Floor Amendment #2 to Senate Bill 217. Floor Amendment #3 to Senate Bill 1912. Motion to concur on Senate Amendments #1, 2 and 5 to House Bill 347. In 'do not approve for consideration' a motion to concur in Senate Amendment #4 to House Bill 347. Committee Report from Representative Krause, Chairman of Committee on Health Care and Human Services to which the following Joint Action Motions were referred action taken on May 17th, 1996. Reported the same back, 'do approve for consideration'. Floor Amendment #2 to Senate Bill 586 is approved for consideration'. Committee Report from Representative Churchill, Chairman from Committee on Rules to which the following Joint Action Motions were referred. Action taken on May 17th, 1996 reported the same back, 'do approve for consideration'. To the House Floor, Floor Amendment #5 to Senate Bill 1516. Floor Amendment #3 to Senate Bill 1288. Floor Amendment #2 to Senate Bill 1255. Floor Amendment #10 to Senate Bill 1780 and House Joint Resolution to #79. Reported back to the order of Second Reading. Senate Bill 1186. Second Supplemental Calender Announcement."

Clerk McLennand: "Supplemental Calender #2 is being distributed."

Speaker Daniels: "Ladies and Gentlemen of the House, will you please welcome to the House Floor the former Speaker of the House and now the Secretary of State of Illinois, George Ryan. Secretary Ryan, yesterday you were described, Mr. Secretary yesterday you were described by a very prominent Illinois citizen as a good man. Page three of the Calender appears Senate Bill 586. Read the Bill, Mr. Clerk."

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Clerk McLennand: "Senate Bill #586. This Bill's been read a second time. A Bill for an Act that amends the Local Governmental and Governmental Employees Tort Immunity Act. Second Reading of this Senate Bill. Floor Amendment #1 was referred to Rules. Floor Amendment #2 offered by Representative Moffitt is 'approved for consideration'."

Speaker Daniels: "Floor Amendment #2 to Senate Bill 586. Representative Moffitt."

Moffitt: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 586 with the Amendment that we're putting on today, the Amendment becomes the Bill. This is the Bill dealing with DNA or genetic testing. We've had some discussion about it. We had a press conference May 1st. I think it's an important issue that has come up now. I would ask all of you in here today and perhaps you always do, but above all on this Bill, I ask that you vote with your heart, in addition to voting with your mind, when you consider the merits of this Bill. I just wanted to tell you that I had a constituent come into my office. I would have introduced this legislation early in the Session had I been aware of the DNA and genetic testing and what's available today. But I had a constituent come into my office recently and she was available the day that we announced it at a press conference, this Legislation to make this type testing confidential in Illinois. This lady came in and she asked to remain anonymous and said she's a survivor of ovarian cancer. The ovarian cancer had developed and was to the point that there were symptoms and most of the time when the symptoms develop it's too late to treat the disease. But this lady came in as a survivor and indicated that in talking with her doctor, her doctor indicated that they would like to have her daughters and her granddaughters take a DNA test. But he advised at the

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present time they shouldn't do it because this information is not confidential in Illinois. Eleven other states make this testing confidential, but not in our state. So she came to me and said, 'Would you consider sponsoring legislation to make this confidential in Illinois'. I thought it was a very important issue. I thought it was one that deserved our consideration. I've been working with my colleague in the Senate, Carl Hawkinson. I'd like to point out that since I was asked by a member of the press, I'd like to point out that this constituent is not my wife. It is a resident of the district but is just a constituent that came in with this problem. Eleven other states have already adopted making it confidential. By the information that I have by the year 2005 all 3 billion human DNA sequences will be identified. So far we haven't even identified all that there are there. But by the year 2005, we expect that we will be able to. Of extreme significance, of extreme significance, Mr. Speaker could we have some order?"

Speaker Daniels: "Ladies and Gentlemen of the House. Ladies and Gentlemen of the House could you please give Representative Moffitt your attention?"

Moffitt: "Thank you Mr. Speaker. We're talking about an issue that it's important of the future of peoples lives. At the present time we can identify the genetic mutation that makes a person likely to have breast cancer. And if a person has that gene that they are susceptible to breast cancer there is an 85% likelihood that during their lifetime they will develop breast cancer, if they have that particular gene. In the case of ovarian cancer, if they have that gene that has now been identified, there's a 45% probability that in their lifetime they will develop ovarian cancer. New and additional, new additional

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diseases are being identified all the time. They can be identified on the genetic test. So each week there will be additional ones and they said by the year 2005 probably have all the DNA sequences identified. Without this legislation, we could potentially have a pool of citizens of Illinois who were uninsurable. And the idea of insurance is to spread the risk."

Speaker Daniels: "Members of the House. Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I think the most important thing is that if you have the gene that causes a particular disease, you can be pro-active about your health care. You can take preventative steps very early to fight a dreaded disease. Hopefully, to the point that you could even prevent it from occurring, depending on the disease that we're talking. What we really have then is a crystal ball but without this legislation we're telling citizens you should not or cannot look into the crystal ball, to look ahead regarding your own health care. Used properly, I think this could actually bring the cost of health care down because people could very early, and if they have that gene work with their doctor into trying to prevent the onset of a particular disease. So, I see it as being very pro-active, I see it as being cost-effective. I'd be happy to entertain any questions, Mr. Speaker."

Speaker Daniels: "Is there any discussion? Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Hoffman: "Yes, Representative, I would like to congratulate you on this effort. I think it's certainly a good idea and I think it's something that needs to be done and whose time has come. I just have a couple of questions, specifically regarding page two. There are some exceptions to the

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rules."

Speaker Daniels: "Representative Moffitt. Representative Moffitt."

Moffitt: "I believe the Representative still had a question to ask."

Speaker Daniels: "Representative Hoffman."

Hoffman: "The concern I think was raised and I just want to clarify it for legislative intent. 'Regarding the criminal investigation or criminal prosecution, the DNA or the genetic testing may be disclosed to appropriate legal authorities conducting the investigation or prosecution.' For purposes of legislative intent, what exactly do you mean by appropriate legal authorities? We still want to provide some privacy and yet we still want to be able to make the appropriate legal authorities able to utilize this for criminal purposes."

Speaker Daniels: "Representative Moffitt."

Moffitt: "Representative, I think that's an excellent question. It would be my intent that the prosecution in a criminal case would be the ones that would determine the people, who would be the experts, involved, who would be involved in the collection, how they would decide what DNA information they needed but it would have to be directly involved with the prosecution in a case like that. The prosecutors."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Would this be able to be given and not utilized? Or is this strict prohibition against health authorities giving this information totally? Do you understand what I'm saying? So in other words, what I'm saying is does this privacy act ensure that the insurance companies cannot be given this information or can they give the information but do they have to give them the information, are they allowed to give them the information and then they still,

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it still can't be used against them. In other words, the concern is we want to make sure, I don't think they're entitled to the information at all."

Speaker Daniels: "Representative Moffitt."

Moffitt: "Representative, it would be my intent that it would remain confidential unless the person who had the test taken whose DNA sample it really was agreed to have it released. They would be the controlling factor, the driving force, the decision-maker."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Is there any provision here to insure that that same person, if he or she decides not to give, not to give the information that it couldn't be discriminated against when it comes to the determination of the insurance policy?"

Speaker Daniels: "Representative Moffitt."

Moffitt: "That's the intent. If they did not turn it over it could not, the lack of turning it over it could not be a cause for discrimination."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Yes, well I think this is a wonderful piece of legislation. Once again I would like to thank the Sponsor for bringing this forward. I think it's a piece of legislation that makes a whole bunch of sense, whose time has come and something the people of the State of Illinois should certainly be proud of if this Legislature can pass it. "

Speaker Daniels: "Representative Brady."

Brady: "Will the Sponsor yield?"

Speaker Daniels: "He indicates he will."

Brady: "Representative, I truly appreciate your concern and your interest in this issue and I think it's an important one that needs, deserves and needs some discussion. I have some concerns as to the pace in which we're moving on this.

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I would prefer to see some discussions over the summer precede this movement. I asked you some questions in Committee today and I wondered if you had a chance to receive some answers on those questions? One specifically dealt with your constituent's inquiry and your fear that these medical records, DNA tests, were actually public information. I questioned that in Committee and I continue to do so. Were you able to receive a response as to whether or not that is truly a fear that is justified or not?"

Speaker Daniels: "Representative Moffitt."

Moffitt: "Representative, in answer to your question, if I had an opportunity to reach my constituent. I've attempted and have not been able to. There just have not been enough time since we really, it hasn't been very long ago since the committee, I've attempted to reach. It was the constituent who came. Her doctor had advised her, that even without her knowledge, they had the DNA test, that information could become available to insurance companies or employers. The information I presented in the committee, I also indicated, that in the several articles that where about 50% of the people that have had DNA tests indicate that then following those tests they have been discriminated against either on getting insurance, the price they paid or employment. The January edition of Engineering and Scientific Ethics featured a survey that showed nearly 50% of a group of people who were at risk for genetically based illnesses had faced, actually faced, discrimination."

Speaker Daniels: "Representative Brady."

Brady: "Representative, I understand that. I had an opportunity to talk to someone since our meeting and although I'm not sure on it yet, I was told that this cannot be

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discriminated against. And in fact, in testimony assures me that this information is not public information. It was suggested to me that this was a private medical record and cannot be received without the consent of the holder of that record. Secondly, I think we heard in Committee that insurance companies can't get this information without the consent or any information, without the consent of the individual they're attempting to insure. And I think that's important to note, that where you might be trying to address the situation on the Freedom of Information it might not in fact, truly be in existence here. You bring up a survey and I think that's important. Can you tell me if you know if there's been any complaints with the Illinois Department of Insurance or any complaints with the Department of Labor, as to discrimination under this cause? Do you have public records of anything in the State of Illinois that would give us reason to show alarm?"

Speaker Daniels: "Representative Moffitt."

Moffitt: "Representative, I do not have any of those figures, again if time permitted I'd, since that specific question has come up I'd be happy to check with them. I do know for a fact, from my constituent, the problem, the surveys have an article from the Sun Times, another magazine article where people that have had the tests indicate that they have been discriminated against. So there's no question. It's factual. The discrimination has occurred. And if, as you indicated, this is private information and that cannot be obtained without the person's permission, I believe is the way you said that. Then we're simply putting in statute what is already there, if what you indicated is the policy."

Speaker Daniels: "Representative Brady."

Brady: "Representative, I would agree with you that part of what

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you put in the statute is already there but much of what you're trying to do is not there and I would additionally speak in opposition to your Bill for that reason. I think we set a precedent here that may even overlap to existing tests that are used, by the language you have in this Bill. It may overlap to existing tests that we used to come up with low cost insurance rates in the state. I think this state has one of the best records for insurance. I think we have one of the lowest rates. I'm very concerned that the way this Legislation is drafted and the way you reach into areas that we don't have a proven problem with in this state but we might be dealing with something that might be a little to quick of a reaction. Again, I understand your sincere effort. I'm not ready to support this Bill at this time and whether or not this Bill passes this House or it passes the Chamber and the Governor signs it, I would encourage you to look into this issue through hearings maybe throughout the State of Illinois, so we can have the expert testimony, that I think would have been very helpful in today's Committee if this had not come up so quickly. But maybe you could have seen a clearer picture that helped provide for future of this State in what I hope would have been clearer way. So, at this time, I can't support your Bill but I understand where you're going. Thank you."

Speaker Daniels: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have some very serious reservations. Let me just point out to one of my colleagues on the other side of the aisle that made a comment that he feels that no insurance companies shouldn't have any real information in which to judge whether or not someone is healthy enough to be underwritten for life insurance. Well, if that's the case, it sort of to me shows an underlying feeling that we ought

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to have socialized life insurance. Just give everybody \$50 thousand and don't worry about it. Society will pay for it. The whole objective of life insurance is that you are to insure people when they are healthy, so that when something happens, statistically the group has enough to take care of and pay the claims of those that have to die. Statistically they know how much that is. Without the ability to underwrite based on information you create a problem for all of us. Because when we buy insurance we want to know that the integrity of that policy is protected and that the actuarial figures are there to justified the payment that we make on the insurance premiums and that death benefit will be there when it's needed. Now Representative, would you yield for a question please?"

Speaker Daniels: "He indicates he will."

Parke: "Yes. You're not against blood tests. You're not against urine tests. What test, by virtue of us passing this, what test do you want to outlaw?"

Speaker Daniels: "Representative Moffitt."

Moffitt: "Representative, I don't what to outlaw any test. I would to provide an incentive for individuals to get DNA tests if they so desire. If working with their doctors they think it would be advantageous for them, to help them be pro-active to practice preventative medicine. I see this as encouraging them to get genetic tests or DNA tests. That's the only test we're talking about in with this legislation. It would encourage individuals to be able to get those tests and not have to worry that they would be discriminated against. I think you need to keep in mind, also, we're talking about cutting-edge scientific knowledge here. It's new information. It's a new issue. It hasn't come up in the past because the information wasn't there. So it's a new issue that we have to deal with."

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Speaker Daniels: "Representative Parke."

Parke: "Representative, I think we're all sympathetic to what this Bill is bringing to us. But if this is such a new area, that you just agreed that it is, and it is so complex, is your purpose to pass a Bill or is the purpose to instigate hearings around the State of Illinois where we can get expert testimony, so that we all can try and formulate in our own mind what is the best public policy? What are we trying to accomplish by virtue of calling this Bill today?"

Speaker Daniels: "Representative Moffitt."

Moffitt: "Representative, I think it's an important piece of legislation. As I indicated in my opening comments if my constituent would have come to me in December or January it would have been the very first Bill I introduced this Session. That did not happen. I acted as soon as I could based on my constituent's request. If we can act on it this Session that is great. If not, I want to keep the issue in front of the people, in front of this General Assembly. If we end up holding hearings this summer that is fine too. But I believe in the legislation. It's the content. It's what it does for the people of the State of Illinois that I'm after. That's my objective and I only wish my constituent had come sooner and we would have had this topic early in the Session."

Speaker Daniels: "Representative Parke."

Parke: "Mr. Speaker, Ladies and Gentlemen of the House. I understand what the Sponsor is trying to do, but he is saying that it's his intent to move this Bill to the Governor and make it public law in this state. We cannot do that. I'm on the executive committee of the National Council of Insurance Legislators. Nationally, we are looking at this issue. It's not a unique issue to

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Illinois.

Every Legislator in the United States is facing this issue. There's lots of testimony to be taken before we can come up with model legislation that we think would be good for all of the States. For us to move this fast is premature. I think it's a mistake and I would ask my colleagues to vote 'present' on the Bill because it's not a bad idea, I think the idea to address it, but I think this is premature and I don't think this is the direction we should be going at this time, until all of us have facts in front of us to understand the in-depth nature of this issue."

Speaker Daniels: "Representative Erwin."

Erwin: "Thank you, Mr. Speaker. Representative Parke, whether you're aware of it or not there are a number of other states who have already enacted these laws. So I don't, don't worry, Illinois is hardly on the cutting-edge of these issues. And, in fact, we are usually so far back in the pack that it's embarrassing. You're right in that all of the 50 states are examining these issues. Many, many of them are way ahead of us on this. So, I am delighted that for once we might at least be sort of at the average stage. I would encourage you to not delay but that to in fact to pass this into law now and provide the protections for people who can actually make life style changes, go seek therapies that will prevent cervical cancer or breast cancer and avail themselves of the medical technology advances that are actually available today. So I urge a strong 'aye' vote."

Speaker Daniels: "Representative Parke."

Parke: "A point of personal privilege. My name was used in debate. I would just like to remind the Representative that spoke previous that what my mother used to say when I

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did things that were foolish, 'Just because 12 people jumped off the roof, are you going to jump off it too?' This requires a lot more discussion."

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

Klingler: "Thank you, very much, Mr. Speaker. Yesterday this House passed the Excellence in Academic Medicine Act. Recognized the importance of research in Illinois and medical research and keeping our state at the forefront of working against disease. Many advances have been made in the detection of disease in the last decade and I think that many many more will be made in the future. I think if we have provisions that will discourage people from taking advantage of new technology we'll be working against what we were trying to further yesterday with our Excellence in Academic Medicine Act. I think it's very important as new procedures and new testing are developed that people will use these and not feel that this information that's gained would be used against them in the future. I would urge all of my colleagues to support this Bill. Thank you."

Speaker Daniels: "Ladies and Gentlemen, we have a seventh grade class from West Chicago Middle School in West Chicago, Illinois. Mr. Burton is their teacher. Represented by Representative Johnson. Let's welcome them to Springfield. Further discussion, the Lady from Will, Representative Ciarlo."

Ciarlo: "Representative Moffitt, during committee I think a question was raised regarding concern and fear on some of the people and I think you alluded to some references regarding those fears. Percentages where insurance has been denied or there were some statistics, could you please bring those to light for us please?"

Speaker Daniels: "Representative Moffitt."

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Moffitt: "Representative, in committee I indicated an article that was called 'Science: DNA Spurs Legal Ethical War', and it was from the Chicago Sun Times, Sunday April 14th, 1996. The paragraph in there says, 'Insurer's employer bias told. A study suggests that nearly 50% of the people with genes that could cause disease have experienced discrimination by insurers, employers and others.' That was a survey and that was in the paper. Scientific American, March 1996, page 100 says that, 'Because people at risk for a genetic condition are often turned down for either health insurance, life insurance or employment. Patients are now declining genetic testing for themselves or their children, even when it would be medically valuable. Others seek testing under false names.' Clearly there has been a problem. Clearly we need legislation to protect the confidentiality of DNA testing."

Speaker Daniels: "Representative Ciarlo."

Ciarlo: "Thank you, Representative. To the Bill. This is a piece of legislation that is desperately needed. As we look at changing our lifestyles and our length of life and the quality of our life, shouldn't we, as this Body want to make that possible for every constituent throughout this State? The Representative, in bringing this legislation forward, is looking out not only for the constituent who came to him but he is looking out for all of us. I strongly urge every Member in this House to look carefully at their conscience and think about the impact of what this piece of legislation will do. I applaud you for bringing it forward and I thank you and I am very pleased to be a Cosponsor. Thank you."

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

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

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Speaker Daniels: "Indicates he will."

Mitchell: "Representative Moffitt, you know I've spent quite a bit of time in discussion on this particular Bill. From my understanding it's still your intention win, lose or draw on this issue to hold public hearings, to continue to increase the knowledge level of your constituents, even mine, if I so desire, on this particular issue over the summer months and to move this legislation with caution and with understanding that technology, plus the citizens need it."

Speaker Daniels: "Representative Moffitt."

Moffitt: "Representative, you're correct. It would, as this unfolds, if this passes this Chamber today and I'm hopeful that it will. Of course, it would go over to the Senate. They might not even have time to act on it. I would welcome the opportunity to hold hearings around the state to get as much input we can from the insurance industry, from the business community, from people who have been discriminated against, from survivors, like my constituent that asked to remain anonymous. But, yes, I would welcome the opportunity to hold hearings. That would be my objective."

Speaker Daniels: "Representative Mitchell."

Mitchell: "It's also my understanding that your concern is that the fears of the average citizen, because of the possibility of losing their jobs or losing their insurance, may not undergo tests that could possibly save their lives, their childrens lives."

Speaker Daniels: "Representative Moffitt."

Moffitt: "You're exactly correct, Representative. I think we need to have an incentive for citizens to seek this test, if they want to, and that it could actually bring down the cost of health care and it could lead to a healthier life,

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a longer life. It provides that avenue. One more thing they could use."

Speaker Daniels: "Representative Mitchell."

Mitchell: "Thank you, Representative. Mr. Speaker, to the Bill.

I want to commend Representative Moffitt, Senator Hawkinson and everyone else that has a strong concern for this Bill. I rise in strong support. This is a Bill that will ensure that our citizens will continue their quest to stop the number one killer in the medical field. Cancer knows no boundaries. It's not gender specific. It's not race specific. It's something that we all worry about and we all combat. To give some protection to the citizens in order for technology to continue at the pace that it is, it takes some swift and decisive action. I don't think this Bill is too early and I don't think it goes too far. I think the insurance companies will welcome it in the end and work with science. We have a difficult, difficult time keeping up with technology. If you look around this House Floor everyone of us had a little problem right here on the House Floor keeping up with technology. To have barriers that impede the progress to stamp out the number one killer in the medical field is absurd. It's time we all take a real close look at a Bill that could help to stop cancer. DNA testing is a wave of the future. Genetic typing is a wave of the future but it is a good wave and one that could help us all, to lead more productive lives, longer lives and increase the quality of life. Vote for this Bill. Thank you."

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

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It seems to me that we are just taking out one particular test and making an exception when we're trying

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to discover what the medical history of a potential insured when he applies for the insurance. And when you are trying to insure a person you need to be able to assess the risk so that you can come up with a premium. And what this does is hide some of this medical history that most people have to give regardless of whatever test it might be. But there are other tests out there that, blood tests and we have urinalysis tests, all kinds of tests that are taken today where we can get results that indicate something that might happen in the future. That's just part of the information that the underwriters need. What we're doing is taking a specific test and saying, 'Well we don't need to know about this.' What that really means is the other people who have to go through the same process end up paying to the extent that the information is bad. They end up paying higher premiums so it's not fair. The question really is once we do this, will we be back next year saying, 'Well, we want to exclude some other tests, because they might predict something that might happen in the future?' This is just another example of the legislative Body trying to micro-manage a business that they often don't know that much about. And I think that my colleague who suggests we need more time on it was right on the button. We need more study. We need to know more about it and I would recommend a 'no' vote."

Speaker Daniels: "Representative Black."

Black: "Thank you, very much, Mr. Speaker. I move the previous question."

Speaker Daniels: "The Gentleman has moved the previous question. All those in favor say 'aye'; opposed 'no'. The 'ayes' have it and Representative Moffitt to close."

Moffitt: "Thank you, Mr. Speaker. I appreciate the indulgence of the House in considering this Bill. We've heard a lot of

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good information and I emphasize to you this is an opportunity to allow the citizens of the State of Illinois to be pro-active about their health care, to practice preventative medicine. I would appeal really to everyone in this Chamber because everyone that has a mother, to the men, everyone who has a wife, to all of you who have daughters, this is an important issue to those individuals. It can help them have more control over their health care. I ask for an affirmative vote. I think this is something that's needed. We can follow other states that have adopted it. We will still be way ahead of the curve. I hope you'll cast a 'yes' vote. Thank you."

Speaker Daniels: "Representative Moffitt has moved for the adoption of Floor Amendment #2. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. This Amendment is adopted. Further amendments?"

Clerk McLennand: "No further Amendments. And all notes that have been requested have been filed."

Speaker Daniels: "Third Reading. Mr. Clerk, on the Order of Third Reading appears Senate Bill 586. Call the Bill. Put that on the Order of Third Reading. Supplemental Calender #1 appears Senate Bill 217. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #217, a Bill for an Act relating to a Medicaid Cost-savings and Suggestion Award Program. Second Reading of this Senate Bill. Committee Amendment #1 was referred to Rules. Floor Amendment #2, offered by Representative Mulligan, has been approved for consideration. "

Speaker Daniels: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Body. Amendment #2 amends the insurance called the HMO Act and Related Laws. It provides that at if a health care plan requires that the insured designated individual to

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coordinate care or to control access to health care, the plan must allow a female insured to designate a woman's principal health care provider as a primary care provider. It further provides that the female insured must be permitted to direct access to such a physician without the need of for referral or prior approval. And it defines a woman's principal health care provider, managed care entity, managed care plan and those participating in the plan. I would be more than happy to answer any questions."

Speaker Daniels: "Any discussion? Being none the Lady moves for the adoption of Floor Amendment #2. All those in favor say 'aye'; opposed 'no'. The 'ayes' have it. Further Amendments?"

Clerk McLennand: "No further Amendments. States Mandate Note has been requested and has been filed."

Speaker Daniels: "Third Reading. Mr. Clerk, on page 3 of the Calender appears Senate Bill 11. Read the Bill."

Clerk McLennand: "Senate Bill #11. The Bill has been read a second time previously. Committee Amendment #1 was referred to Rules. Floor Amendment #2 was referred to Rules. Floor Amendment #3 offered by, Representative Parke has been 'approved for consideration.'"

Speaker Daniels: "Representative Parke."

Parke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Many of you may know that we have had ongoing discussions on unemployment insurance. That the issue is something that is obviously is important to both sides, both business and labor. And in the discussions we've had numerous meetings trying to find common ground. And at this point in time we have not been able to find that common ground. But you may also be aware that built into the law, unemployment insurance law, in 1992 was what we would call 'speed bumps'...And those 'speed bumps' were put

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in there to mandate that businesses and labor would meet in 1996, and which they have done that. Now we're at a point in time where we're still in ongoing negotiations, but that 'Speed bump' will go in effect on 1/1/1997, and that's about \$100 million of reduction and benefits to employees of the state, which the labor unions and the business community don't want. It also requires a \$100 million approximately in increased costs to the business community and I am confident that both business and labor would not want that unless it could be justified. So what we're asking the Body to do is to extend this 'speed bump' from 1/1/97 to 1/1/98. Built into the program is the current rate of inflation to equal about 100, give or take about 10 thousand, but around \$100 million of cost on both sides. So this Bill, simply put, now extends the dates one year and I would stand ready to answer any questions."

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

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

Speaker Daniels: "Indicates he will."

Deering: "Representative, you say this just puts a 'speed bump' on hold for one year and then we will have to revisit this after, hopefully, we go through the agreed Bill process with business and labor?"

Speaker Daniels: "Representative Parke."

Parke: "What you're surmising is correct. However, we are trying to work within some kind of a format of an agreed Bill process but not the traditional one in which we've operated in the past but one that we feel gives both sides an opportunity to have their day to discuss the issues that are important to them and then ultimately put a Bill out, whether it's next year, next fall. It's still to be debated but we want to extend it for one year."

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Speaker Daniels: "Representative Deering."

Deering: "The 'speed bump' that we eliminated for business earlier this year, did we eliminate that indefinitely or was it eliminated for a certain amount of time also?"

Speaker Daniels: "Representative Parke."

Parke: "Representative Deering you're mistaken in which you framed the reduction of premiums of 128 million that we took from the business community because the unemployment fund was overpaid and had more money than we felt was necessary at the time. And that still looks like it's still correct."

Speaker Daniels: "Representative Deering."

Deering: "So are you saying then, Representative, that the 'speed bump' for the business community is still in effect just as a 'speed bump' for the benefit cut of is still in effect?"

Speaker Daniels: "Representative Parke."

Parke: "I'll remind the Body one more time, that in fact there is a 'speed bump' the agreement in 1992 was approximately \$100 million in reduction of benefits to labor. A hundred million dollars increased the cost to business. We want to move that effective date one year."

Speaker Daniels: "Representative Deering."

Deering: "No further questions, Mr. Speaker."

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

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Daniels: "Indicates he will."

Phelps: "Representative Parke, I think I heard you say that this would delay the reduction amount for one year, January '98, is that correct?"

Speaker Daniels: "Representative Parke."

Parke: "Representative, again I will reiterate my statement. We

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are going to effectively move the 'speed bump' that is going to go in place for both labor and business from 1/1/97 to 1/1/98."

Speaker Daniels: "Representative Phelps."

Phelps: "Thank you, Representative Parke. By doing that, do you affect the amount of reduction that you had in the original bill to reduce the benefits? Has that amount changed? Are you doing anything else, like other than just changing the delay for one year?"

Speaker Daniels: "Representative Parke."

Parke: "Representative, in essence you are correct that there is a difference in the numbers that we have and those numbers are simply to reflect inflation so that, in fact, we're coming close to the \$100 million of which we negotiated with both business and labor signing off for in 1992. In essence we're trying to get as close to where we were before than we were now."

Speaker Daniels: "Representative Parke. Phelps."

Phelps: "Also further, Representative, do you feel that since you mentioned that you negotiated with these parties, why was it not considered to be January '98 instead of '97 at that time and why are you changing it now? Was that not part of the negotiation? Have you just recognized that it needs an extra year now? Why just back in February, I think is when we adopted this, did we not? So why recognize this year now rather than then?"

Speaker Daniels: "Representative Parke."

Parke: "The reason why in '92 we put the 'speed bump' in was to force both labor and business to sit down and negotiate in good faith. That is our intention but we are still in discussions phase in this issue. And so therefore, we felt if we had one more year we could keep the pressure on both sides to continue to talk, to continue to meet this next

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year and hopefully come up with some parts that both sides can agree to."

Speaker Daniels: "Representative Phelps."

Phelps: "Thank you, Representative, for answering my questions. To the Bill or the Amendment, Mr. Speaker. It appears to me that this may be an effort to hopefully postpone what has been created, the animosities to working families that we all so much on this side of the aisle treasure and try to protect, that perhaps during election year to postpone the action that was planned to be taken but now for whatever reason there may be heat or whatever, the desire to delay it one year. I have a Bill, House Bill 3732 that I've filed which is buried in Rules, which actually removes all the 'speed bumps' because we recognize that these reductions are a threat to working families. Very much of a threat to working families in my district. And I feel that we should address other than just the timetable that the Representative is well intended to do here. But I feel that the delay for one year is nothing but just trying to lessen the pressures during election year. But I will be supporting at least this particular gesture because it does give a little bit of consideration to a bad Bill."

Speaker Daniels: "Representative Parke moves for the adoption of Floor Amendment #3. All those in favor say 'aye'; opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments. Fiscal Note has been filed on the Bill, as Amended."

Speaker Daniels: "Third Reading. Mr. Clerk, on the Order of Third Reading appears Senate Bill 11. Call the Bill."

Clerk McLennand: "Senate Bill #11, a Bill for an Act that amends the Unemployment Insurance Act, Third Reading of this Senate Bill."

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Speaker Daniels: "Representative Parke now moves for the passage of Senate Bill 11. All those in favor will signify by voting 'aye'; opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk.

On this question there are 112 'ayes'; 0 voting 'no'; 0 voting 'present'. And this Bill having received a Constitutional Majority is hereby declared passed. On the Order of Third Reading appears Senate Bill 586, Representative Moffitt. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #586, a Bill for an Act that amends Local Governmental and Governmental Employees Tort Immunity Act. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we had a pretty thorough debate on this issue of genetic testing or DNA testing. I think we've heard why it could be very helpful for being pro-active about our health care, for encouraging citizens to practice preventative medicine. I think it's very important. We didn't have DNA tests, until recently, to the extent that we do now. When we could identify the probability of getting a disease. Like I said, with breast cancer if you're identified with the gene that causes that and indicate 85% probability of whether or not you'll have it in your lifetime and with ovarian cancer 45%. This is something, we owe it to our citizens to pass this legislation to encourage them to be pro-active, to practice preventative health care. I see it as really a way to reduce health care costs. Proponents and Committees signed on as the proponents were the American Cancer Society and

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the Illinois Medical Society. So I think it's important that we allow our citizens the advantage of this latest technology. Give them the opportunity to look into that crystal ball about the future of their health if they so choose. I would ask a favorable vote. I'll be happy to answer any questions if you're entertaining any more questions, otherwise I hope you'll give it your favorable response."

Speaker Daniels: "Any discussion? The Gentleman from Rock Island, Representative Brunsvold."

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

Speaker Daniels: "He indicates he will."

Brunsvold: "Representative Moffitt, I understand the thrust of the Bill and what good you're trying to do here. You are I think, going down an avenue here to genetically find out if we can correct illnesses and things like that and there's no one on the Floor that is opposed to that. What else could happen because of this type of new avenue we're taking? I can think of some bad things that can happen here. What protections against discrimination by genetic testing are in this Bill?"

Speaker Daniels: "Representative Moffitt."

Moffitt: "With the provisions the intent are that using that if a person has this test taken, that an employer or an insurance company cannot discriminate against them. That would be violating the law, if it were adopted, that would be violating the law of the land if you used that information to discriminate against the citizen."

Speaker Daniels: "Representative Brunsvold."

Brunsvold: "To the Bill, Mr. Speaker and Ladies and Gentleman of the House, I am very tentative about supporting this legislation right now because of the federal inquiries are being made now in this very area. And I do feel that

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discrimination can be a new avenue here so the people may be tested genetically and then may not be hired. There may be a hiring situation that may eventually lead down this path and I don't think Representative Moffitt wants to do that and I don't want to do that. But, right now, I am very tentative about proceeding down this path and would ask for a 'present' or 'no' vote."

Speaker Daniels: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. I would like to address the previous speaker, Representative Brunsvold, on this issue. For all of the reasons, for all of the questions that Representative Brunsvold had to the Bill are all of the reasons that every Member in this Chamber should vote for it. Representative Erwin and I sponsored a similar Bill and filed it on February 6th. There was another Representative who was speaking to the Amendment. I'm sure you remember, Representative Moffitt, who was making issue with the necessity for this. I don't think you need to apologize to any Member in this Chamber for sponsoring this Bill. Illinois is clearly not, as Judy mentioned, at the cutting-edge of this legislation. We really need to set aside a separate category for this because this is the future and we are here and I urge all the Members of this Chamber to vote 'aye'."

Speaker Daniels: "Further discussion? Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. I Move the previous question."

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

Moffitt: "Thank you very much, Mr. Speaker. As I said when I opened, I hope on this you'll vote with your heart, with your conscience and your mind. We're looking to the future. We're looking to the future of our families, of our

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children and our grandchildren. My constituent came in and asked that we help her children and grandchildren. You're doing it for yours, too. You're doing it for all of those future generations of the State of Illinois. A vote for Senate Bill 586, is a vote for the future, the future of our children. I hope you'll vote 'yes'. Thank you."

Speaker Daniels: "Representative Moffitt Moves for the passage of Senate Bill 586. All in favor, signify by voting 'aye'; opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 99 'ayes', 5 'noes', 9 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Supplemental Calendar #1 appears Senate Bill 217. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #217, a Bill for an Act relating to a Medicaid Cost Savings and Suggestion Award Program. Third Reading of this Senate Bill."

Speaker Daniels: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker, Ladies and Gentlemen. As previously stated a few minutes ago, Senate Bill 217, as now amended, would allow a women insured of an HMO or other parts of the Act that have been designated. It would cover a Medicaid, CHIPS, HMO insured PPO and allow a woman to choose as her primary care provider a woman's health provider. It also provides that the female insured must be permitted direct access to such a physician without the need for a referral or prior approval."

Speaker Daniels: "Excuse me. Ladies and Gentlemen of the House. Please give the Lady your attention. Thank you. Representative Mulligan."

Mulligan: "It further defines the principal health care provider, managed care entity, managed care plan and those

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participating. I would stand for any questions."

Speaker Johnson, Tim: "Representative Johnson in the Chair. The Chair recognizes the Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield?"

Speaker Johnson, Tim: "Indicates she will."

Hoffman: "Is this designed to...has there been a problem in the past that this is designed to take care of or is this just something that you believe is, needs to be a good idea. I think it's a good idea. I think it's a good Bill. I just want to figure out why."

Speaker Johnson, Tim: "Representative Mulligan."

Mulligan: "There have been problems in the past with direct access to an obstetrician-gynecologist in several instances. Number one, you designate in some plans each year who your primary care provider would be. If a woman becomes pregnant the first month at in the designation and the primary care provider doesn't want to send her to an obstetrician, she has to wait and by that time it's too late. Matters of internal exams, women's health care, we feel that an OB-GYN would be a better provider of such examinations and would catch problems that a woman might have, quicker."

Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "So this legislation would mandate that any of these plans would have that type of service, would be available. Is that correct?"

Speaker Johnson, Tim: "Representative Mulligan."

Mulligan: "Yes, it does."

Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "Well, I think this is a great piece of legislation. I think that this is something that makes a lot of sense. The health care system here in this state I think, many

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times is woefully inadequate when it comes to women's health issues and I think that I would like to say that we should all be voting for this. We should all be supporting it. It makes a lot of sense."

Speaker Johnson, Tim: "The Gentleman from McLean, Representative Brady. Proceed."

Brady: "Will the Sponsor yield?"

Speaker Johnson, Tim: "She indicates she will."

Brady: "Representative, is this the same Bill that came before the Health and Human Services Committee earlier this year?"

Speaker Johnson, Tim: "Representative Mulligan."

Mulligan: "No, Representative. It's more specific in its language and the definitions and in breaking out a participating provider and giving us the definitions of a woman's primary or principal health care provider, a managed care entity, a managed care plan. It also defines the participating provider."

Speaker Johnson, Tim: "Representative Brady."

Brady: "Representative, if I understand this Bill correctly, what you're trying to do is you're trying to change the way in which gatekeeper type of health care organizations where an individual first goes to a primary care physician to seek advice and determine where they want to go, rather than an internist or a primary care physician, you would like a female to have the choice to break that barrier and go to another type of doctor. Is that correct?"

Speaker Johnson, Tim: "Representative Mulligan."

Mulligan: "Yes, Representative. Currently under the law, this is supposed to be allowed but in some instances it isn't and what we're trying to do is codify that and make sure that it would be allowed."

Speaker Johnson, Tim: "Representative Brady."

Brady: "Where is it currently allowed?"

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Speaker Johnson, Tim: "Representative Mulligan."

Mulligan: "Under the HMO Act, it is...women currently can choose an OB-GYN as their primary care physician but doing research on my previous Bill, I found out that that was not always the case, that HMOs were not allowing this."

Speaker Johnson, Tim: "Representative Brady."

Brady: "Representative, I'm confused. You say that currently the law provides for what you're doing here. You found some providers not to be acting accordance with current laws, so you're passing another law? Is that what you said?"

Speaker Johnson, Tim: "Representative Mulligan."

Mulligan: "Not exactly. This way they would have a primary...they could either choose a primary care provider that could be a family physician or something else or they might choose as their principle woman's health care provider and OB-GYN. So it does change that designation and it expands it to other areas."

Speaker Johnson, Tim: "Representative Brady."

Brady: "Well, Representative, I'm not sure what it changes. You said it's current law but you're saying it's not. This changes it to allow for an OB-GYN. I'm still confused, Representative. I'm sorry."

Speaker Johnson, Tim: "Representative Mulligan. Ladies and Gentlemen, if we give Representative Mulligan your attention, so we can understand the response to Representative Brady's question. Proceed."

Mulligan: "The current law is, although it is not being followed, that a woman may choose as an OB-GYN as her primary care physician. The way this Bill is written, it would allow you to choose as your primary care physician any physician that's designated under the plan as a primary care physician and also give you access to a woman's principle health care provider or you might choose the OB-GYN as both

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and serve one role, which, I feel that most women would. They would choose that doctor, particularly in certain child bearing years as their primary care physician which should save money, rather than have a referral after seeing one primary care physician and then being referred to an OB-GYN."

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

Brady: "Representative, you're saying it's current law, though, and you still want to pass...I'm sorry, you're existing law currently says that they can choose an OB-GYN as their primary care provider, is that correct?"

Speaker Johnson, Tim: "Representative Mulligan."

Mulligan: "Representative, under the HMO law, it gives an OB-GYN the status of a primary care physician. Unfortunately, it is now not being followed and this would expand the law to a greater extent."

Speaker Johnson, Tim: "Representative Brady."

Brady: "Representative, would you agree that we have an enforcement problem, not a statute problem?"

Speaker Johnson, Tim: "Representative Mulligan."

Mulligan: "Absolutely not."

Speaker Johnson, Tim: "Representative Brady."

Brady: "Is the current law being enforced?"

Speaker Johnson, Tim: "Representative Mulligan."

Mulligan: "No, nor does it appear that HMOs are willing to go along with this."

Speaker Johnson, Tim: "Representative Brady."

Brady: "Representative, was there any opposition to this Bill in Committee?"

Speaker Johnson, Tim: "Representative Mulligan."

Mulligan: "The Life Insurance Underwriters Council and the HMOs, Illinois Retail..."

Speaker Johnson, Tim: "The Chair recognizes the Lady from

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Sangamon, Representative Klingler."

Klingler: "Thank you very much, Mr. Speaker, Members of the General Assembly. I strongly urge all of you to support this Bill. In Committee today, we heard of lots...testimony from those opposed. They were concerned, not about quality of medical care, quality of care for women, but concerned only about gatekeepers and denying referrals and only concerned about cost. I think we need to look at the fact that the profession of Obstetrics and Gynecology is the only specialty which is devoted exclusively to women's health. For the majority of women, the obstetrician or gynecologist is the primary doctor and the only physician that they see. Women's access to health care would be severely impacted and women would have no choice in providing the physician that they prefer. Women are opposed to restrictions and obtaining access to obstetricians and gynecologists. Among women who have health coverage, a poll conducted by the Gallop organization showed that 78% can currently access their obstetrician without going through a gatekeeper. Seventy-five percent object to requirements of having to be referred by another physician. Clearly, if a woman needs to go to a gynecologist or an obstetrician, she should not be forced to go through the additional hoops of going through a primary care person who does not have as an extensive training in that specialty as does the obstetrician or gynecologist. I urge all of my colleagues to support this Bill."

Speaker Johnson, Tim: "Seeing or hearing no further discussion, the Lady from Cook, Representative Mulligan moves for the passage of Senate Bill 217. Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes', 1 voting 'no', and 0 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Representative Brady, for what purpose do you rise?"

Brady: "Mr. Speaker, I on the last vote, I was recorded as voting 'no' and I did not choose to vote 'no'. Would the record please so reflect?"

Speaker Johnson, Tim: "The record will reflect your request. On page four of the Calendar, under the Order of Senate Bill Second Reading, appears Senate Bill 1288. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1288 has been read a second time previously. Amendment #1 was adopted in Committee. No Motions have been filed. Floor Amendment #2, offered by Representative Kubik, has been 'approved for consideration'."

Speaker Johnson, Tim: "On the Amendment, the Gentleman from Cook, Representative Kubik, defers to the Lady from Lake, Representative Moore. Proceed."

Moore A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 becomes the Bill and this is the House Republican Ethics Campaign Finance Reform Package. It has ethics provisions, #1 makes the General Assembly Scholarships public information. It also provides for a Code of Conduct for the Illinois Horse Racing Act. There is also a Code of Conduct for the Riverboat Gambling Act. There's a moratorium on lobbying. There are also included proposed campaign finance reform including disclosure items which Representative Kubik will address questions to and then there are a variety of miscellaneous provisions. This is an issue that Representative Kubik has led discussions

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on for a period time and we would be happy to answer any questions."

Speaker Johnson, Tim: "On the Amendment, the Chair Recognizes the Gentleman from Clinton, Representative Granberg."

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

Speaker Johnson, Tim: "She indicates she will."

Granberg: "Representative Moore, we have a number of questions but the first I think, the fundamental question is, is this Bill going to be called in the Senate for a vote?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Representative, as you know this is the House of Representatives and those kinds of questions are up to the Senate and we would certainly hope so after this amount of work."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "So, apparently not. Representative, last year, if you remember, we had an ethics package that you were involved in on your side of the aisle and we saw in the headline in the State Journal-Register 'Ethics Reform Package Passes Illinois House' and of course it never got called in the Senate. So, you were able to get your press releases out and everybody was able to campaign that they were for campaign reform. So you have had no discussions with anybody in the Senate about the likelihood of this Bill being called in the Senate."

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Representative, you know we are a separate Body and as I recall you assisted us in passing the Ethics Reform Package last year which we appreciated. Certainly, we will continue to try and prevail with these ethic reform issues."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "So, have you had any discussions with anyone in the

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Senate about calling this Bill for a vote in the Senate?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "As you know, Representative, discussions about campaign finance reform have been going on for a number of years in the Senate."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "Let me try it again. Have you talked with anyone in the State Senate about calling this Bill for a vote in the State Senate?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Representative, I believe I've answered your question."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "So the answer is 'no' or it is 'yes'. You just don't want to admit it. Why haven't you discussed this Bill with anyone in the State Senate about whether it will be called for a vote?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "When we have passed this out of this House, the Senate will be in a position to take this up."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "Why haven't you discussed this with anyone on the State Senate? Do you not want to see this passed?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Representative, the Senate isn't here today, actually."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "So you just put this package together this afternoon and decided that you wouldn't talk to anybody. This just came about in the last hour or so?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Representative, there are and have been ongoing discussions with the Senate and no, this did not just come

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up an hour ago."

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

Granberg: "Oh, there have been discussions. You said there have been ongoing discussions. What did they say? Is the Bill going to be called?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "For years there have been discussions and no I have not had personal discussions."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "Well, to the Bill. Unfortunately, this is much like this whole Session. It's a charade. We're doing pension legislation that's not going anywhere. We're doing ethics reform legislation that's not going anywhere. We're not talking about anything serious. It's all for political purposes. It evolves around the elections. That's all it does. It revolves around everybody's campaign brochure. This Bill is not going to be called. It will be called in a press release. It's not going anywhere. We're wasting the time of the Body. We're not dealing with the fundamental decisions of the day. We should be dealing with education finance and equity. We should be dealing with real campaign reform, putting lids on campaign spending and doing the things that the people should be about, but instead, we're not dealing with the Senate. We're not talking...you're not talking. You haven't included us in anything, in any discussion, on any matter. But you're not even talking with the Senate. You're not even talking with the administration. This is all for nothing. This is all for press release. All for the media, all for the people up there. It's a scam like everything else and so let's all vote it out. Let's all vote it out. Get the press releases out, get the radio out

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and let's help our targeted districts."

Speaker Johnson, Tim: "The Chair recognizes the Gentlemen from Kankakee, Representative Novak. Proceed."

Novak: "Yes, Mr. Speaker, will the Gent...Lady yield? Excuse me."

Speaker Johnson, Tim: "Yes, she indicates she will."

Novak: "Representative Moore, does this Amendment just contain the Ethics Reform legislation?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "No, Representative, there's campaign disclosure information included in this."

Speaker Johnson, Tim: "Representative Novak."

Novak: "But the other subject that we talked about some time ago concerning voter registered, the applications for the absentee ballots. That's in a separate part of this Bill?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Representative, as I said when I introduced the Bill, the issues regarding ethics, campaign disclosure, that Amendment becomes the Bill. The issues about absentee voter fraud will be included in another Bill."

Speaker Johnson, Tim: "Representative Novak."

Novak: "Thank you, Mr. Speaker. I'm reading a report here in the local newspaper about some of these provisions. I don't have the analysis right in front of me but it indicates about closing a loophole that allows candidates in certain situations to delay disclosing contributions made within 30 days of an election until the election is over or after the election is over. I think that's the...it's a D-4 form or something like that where anything over \$500 has to be reported in 48 hours. Could you explain this loophole?"

Speaker Johnson, Tim: "With leave of the House, Representative Kubik will respond. Representative Kubik."

Kubik: "Yes, Representative, you're essentially correct. As you

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know, under the current law when you file for office and you have raised or spent \$1 thousand, you are required to file a D-1 form, a statement of organization. At that point, you are bound by all of the rules to disclose campaign contributions. There is a loophole in the law which is that if you have not raised or spent \$1 thousand, and it's 29 days before the election, and because you are not ...you get 30 days once you create the Committee to actually file. There's a loophole so conceivably someone who didn't raise or spend a lot of money until 20 days before the election could receive some substantial contributions and not have to report them until after the election. So the State Board has suggested that we close that loophole and, frankly, I think it's a good loophole to close. So we would require people to file and disclose those kinds of contributions."

Speaker Johnson, Tim: "Representative Novak."

Novak: "Thank you, Representative Kubik, but does this have anything to do with the form that a campaign Committee is required to fill out when they receive a contribution that exceeds \$500 and must be reported in 48 hours to the State Board? Does this have anything to do with this?"

Speaker Johnson, Tim: "Representative Kubik."

Kubik: "Yes, it does."

Speaker Johnson, Tim: "Representative Novak."

Novak: "And is this loophole, so to speak, as indicated by the State Board also applied to this D-4, I think whatever it is called? It does?"

Speaker Johnson, Tim: "Representative Kubik."

Kubik: "Yes."

Speaker Johnson, Tim: "Representative Novak."

Novak: "Now, another question here. It also indicates that you're going to create a separate schedule of disclosure

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forms to list contributions of \$10 thousand or more. Now, can I ask everybody in this Chamber to hold their hand up that ever got a contribution of \$10 thousand or more. I mean, why did you use \$10 thousand? Isn't that an awfully high figure?"

Speaker Johnson, Tim: "Representative Kubik."

Kubik: "Representative, I'm not sure that you understand exactly what's going on here. What we are doing is we are creating a separate schedule for those individuals and corporations who make contributions in the aggregate of \$10 thousand in a year. At the present time, we have no way, really, of tracking people who have given in small amounts up to \$10 thousand or even in large amounts up to \$10 thousand if they are individuals or corporations. You know if they're not Political Action Committees, they would not file separately. The reason that we're doing this is so that we will be able to track those individuals and corporations and partnerships or whatever you want to call them, that make rather substantial amounts of contributions during the year to a variety of different candidates. We think that putting \$10 thousand worth of contributions into the process warrants a separate schedule for those people making the contributions."

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

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

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

Deering: "Representative, I notice in here a portion of this Bill is dealing with the information on legislative scholarships? Is that correct?"

Speaker Johnson, Tim: "Representative Kubik. Representative Moore."

Moore, A.: "Thank you. Yes, Representative."

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Speaker Johnson, Tim: "Representative Deering."

Deering: "Okay, if we put this language in the definition of a public record, that might serve the purpose well here in the State of Illinois. How does it affect the federal Education Right to Privacy Act? How will it affect that Act?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "It will not have any affect on that Act."

Speaker Johnson, Tim: "Representative Deering."

Deering: "So then why are you putting this language in there? I mean Educational Right to Privacy Act is the Act that many of us adhere to in the scholarship information. So if it has no affect, what good will it do in this Bill?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "It is the student will actually waive his rights to confidentiality as far as the waivers."

Speaker Johnson, Tim: "Representative Deering."

Deering: "So, we are then mandating or requiring a student to forfeit his or her rights? Is that what you're saying?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "No, we are not. If the scholarship is accepted, however, that would be one of the provisions of the scholarship."

Speaker Johnson, Tim: "Representative Deering."

Deering: "So then if they accept the scholarship, we are asking them to violate their Constitutional rights?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "That's not correct, Representative."

Speaker Johnson, Tim: "Representative Deering."

Deering: "You're telling me and the rest of the Members of this Body that if a student accepts a scholarship that they...then one of the situations or one of the requirements is they have to violate their right of

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educational right to privacy to make their names public. That's what you're saying. Why are we requiring students to do that?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "There is no requirement for students to do that. If the student chooses, makes the choice to accept the scholarship, the waiver of confidentiality is part of that choice."

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

Deering: "What if they don't want to waive their Constitutional Right to Privacy?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Then the scholarship will go to someone else. They will not accept the scholarship. They perhaps won't even apply."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Then why is this language in here just for General Assembly scholarships? What about the scholarships that university employees get for their kids? What about the ones that the university presidents can give out? Teachers, athletic officials, why are we just keeping this very narrow? Why not open it up for everyone?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Representative, that is something we could take up at a later date. At this point in time, we are looking at the General Assembly scholarships because that's part of this provision."

Speaker Johnson, Tim: "Representative Deering."

Deering: "I find it awful strange why we're just picking on one section. Another hurry up and wait, another scam Bill. Let's just hold the Amendment, redraft the Amendment, put the language in covering everything. If you're really

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sincere in doing this, then for a change, let's use some common sense ourselves and do it right the first time. Is that not a viable option?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Representative, I am sincere in doing this. As a matter of fact, all of the scholarships that have been given out through my office, the General Assembly scholarships, have always been public knowledge. They've been on the cover of my newsletter. They've been the subject of many press releases and I'm proud to say that."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Well, Representative, I think this is just another case of where we are just piecemealing some 'do good' legislation to try to appease a few people. Let's for once try to take our time, do it right the first time. Understandably, someone will probably take this to court and contest it on the grounds of Constitutionality and who knows it might be the LUST, LUST Fund again or the LUST, LUST Law. It will be ruled unconstitutional. Just, if you're serious, just for the benefit of the Members here and not wasting any more time, let's take the Bill out of the record, fix the Amendment, do it right the first time."

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

Dart: "Will the Sponsor yield?"

Speaker Johnson, Tim: "She indicates she will."

Dart: "Representative, is there anything in here regards to spending limits?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "No, Representative."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Is there anything in this Bill dealing with contribution limits, ceilings on the contributions?"

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Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "The issue that is dealt with in this Amendment is disclosure."

Speaker Johnson, Tim: "Representative Dart."

Dart: 'Okay, I'll try it again. Is there anything in this Bill dealing with contribution ceilings, limits?'"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "The focus of this Amendment, as I said before is campaign disclosure. Perhaps Representative Kubik would be able to assist you."

Speaker Johnson, Tim: "Representative Kubik, do you wish to add to Representative Moore's response?"

Kubik: "Representative, the purpose of this Bill, in this instance, is to improve the existing disclosure laws and enhance the existing disclosure laws. The concern that has been raised regarding your concern with limits, et cetera, limits on campaign contributions, limits on spending. The concern on the spending side was the limitation on the ability for a person to a right of free speech and the second issue was the issue of a limit on contribution. I think there is a growing body of individuals who believe that the limits are artificial and that there are loopholes to get around the limits. We felt the best way to address some of the concerns would to be to improve the disclosure laws of this state."

Speaker Johnson, Tim: "Representative Dart."

Dart: "Did Common Cause endorse this?"

Speaker Johnson, Tim: "Representative Kubik."

Kubik: "As I...I'm not sure. I think that they haven't spoken to me. I will say that the provisions that are in this Bill are from a report that come out from a group called the Center for Responsive Politics out of Washington."

Speaker Johnson, Tim: "Representative Dart."

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Dart: "To the Bill."

Speaker Johnson, Tim: "To the Bill, to the Amendment."

Dart: "To the Amendment. The Amendment, it fails on all counts.

This has been touted as Ethics Campaign Finance Reform. It's none of the above. It's half a loaf that is going to go over to the Senate and not be called and we all know that. President Philip when he was asked about it this morning said, 'What Ethics Bill?' He doesn't even know about it. Doesn't care about it. It's going nowhere. We know this. This is what one of the previous speakers talked about is our typical way of operating this Chamber. We operate by way of press release. We know Bills aren't going anywhere but we will then go out and issue our press releases on these Bills and we know full well all along these Bills are going nowhere, absolutely nowhere. We know disclosure would help but for disclosure to take place and to really be effective, we have to have some type of limits. The Speaker made a big deal back in December about how campaigns are going out of control with the insane amount of spending going on. Yet there is nothing, there is absolutely nothing in this Bill that is going to do anything to try to put a collar on that at all. This is something that is just a press release. We all know it. This is something that in no way begins to go after the problems of campaign finance abuses. This is something that was whipped up with very little time. Common Cause is not in support of this because they know: A. It's not going anywhere and they also know it is not something that is going to go at the heart of the problem with some real effective ethics, some real effective campaign finance reform. This is not it and that is why we should be, we should really try to do something right around here. We should really get down and talk about reform. The public's

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view of politicians is at an all time low. All the polls show that and the major reason for that is because our campaigns are so dirty, they're so expensive, and things like this. Things like this that are just press releases that we know are not going to go anywhere. It's time for us to get serious about this. This Amendment's not it. We know everyone of going to vote for it because there are good things in it but it's not going anywhere and we all know that. So like usual we're deceiving people and this is the reason, once again, that our polls are going to keep going down and down and down."

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

Lang: "Thank you. I'm sure Representative Dart appreciates that applause. Thank you. So let's take a look at what we have here, Ladies and Gentlemen. What we have here is an Ethics Bill from a party where their leader in the other Chamber says, 'What Ethics Bill?' What we have here is an ethics Bill from a Sponsor who hasn't talked to the Senate Sponsor about the Ethics Bill. What we have here is an Ethics Bill from the party that brought you the fiscal note fiasco. What we have here is an Ethics Bill from a party that brought you 'race baiting' on the Floor of the Illinois House of Representatives."

Speaker Johnson, Tim: "Representative Lang, if we could have order on both sides of the aisle. Please confine your comments to the Bill. Please confine your comments to the Bill."

Lang: "The party that brings you this Ethics Bill would have you believe that all the ethics are over there on that side of the aisle. The fact is, the fact is that we've had two years of a party on that side of the aisle that doesn't know the meaning of the word. We have a Speaker of the

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House that made a speech about bringing light to the process. Is this bringing light to the process, doing this at the last minute knowing the Bill isn't going anywhere in the other Chamber? That isn't bringing light to the process. We've had two years of darkness. We've had two years of the minority party being shut out of budget negotiations."

Speaker Johnson, Tim: "Representative Lang, if we could have your attention. Would you please confine your comments to the Amendment. Proceed. Proceed."

Lang: "This is about ethics, Sir. You want ethics, you'll get ethics. Let's take a look at this Bill all about ethics. It provides for disclosure but not for elimination or reform of the Legislative Scholarships and these demagogues on this side of the aisle told us just last week how important it was to do away with these because they're worthless and everybody uses them for political reasons. But let's just disclose them and violate the rights of college students in the State of Illinois. They want to prohibit lobbying from Members of the General Assembly for a year after they leave but Bills that they've had an opportunity to support over the last several years to prohibit Republican agency directors from lobbying when they leave, don't go any place. No support on that side of the aisle for that. They want to eliminate the \$150 threshold on campaign reporting so that the little old men and women in our districts that want to give us 10 bucks can get their name in some document that the press can read and so that they can be asked why they gave \$10 to Representative Wennlund. They want to require..."

Speaker Johnson, Tim: "Ladies and Gentlemen, if we could get the...no, I'm not admonishing you, I'm just asking the Members of the Chamber if they would please give your

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attention to Representative Lang and the Sponsor of the Bill. Proceed."

Lang: "They want to require the inclusion of every contributor's employer and their occupation, every contributor's employer and their occupation. Who cares whether my next door neighbor works for a big corporation, or is a lawyer or is a plumber or pipe fitter or a teacher. Who cares? But you go ahead and do that because it's really important that you know why that plumber that lives next door to Mr. Wennlund gave him \$10. What kind of an Ethics Bill is this? If you're serious about an Ethics Bill, let's sit down and write one. If you're serious about an Ethics Bill, let's do what people really want and reform campaign donations and reform campaign expenditures and find a way to control the rising costs of campaigns, so that we can have fair elections in the State of Illinois. This is a sham from the party that brought you phoney fiscal notes and from stupid pictures on the Floor of the Illinois House of Representatives."

Speaker Johnson, Tim: "To the Amendment, Mr. Lang."

Lang: "Sorry, Sir?"

Speaker Johnson, Tim: "To the Amendment. The Chair recognizes the Gentleman from Vermilion, Representative Black. Proceed."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Welcome to the Greatest Show on Earth, the Ringling Brothers and Barnum and Bailey and Cook County Circus. Yes siree. The party that doesn't know how to spell ethics. Well, come on over here and see of I've got a silver shovel in my desk, will you? I don't think you'll find one over here. From the party that brought us the meaning of the word corruption in the City of Chicago. Graylord, Bluelord, Onlord, Nudelord, do you want me to go

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on? Oh, for crying out loud, I don't know how some of you people can shave in the morning because it's hard to do when you're looking away from the mirror. For crying out loud, you know what? The man says we want to disclose names of scholarships. Last week we wanted to abolish them. We've sent it over there twice. You know I don't have time anymore to worry about what the Senate does. I'm going to worry about what I do. I suggest you worry about what you do. Don't worry about that crowd over there. They'll take care of themselves. Here we are working, ranting and raving about something that most everyone of you are going to vote for. I'll make you a deal. I'm not sending out any press release on anything that goes on today, not one. You do the same. Call your press staff, I'll call our press staff, tell them to go home. Tell them to go home. Better yet, amend this thing on its face and abolish the press staff of both parties. All right? Come on, if you don't want to vote for an ethics package then don't vote for it. All right? But at some point in the process, hey folks, I got a clue for you. It's Friday afternoon. I haven't seen my wife since noon Sunday. Okay?"

Speaker Johnson, Tim: "To the Amendment, Mr. Black."

Black: "Look, if we want to get up here on this Floor every day and throw dirt over here, some of it will stick. If I want to throw it over there, some of it will stick. I enjoy every single person on this Floor. I like most of you. I respect all of you. This job is a tough job. We know what we're waiting to do and we are hopefully on the way to passing a budget and going home. Now, the Bills need to be done in the next four or five hours. This isn't brain surgery. The people of Illinois would be better off if we were all over here trying to figure out how to improve to

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do brain surgery. They'd be eminently well-served if we'd volunteer as experiments and let them operate on us. If we could just find Richard Speck's brain. By the way, is that a subject for the next documentary? 'What happened to Richard Speck's brain? It was dissected and sent around the country and I believe lost in the mail. Video at 10:00.' Let's move it along, alright? Send the press people home. There's nothing earth shattering today. The sun is going to come up in the morning whether we pass this Ethics Bill or not, but we don't need to berate each other. I respect every one of you on this Floor and it's a difficult job that we do and God knows we catch enough static no matter how hard we try for what we do. It goes with the territory. So, I'll tell you what, let's just vote on the Ethics Bill. Vote 'yes' or 'no'. Then let's get into that Calendar, vote 'yes' or 'no'. Let's go home. I miss my wife. I'd like to see my son. I'd like to call my married daughter and son-in-law and I'd like to have something besides a sandwich. Let's go home."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's a true pleasure to serve here in the General Assembly, with two individuals like Lou Lang and Bill Black because these are like two mountains, Mt. Black and Mt. Lou. Every once in a while they have to vent, vent all this gases and it's a real pleasure to listen to both of them go at each other on this House Floor. But I have real...you know, two cans of pop here, some Clinton Cola so both of them can settle down."

Speaker Johnson, Tim: "Thank you, Representative. The Gentleman from Cook, Representative Morrow."

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

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House. Bill, Bill Black, I hold you in the highest regard and I know that some of the comments that you made were in jest. But I think we need to be reminded that when comments are made, especially about the comment about elected officials from Cook County I think we ought to be careful when we make statements like that because right now there are some investigations going on in Cook County and some of us have been...our names have been mentioned when we have done nothing wrong and I think if we have respect for this institution and this Body and have respect for the Members of this Body, I think we should be careful when we make casual remarks about the activities of Members in a certain county or a certain city or a certain part of this state. Unless you've gone through some of this, and I will say I have gone through some of this because of my association with a certain person back in Cook County, that doesn't mean that anyone has done something wrong. And I think the press has found that out but yet when you make statements like that, whether it's in jest or not, it carries along with you for the rest of your political career. And I think, Bill, I'm not going to ask you to make a public apology but I would like you to come over, personally, and apologize to me because yes, I am from Cook County and yes, not all Cook County politicians are not involved in 'Operation Graylord' and all Cook County politicians are not involved in 'Operation Silver Shovel'. So, to make a comment whether it might have been in jest, is out of your character, Representative. I'm not going to ask for a public apology but I, I would dare not make a comment about any elected official from DuPage County because when you make statements like that be prepared to catch the rebound."

Speaker Johnson, Tim: "Seeing or hearing no further discussion,

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the Lady from Lake, Representative Moore, moves for the adoption of Floor Amendment #2 to Senate Bill 1288. Those in favor signify by saying 'aye'; those opposed by saying 'no'. In the opinion the Chair, the 'ayes' have it. The Motion is adopted. Further Amendments, Mr. Clerk."

Clerk Rossi: "Floor Amendment #3, offered by Representative Andrea Moore."

Speaker Johnson, Tim: "The Lady from Lake, Representative Moore."

Moore, A.: "Thank you, Mr. Speaker. To clarify the record we have the Senate Sponsor who heard our debate and was motivated to come over here. He's a former Member of this House. Senator Dick Klemm is here in the House and he wants you to know that he does support this Ethics Bill and, as a matter of fact, Common Cause did sign in Committee, in support of this Ethics Bill and campaign disclosure information. So, Senate Amendment #3 addresses campaign contributions and it talks about that, 'No Legislator or candidate may accept campaign contributions in the City of Springfield on days the General Assembly is in Session and further, no contributions can be accepted between April 1 and the adjournment of the Spring Session.'"

Speaker Johnson, Tim: "Questions on the Amendments? The Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker, will the Lady yield?"

Speaker Johnson, Tim: "She indicates she will."

Novak: "Representative Moore, could you slow down a little bit on explaining as far as Legislators being precluded from accepting contributions while we are in Session. Is there any mention in there about Constitutional Officers or Leadership? Legislators in position of leadership, such as such as the Speaker, or the President of the Senate or the Minority Leaders of the Minority Party or the

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Constitutional Officers such as the Governor, the Treasurer, the Attorney General, the Comptroller or the Secretary of State, is there anything in there?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "The provisions in this Amendment cover the General Assembly, anyone that is a Member of the General Assembly."

Speaker Johnson, Tim: "Representative Novak."

Moore, A.: "Or a candidate for the General Assembly."

Novak: "Would you be willing to take it out of the record and include all public officers, the Governor and all executive officers of the State of Illinois, the Constitutional Officers and Leadership? Wouldn't that be more fair?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Representative, I believe that Leadership would be included because they are Members of the General Assembly. As far as providing for further coverage, that could be something that we could explore at a later time and I would be willing to visit with you about that."

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

Novak: "So, in essence a Constitutional Officer could hold a fund-raiser during, hypothetically of course, I can't recall when there was one down here, but a Constitutional Officer could hold a fund-raiser? Let's say he or she could have a little soiree at the Renaissance and invite about 20 thousand state employees, maybe, at \$50 a pop, during the Session at the highlight of the Session when crucial public policy issues are being debated and I'm sure lobbyists would be invited. Don't you think that would fall under the auspices of good, clean government, good civic government? Don't you think that's right?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "The Constitutional Officers are not in a position to be voting on legislation during the Session."

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Speaker Johnson, Tim: "Representative Novak."

Novak: "Representative, let me speak to the Amendment and with much respect and deference to you, you know, let's just be fair. There are matters of public policy that concern Constitutional Officers. They lobby us everyday about Bills that might be going through their office. Well, yeah, I guess we did, but with deference to him as well, but I'm talking about fairness. And there's many, many issues of public policy that are brought before the Governor's Office but we seem to not want to include those respected individuals, and I do say that, respectfully, respected individuals. But it seems fair that if we are going to limit any type of fund-raising down here, concerning Members of the General Assembly and the House and the Senate, we should include all Constitutional Officers, those individuals who are elected by the people in the State of Illinois and they come in contact with business lobbyists and special interests and trade associations everyday, just like we do. I think it would be fair and across the board if we included that. And once again, Representative Moore, I would ask that you pull this Bill out of the record and amend this Amendment #3 to include Constitutional Officers."

Speaker Johnson, Tim: "Any further questions, Representative? The Lady from Lake, Representative Moore, has moved for the adoption of Floor Amendment #3 to Senate Bill 1288. Those in favor signify by saying 'aye'; those opposed by saying 'nay'. In the opinion of the Chair, the 'ayes' have it. Further Amendments, Mr. Clerk."

Clerk Rossi: "No further Amendments have been approved for consideration. The notes that have been requested on the Bill have been filed."

Speaker Johnson, Tim: "Third Reading. On the Order of Senate

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Bill Third Reading, appears Senate Bill 1288. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1288, a Bill for an Act amending the Election Code. Third Reading of this Senate Bill."

Speaker Johnson, Tim: "Lady from Lake, Representative Moore, on the Bill."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. These Amendments make Senate Bill 1288 a worthwhile piece of legislation for us to put forward for this Session. It does not include every single provision that each of us may have wanted but they are good provisions and they are provisions that have been thoroughly discussed and I support them wholeheartedly. These issues are supported by Common Cause and many of them, as a matter of fact, were suggested by them. We have the commitment of the Senator, here, that he supports them. I would hope that all of you would do the same."

Speaker Johnson, Tim: "On the Amendment, the Gentleman from Clinton, Representative Granberg."

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

Speaker Johnson, Tim: "She indicates she will."

Granberg: "Representative Moore, our good friend, Senator Klemm, is here. Let's ask him. Will the Bill be called in the Senate?"

Speaker Johnson, Tim: "Representative Moore. Representative Granberg, the question is directed at the House Sponsor, Representative Moore."

Granberg: "Representative Moore, will you ask Senator Klemm if the Bill will be called?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Representative Klemm has already told me that he supports the Bill."

Speaker Johnson, Tim: "Representative Granberg, further

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questions?"

Granberg: "Can you please just turn around and ask our good friend, Senator Klemm if the Bill will be called in the Senate?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Representative Klemm has already committed that he heard this debate, wanted all of us to know that he wholeheartedly supports this Bill"

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "Senator Klemm is now hiding. Representative, why don't you just ask Senator Klemm, he's a great guy. We support Dick. He's been a wonderful Senator. Let's just ask him. Go ahead, ask Senator Klemm if the Bill will be called. It's very simple. Can you not turn around and ask him?"

Speaker Johnson, Tim: "Representative Moore, in response."

Moore, A.: "I'm sorry, I didn't hear what you said, that last part."

Speaker Johnson Tim: "Representative Granberg."

Granberg: "Can...we respect Senator Klemm. Why don't you just turn around and ask the Senator if the Bill will be called in the Senate? Just turn around and ask him. It's not that hard."

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "Each of us have our role here, Representative, and he is the Sponsor and he is committed strongly to this Bill so I'm certain it will get called."

Speaker Johnson, Tim: "Representative Granberg."

Granberg: "One last question. Will you, everyday we're in Session next week, will you give us an update? Will you promise to give us an update when this Bill will be called, if it's called, everyday. If it's not called, will you give us the status, Representative Moore, if this Bill is

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called, everyday in the Senate or will it be called?"

Speaker Johnson, Tim: "Representative Moore, your final response."

Moore, A.: "Representative Granberg, I'll be happy to tell you whether the Bill has been called."

Speaker Johnson, Tim: "Representative Granberg, do you have further questions and if so please restrict your comments and questions to the Bill?"

Granberg: "It is to the Bill. Representative Moore, will you commit to me that you will inform this Body everyday, give us a daily status report of this Senate Bill of this Bill when it's in the Senate?"

Speaker Johnson, Tim: "Representative Moore."

Moore, A.: "You will hear from me through the E-Mail, Representative."

Speaker Johnson, Tim: "Representative Granberg, do you have further questions?"

Granberg: "Okay, no. With all due respect to Senator Klemm, I know he supports it. The Bill won't be called. Let's vote it, let's pass it out and let it die."

Speaker Johnson, Tim: "The Lady from Lake, Representative Moore, has moved for the passage of Senate Bill 1288. Those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 103 voting 'yes'; 5 voting 'no'; 3 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. On page 5 of the Calendar, under Senate Bill Second Reading appears Senate Bill 1912. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill #1912, the Bill has been read a Second time, previously. Committee Amendment #1 was

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adopted. Floor Amendment #2 was referred to Rules. Floor Amendment #3 was referred to Committee. Fiscal Note, State Mandates Note, and Judicial Note have all been requested on the Bill and they have all been filed. Floor Amendment #3, offered by Representative Durkin is 'approved for consideration'."

Speaker Johnson, Tim: "Before we proceed on that Order, for what purpose does the Lady from McHenry, Representative Hughes arise?"

Hughes: "Thank you, Mr. Speaker. I would like to request that the record reflect that I would have been a 'yes' vote on Senate Bill 1288."

Speaker Johnson, Tim: "The record will so reflect."

Hughes: "Thank you."

Speaker Johnson, Tim: "Proceeding now to Floor Amendment #3 to Senate Bill 1912. The Gentleman from Cook, Representative Durkin."

Durkin: "Thank you, Mr. Speaker. Amendment #3 to Senate Bill 1912, amends two portions of the Illinois Statutes of Motor Vehicle Retail Installment Sales Act and also the Retail Installment Sales Act. Specifically what it does it defines the rights of the primary and secondary liability of individuals who sign on as co-buyers and co-owners under motor vehicle retail installment sales, contracts and also sales for goods and services stating basically that we're stating that individuals sign on as a co-buyer on an installment contract for an automobile and also signs on as co-owner of an automobile, assumes the duties of a primary liable individual. I'll take any questions."

Speaker Johnson, Tim: "On the Amendment, the Gentleman from Clinton, Representative Granberg."

Granberg: "Representative Durkin, I admire your efforts on this legislation. I've just been informed that the retail

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merchants have a problem with this Amendment. Would you take the Amendment out of the record, momentarily, so we could discuss the subject matter of the Amendment? I think there is a little confusion and I think we can correct it if we have a few moments."

Speaker Johnson, Tim: "Representative Durkin, your response."

Durkin: "Could you just give me one second? Yeah, that's fine. I'll do that."

Speaker Johnson, Tim: "The Gentleman from Cook, Representative Durkin, has moved that this Bill be temporarily taken from the record and the request is granted. We'll return to the Bill, shortly. Returning now to Senate Bills, Second Reading appears Senate Bill 1912 which was temporarily removed from the record. Representative Durkin, are you ready to proceed?"

Durkin: "Yes, I think I basically stated there was a...When I spoke to IRMA, they had a question regarding the section dealing with the real estate...retail sales provision. I discussed it with them and they are amenable that if we pass this Bill out and then it would go to the Senate and perhaps we could find a Conference Committee Report and I've relayed that to the Members on the other side of the aisle. I'll be willing to entertain any questions."

Speaker Johnson, Tim: "With no other discussion, the Gentleman from Cook, Representative Durkin moves for the adoption of Floor Amendment #3 to Senate Bill 1912. Those in favor signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk McLennand: "No further Amendments. All requested notes have been filed."

Speaker Johnson, Tim: "Third Reading. Mr. Clerk, on the Order of Senate Bills, Third Reading appears Senate Bill 1912. Mr.

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Clerk, read the Bill."

Clerk McLennand: "Senate Bill #1912, a Bill for an Act in relation to installment sales. Third Reading of this Senate Bill."

Speaker Johnson, Tim: "The Chair Recognizes the Gentleman from Cook, Representative Durkin."

Durkin: "I discussed previously in the Amendment what the majority of the Bill does also what this Bill does, it amends the Consumer Fraud and Deceptive Practice Act. And states that, 'no coupon shall be offered in connection with any retail sale of a motor vehicle.' That provision is language which is agreed upon between the Attorney General and also the Illinois Automobile Dealers Association with respect to questions about whether or not there are deceptive types of practices going with the coupons. That's agreed upon language and I would be willing to take any questions regarding the Bill as a whole."

Speaker Johnson, Tim: "Any discussion? Seeing none, the Gentleman from Cook, Representative Durkin has moved for the passage of Senate Bill 1912. Those in favor vote 'aye'; those opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 98 voting 'yes', 9 voting 'no', and 4 voting 'present'. And this Bill having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, introductions."

Clerk Rossi: "House Resolution 123, offered by Representative Meyer, House Resolution 124, offered by Speaker Daniels, House Resolution 125, offered by Representative Wennlund. Rules, House Bill 3735, offered by Representative Moffitt, a Bill for an Act concerning genetic information. First Reading of this House Bill."

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Speaker Johnson, Tim: "The House will please come to Order. On page 5 of the Calendar, in the Order of Senate Bill, Second Reading, appears Senate Bill 1780. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1780, this Bill has been read a second time, previously. Amendments 1,2, and 3 were adopted in Committee. No Motions have been filed. Floor Amendment #4, offered by Representative Balthis has been 'approved for consideration'."

Speaker Johnson, Tim: "Representative Balthis, do you wish to proceed with Floor Amendment #4?"

Balthis: "I would like to withdraw Floor Amendment #4."

Speaker Johnson, Tim: "Floor Amendment #4 is withdrawn at the request of the Sponsor. Further Amendments, Mr. Clerk."

Clerk Rossi: "Floor Amendment #10 offered by Representative Balthis has been 'approved for consideration'."

Speaker Johnson, Tim: "On Floor Amendment #10 to Senate Bill 1780, the Gentleman from Cook, Representative Balthis. Proceed."

Balthis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #10 becomes the Bill, retains the underlying 'quick take' language for the City of Harvard and the village of Deerfield and adds a restriction on the 'quick take' language that was passed in House Bill 885 for the village of River Forest. It also amends the School Code in relation to annexation to a special charter districts. It amends the Civil Code of Procedure to provide 'quick take' powers for a period of 24 months after the effective date for the City of Effingham. According to Representative Hartke and Representative Noland, the City of Effingham has been given federal funds."

Speaker Johnson, Tim: "Will you give the Gentleman your attention, please. Proceed, Representative Balthis."

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Balthis: "According to Representative Hartke and Noland, the City of Effingham has been given federal funds that must be spent by September of 1996 for an overpass for the City, otherwise these funds will go to another state. That gives 'quick take' powers to St. Luke's Presbyterian Hospital, the hospital commission, for the acquiring of land for a medical site, provides for IDOT land conveyance, states a payment of a sum of \$62 thousand to the State of Illinois. Allows the Secretary of the Department of Transportation to authorize conveyance. Authorizes the Director of the Department of Commerce to convey quit claim to the City of Pontiac for \$1 dollar for title interest to land. In Boone County, conservation district allows for transference of property in that community. I'll be happy to try and answer any questions."

Speaker Johnson, Tim: "On the Amendment, the Gentleman from Madison, Representative Hoffman, proceed. Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

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

Hoffman: "Yes, Representative, didn't we just recently do a transfer Bill a couple weeks ago? Is this the same thing?"

Speaker Johnson, Tim: "Representative Balthis."

Balthis: "Some of the language in here may have been done on another Bill but it has not passed."

Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "You mean it hasn't passed the Senate yet? Is that..."

Speaker Johnson, Tim: "Representative Balthis, Representative Hoffman."

Hoffman: "Does this have anything to do with the 'quick take' power any longer or is this just land transfers now?"

Speaker Johnson, Tim: "Representative Balthis."

Balthis: "There is 'quick take' for the City of Harvey, the

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village of Deerfield , and in the village of River Forest. We passed a Bill, House Bill 885, that has 'quick take' power in it. It's on the Governor's desk. It has no restrictions on the limit for that 'quick take'. This puts limits on the village of River Forest. There's also a...I think that's the only 'quick take' that we have except for the City of Effingham in Representative Hartke's district."

Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "Now, the 'quick take' powers, are they for specific purposes or are they just general purposes? In other words, I know they're for specific municipalities but are they for a specific project within that municipality, also?"

Speaker Johnson, Tim: "Representative Balthis."

Balthis: "Yes, specific project and specific time frames for which it can be used."

Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "With regard to the land transfers, are there additional land transfers from the one that we passed and sent over to the Senate two weeks ago?"

Speaker Johnson, Tim: "Representative Balthis."

Balthis: "There are two land transfers in here. One by IDOT and one by the Department of Commerce. I think one of them...and the one in Boone County, which is a conservation district. Those are the only ones in there."

Speaker Johnson, Tim: "Representative Hoffman, further inquiry?"

Hoffman: "Could you tell me specifically about those two land transfers, who they are to and why they are needed?"

Speaker Johnson, Tim: "Representative Balthis."

Balthis: "Representative, the one on the Department of Transportation, I'd like to have Representative Spangler answer any questions you might have on that."

Speaker Johnson, Tim: "With the leave of the House, the question

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will be referred to Representative Spangler in response."

Spangler: "Thank you, Mr. Speaker. Yes, specifically, what this is dealing with is there's a section of a chopped up frontage road down along Route 50 and what happens is, it serves for a scrap steel mill and all that's on this property here is the road that goes into that steel mill. So the state in the past has had to pay for all the maintenance of these heavy trucks coming across and they see no other benefit from it. I know that it's 1.29 acres, so a little over one acre or a little over an acre and a quarter and it was appraised at \$62 thousand. So, I think it's a win, win situation for everyone. The Gentleman will get to his road and the reason that he wants that road, is because at the end of it, bordering the end of the property, he has been asked by the City of Kankakee, the city of Bradley, and the city of Bourbonnais to establish recycling and he did not want the people bringing in recycled aluminum and glass and that type of thing into the scrap steel mill."

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

Hoffman: "There was another transfer, also, I'd like to know. In Pontiac, I believe. Right?"

Speaker Johnson, Tim: "Representative Balthis."

Balthis: "If I could defer to Representative Rutherford since that's in his district?"

Speaker Johnson, Tim: "With leave of the House, the Gentleman from Livingston, Representative Rutherford, in response."

Rutherford: "Thank you, Mr. Speaker. Representative Hoffman, there's the City of Pontiac has a baseball diamonds and soccer fields that are in the south end abutting the Department of Correction's properties. What the Department of Corrections would do, is deed over to the City of

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Pontiac for \$1 dollar, 40 feet along the road that goes out to those so that the city can build the bicycle paths to go out to those baseball diamonds."

Speaker Johnson, Tim: "Representative Hoffman."

Hoffman: "Nothing further."

Speaker Johnson, Tim: "No further inquiry, the Chair recognizes the Gentleman from Cook, Representative Lang. Proceed."

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

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

Lang: "Representative, relative to the several 'quick take' provisions in here, our general rule has always been that before the House will proceed to pass a quick take Bill, we want to make sure that each of these separate issues are for a specific tract of land, for a specific duration and for a specific purpose. Can you assure us that in each and every case that is the case?"

Speaker Johnson, Tim: "Representative Balthis."

Balthis: "Representative Lang, that is the case and it is the intent of the legislation to do that."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Nothing further. Thank you."

Speaker Johnson, Tim: "The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, I simply rise to support the Gentleman's Bill. Most of these issues have gone through the Cities and Villages Committee and as spokesman on that Committee, we have looked carefully at these provisions and I would support the Gentleman in this legislation."

Speaker Johnson, Tim: "Seeing or hearing no further discussion, the Gentleman's moved for the adoption of Floor Amendment #10 to Senate Bill 1780. Those in favor signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted."

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Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further amendments have been 'approved for consideration'. The notes that have been requested on the Bill have been filed."

Speaker Johnson, Tim: "Third Reading. Now, under the Order of Senate Bills, Third Reading. Appears Senate Bill 1780. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1780, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this Senate Bill."

Speaker Johnson, Tim: "On the Bill, the Gentleman from Cook, Representative Balthis."

Balthis: "Thank you, Mr. Speaker. Senate Bill 1780 as amended with House Amendment #10 has been thoroughly discussed and I would ask for a favorable vote."

Speaker Johnson, Tim: "The Gentleman from Cook has moved for the passage of Senate Bill 1780. Those on favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 93 voting 'yes', 18 voting 'no', 1 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed."

Clerk McLennand: "Committee Notice. Rules Committee will meet at 6:30 in the Speaker's Conference Room. Rules Committee will meet at 6:30 in the Speaker's Conference Room."

Speaker Johnson, Tim: "On page two of the Calendar, Senate Bills now Second Reading, appears Senate Bill 1255. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill #1255. The Bill has been read a second time previously. Floor Amendment #2, offered by Representative Poe is approved for consideration."

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Speaker Johnson, Tim: "On that Amendment, the Gentleman from Sangamon, Representative Poe, proceed. Give the Gentleman your attention, please."

Poe: "Mr. Speaker, Ladies and Gentleman of the House. Floor Amendment #2 becomes the Bill. The Bill now includes the State Employee Retirement System. Also, it increases the ad hoc increase for past employees. The State Retirement University is included, downstate teachers retirement, the Chicago teachers, the change in the Bill that was debated..."

Speaker Johnson, Tim: "Representative Poe, you may want to speak into the microphone. It's a little difficult for us to hear, or turn up the..."

Poe: "I am. Turn it up. Is it okay? What?"

Speaker Johnson, Tim: "Representative Poe at Representative Roskam's desk. Proceed, there you go. Proceed."

Poe: "I could have used Bill Black's. I heard it worked pretty good a while ago."

Speaker Johnson, Tim: "Proceed, Representative. Give the Gentleman your attention on this very important Bill. Proceed."

Poe: "Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1255, Amendment #2 becomes the Bill. The Bill will now include many of the areas that we debated previously. The State Employee Retirement System will go to the flat rate of 1.67. That still includes the ad hoc increase. The State University Retirement System raises that benefit formula up to the flat 2.2 average, and the ad hoc increase is still in that. The downstate Teachers Retirement System is in the Bill, and the flat rate formula on that will be increased to 2.2. And the ad hoc increase is still in there. The Chicago teachers, there's been a choice given to them. It's an option, and that option will be given to

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the Chicago School Board and the City Council of Chicago. That is the Bill, and we've debated before. If you need anymore information, we can answer the questions."

Speaker Johnson, Tim: "On the Amendment, the Chair recognizes the Lady from Cook, Representative Monique Davis. Proceed."

Davis, M.: "Thank you, Mr. Chairman. Representative..."

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

Davis, M.: "Why is Chicago being treated differently? I mean, are the teachers in Chicago of any less significance than the teachers around the rest of the State of Illinois?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "No, they still have the option, but the school board makes that decision. I have a letter here from the office of the Mayor of the City of Chicago addressed to me personally and ask in his opposition to the former language, and so we give that back to local control, and we give that decision back to the school board and the city council."

Speaker Johnson, Tim: "Representative Davis."

Davis, M.: "Well, there are some people in this Body who were elected to represent those people in Chicago, on state issues. Now, if we're dealing with a State Pension Code for other teachers in this state, there are a number of people elected in this Body from Chicago, who should have that same privilege of voting on a Pension Bill for the people in their city. I respect Mayor Daley, but I do not believe that the city council should have greater authority in reference to teacher pensions than I have. I don't think that the city council was elected for that purpose. I think that we are giving our responsibility, in reference to Chicago, to another group of people. The city aldermen, in my opinion, are elected to represent a fewer number of people than I'm elected to represent. There is nothing in the Code for the City of Chicago that mandates my authority

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and responsibility as a State Legislator, back to the city council. And to be honest with you, Mr. Speaker, I am terribly offended. I am insulted. I am insulted and incensed that you would think, once again, that all of these people who are elected from Chicago, don't have a right to make a decision about their teachers. Now, what makes you, on that side of the aisle intelligent, wise, powerful enough, to vote for a Pension Bill for the teachers in your district, but we are impotent? We have to revert this authority back to one person. I don't have a mayor living in my district. No mayor votes for me. But, I do have teachers living in my district. And those teachers do vote for me. To assume, to assume that the teachers and the school administrators are less important in Chicago is truly an insult. But I will surely let them know that the Republican Party, once again, has shown their discrimination. Discrimination, mostly the teachers in Chicago at this point, are people of color, and people of color deserve to have their decision made by one person, one person. Well, you see, if you did it fairly, if you did it fairly, it would be done by Monique Davis, Lou Jones, Bugielski, Mary Flowers, Coy Pugh, Howard Kenner. Who else is from Chicago? We've got Dan Burke. We've got Sue Fregenhouser. We've got...Sara...Sara. Well, we'll take her too."

Speaker Johnson, Tim: "You may have given the Lady a point of personal privilege, Representative."

Davis, M.: "We'll take her. We have Santiago. We have Lopez. I mean, are you saying to me that these people don't have any right to vote on the pension plan? Because Mayor Daley, one person, one person, decides, 'Oh no, I want to make that decision.' That's wrong. That's why we have a State Legislature, so that the power does not rest in one single

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person. One single person should not have that much control over these many elected people. And I resent the fact, Mr. Speaker, and Republican Party, that you're giving it to him. I resent it. I believe the teachers who elect me and the rest of those of us from Chicago, expect us to be given..."

Speaker Johnson, Tim: "On the Amendment, the Chair recognizes the Gentleman from Cook, Representative Lang."

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

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

Lang: "Representative, there was a perfectly wonderful Pension Bill that came over here from the Senate for Concurrence, House Bill 2524. All these people in the Gallery, who are now opposed to this proposal, were for that one, so were most of us. And since no one on your side of the aisle made a motion to concur, I did. I have a motion to concur on House Bill 2524. Why don't you join in that motion with me, and let's move a real good Pension Bill through here? You want to do that?"

Speaker Johnson, Tim: "Do you wish to respond, Representative Poe?"

Poe: "Yes, I want to move a Bill that the Governor has a chance of signing. I read in our local papers and papers all over the State of Illinois that he felt that there ought to be an employee contribution before he would sign a Bill, and probably 90% of the constituents that call my office, voluntarily say that they would love to give a small contribution to have an increase in their pension."

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

Lang: "Well, we just got finished hearing on a Bill that we don't care what the Senate does, or what the Governor does, our responsibility is in the House. You voted for a Bill

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recently on that premise. Our responsibility is what we do in the House. So, don't you think that other Bill is a better Bill than this Bill, Sir?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "I feel that we need, when we sent the Bill, our Bill over to the Senate, originally, it had an employee contribution, and I still feel it should."

Speaker Johnson, Tim: "Representative Lang."

Lang: "Well, I'll take that as a 'yes', since I didn't get an answer. Ladies and Gentlemen, I actually rise to ask for 'present' votes on this...no, it's an Amendment...I'll ask for 'no' votes. This is, first of all, this is doomed to go into a Conference Committee. There's no serious effort by this Sponsor to pass this in this form. He knows it and we know it. There's no serious effort to take what's in this and make it law. He knows it and we know it. The Pension Bill that is sitting over here in Rules, waiting for a Concurrence Motion, House Bill 2524, is a Bill we could all vote for. We could all send it to the Governor proudly. Take care of all the teachers in this state. Take care of the state workers. Take care of everyone that needs to be taken care of, and the Governor would have a decision to make. But, that's his decision. Our decision as a General Assembly, our responsibility is to take care of these public workers. If we do not take care of the workers, our public workers, people that are paid for by tax dollars, where will we get new ones in the future? Where will we get teachers? Where will we get police, fire fighters, state workers? Where will we get all these people? But, instead we get another phony piece of legislation. A piece of legislation that isn't going anywhere. A piece of legislation that is only a fraction of that other fine pension piece of legislation that we

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could vote on simply by a Republican Member calling a Concurrence Motion. And we all know if that other Bill was called for a Concurrence Motion, we would concur. And then it would go to the Governor, and we'd see what kind of leadership abilities that Governor really has, and the determination of whether he wants to take care of the workers of this state, the teachers, the prison guards, the correctional officers. Do we want to take care of those people, or don't we want to take care of those people? We all know that this Bill does not do that. We all know that that is why the people behind me in the Gallery here, who are all for House Bill 2524, are now opposed to Floor Amendment #2, on this Bill. They're opposed because of the flimflam. They're opposed because there's no serious effort to deal with this pension issue. In addition, Representative Davis is absolutely right. What business do we have to turn over to the Chicago City Council, our responsibilities that deal with pension issues? It's not their responsibility to determine the pension of the Chicago school teachers. That should be our responsibility, the responsibility of the people that deal with education in Chicago. And, Mr. Speaker, I would request a Roll Call vote, and I would also request a verification. Please vote 'no' on this ill-founded Amendment."

Speaker Johnson, Tim: "Representative, in both regards, your request is acknowledged. The Chair recognizes the Lady from Cook, Representative Mulligan. Proceed. Give the Lady your attention."

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

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

Mulligan: "Representative Poe, it's been my understanding all along that you fully intended to pass the first Bill. Is

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it 2524?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "Yes, the Bill I sent over to the Senate was my intention. We worked a year and a half on that. It had an employee contribution in it, and I fully intended for that to be passed on to the Governor."

Speaker Johnson, Tim: "Representative Mulligan."

Mulligan: "Have Members such as myself indicated to you that we felt that the cost of that Bill was quite high and that we would have a hard time in the overall context of the budget supporting your initiative on this?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "Yes, but I think during debates and caucus and here, we had proved that it had been 25 years since our state employees had had an increase in benefits. I think we ought to be ashamed that we're 49th out of 50 states. And I think that most of you felt, when we passed that Bill over there, that it was long overdue and the reason the cost impact was so big was because we hadn't dealt with it in 25 years."

Speaker Johnson, Tim: "Further questions."

Mulligan: "Representative, didn't we also indicate to you that I, personally, have had calls in my district from teachers and other people that have said they would be more than willing to make an employee contribution if we could support this Bill and that I could support you if you came up with a reasonable Amendment to the Bill?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "Yes, many school teachers and state employees have contacted me personally, and constituents, some in my district, that say they thought that a half of percent was a minimum amount and was a good trade-off for the benefits they were going to receive."

Speaker Johnson, Tim: "Representative Mulligan."

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Mulligan: "To the Bill, Mr. Speaker. I commend Representative Poe highly for giving me an alternative to something that I could vote for and to protect the rights of the people that want this increase. As the Bill stood before, it would have been very difficult for me as an Appropriation's Chair here, to support that Bill. But, his Amendment, now is a reasonable compromise. One which I encourage everyone to support. And one which I commend him for putting aside his initial efforts which I thought were very valiant for the Members, particularly the state employees, to address my concerns."

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

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

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

Deering: "Representative, now, you're an elected Representative...you represent 97 thousand constituents. You say you got your information from the local newspaper. Could you not get an appointment to see your Governor and talk to him about this personally?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "That was one reference. We have talked some of the staff and that's some of the feelings that we're getting also."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Well, I would think that you would at least, being the Sponsor of this important Bill, affecting a lot of state employees around here that you would at least try to talk personally to the Governor, and not some staff person. Nevertheless, I got one of those Mayor of Chicago letters too, so...signed by him through an ink pen, so...you know, that's not nothing that's so special. Let me ask you, where is the portion of this Bill that we've supported, that Representative Bost introduced, I think and supported,

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covering correctional officers?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "That's not in this piece of legislation."

Deering: "And why not? Why is it not in this piece of legislation?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "I think, right now the prison system already has an enhanced form greater than the three pension systems we're working with. I will be glad to work with you in the future to go ahead and continue to negotiate that. But, at this time it didn't dovetail in with the kind of legislation we were running."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Representative, you sat in committee, when we were debating these Bills in committee and said how it's very important we have to have these clauses for the correctional officers, for the retired teachers, the ad hoc increase. All of the sudden they seem to be not important to you. Do you think they're not important? And Representative, I want you to answer the question. Don't let Jerry Clark answer the question."

Speaker Johnson, Tim: "Representative Poe."

Poe: "Those were Floor Amendments and I did not debate that in Pensions Committee."

Speaker Johnson, Tim: "Representative Deering."

Deering: "Well, when we had the Bills in committee, you talked about how important the Bills were, and whether they were Floor Amendments or a portion of the Bill. You sat there and said that you supported the Bill as was. Why didn't we run 2524, which is sitting there ready to go right now. That covers everybody."

Speaker Johnson, Tim: "Representative Poe."

Poe: "I'm not here to demagogue the Bill. I want to pass what I

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think will go through, all the way through and the Governor will sign."

Speaker Johnson, Tim: "Representative Deering, do you have further questions?"

Deering: "Well Representative, I think this is a poor way to show the state employees, the correctional officers who you know as well as I do work in a tough environment, some of them not knowing if they'll come home at the end of the shift. I think it's very unwise that we didn't include them in this piece of legislation. Hopefully, we can do the right thing and kill this Amendment. Call the right Bill. Send the other Bill to the Governor, which is the best interest of the employees and the retired employees of the state."

Speaker Johnson, Tim: "On the Amendment, the Chair recognizes the Gentleman from McHenry, Representative Skinner."

Skinner: "I wonder if the Sponsor would yield?"

Speaker Johnson, Tim: "He indicates he'll yield. Proceed."

Skinner: "Could you tell us how much this is going to cost?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "Are you talking about the unfunded liability of the first year's cost, or which cost are you...?"

Speaker Johnson, Tim: "Representative Skinner."

Skinner: "That would be a good start."

Speaker Johnson, Tim: "Representative Poe."

Poe: "The first year cost, the employee contribution would more than cover the...he don't want to list them."

Skinner: "That's not the question. The question is the unfunded liability."

Speaker Johnson, Tim: "Representative Poe."

Poe: "The unfunded liability is \$2.7 billion."

Speaker Johnson, Tim: "Representative Skinner."

Skinner: "Thank you, Mr. Speaker. Okay, this is about \$1 billion worse than the last Bill. We have \$2.6 billion that

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somebody is going to have to come up with money for. That's about \$236.00 per resident, or \$708.00 per family. Now, what most people don't know, I suspect, because most of us aren't receiving public pensions, is that public pensions are not taxed in the State of Illinois. There is no state tax paid on a public pension. Now, if we tax state pensions at the same rate we tax other income, we could raise \$86.3 million a year. That would probably pay for the additional benefits. But, the problem is, the recipients, the intended recipients, don't want to pay for the additional benefits. They want the taxpayers to pay. Now, why should the taxpayers pay? The average taxpayer in this state, according to the American Legislative Exchange Councils latest comparison, earns \$18.37 per hour. The average salary of state employees, on the other hand, is over \$2.00 an hour more, \$20.61. So, if we decide to raise these pensions for state employees, what we're basically saying is, the people that earn less than state employees earn, should subsidize their retirement, which is undoubtedly better than the average retirement of the individual of the State of Illinois. What's the reason for this? I mean are we losing lots and lots of state employees because of the pension plan. Well, that's not what the statistics show. The turnover rate, according to the Department of Central Management Services, in the last two years ranged from 5.2 to 5 1/2%. Now, I haven't been able to get a good solid source for the turnover rate in private industry. But, I'm told that it's somewhere in the 10 to 15% per year range. So, if anybody ought to have their pensions increased it's those people who are the taxpayers, the ones that are going to be forced to pay the higher pensions to the public employees. There is also a geographic twist to this Bill. Most of the public

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employees live within 50 miles of an institution in downstate Illinois, be it a prison, or a university, or a mental health center. So, in effect, this is an income transfer from the Chicago, shall I say another income transfer, from the Chicago Metropolitan area, to downstate prison, university, mental health towns, plus Springfield, which is in a category all of it's own. What we're doing here is forcing a grandchild tax. A \$2.6 billion tax, not on our kids, but on our grandchildren. And in fact, we may be endangering our own pensions. As all of us know, there's a clause in the State Constitution that says before any other bills are paid out of the state budget, pensions are paid first. Now, when the pension load on the taxpayers gets so large, will there be a revolt? And if there's a revolt, who do you think is going to be the poster boy or the poster girl of the, 'Let's fund education, before we fund pensions.' It's going to be one of us. It's not going to be a state employee. It's not going to to be a university employee. It's not going to be a downstate teacher. It's not going to be a Chicago teacher. It's going to be a Legislator who left here and took advantage of the loophole to get a state job, or a job in a reciprocal pension system that pays a lot more than what we get paid down here. That's going to be the poster child. So, passage of this Bill could add to even more criticism to this Body as an institution. The private sector is going away from defined benefit plans, toward defined contribution plans. That is, the private sector says, we'll put in so much money, we don't care how much comes out. We are continuing in the way the private enterprise is abandoning by saying, we're going to increase the benefits and guarantee them forever. This is equivalent to a 6.5% salary increase according to CPA,

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Senator Chris Lawson. And that's on top of the 3% cost of living increase that the state employees are going to get anyway. This is the worst Bill to come before this General Assembly, and I suspect to pass this General Assembly since the 1969 income tax."

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

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

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

Lopez: "Representative Poe, when you made your opening remarks, you made the statement that you received a letter from the Mayor of the City of Chicago. Now, you led and implied, and you made many of us believe that the Mayor of the City of Chicago was in support of this new Amendment that you have. Is the Mayor of the City of Chicago in favor or opposing your Amendment?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "He was opposed to the original Bill."

Speaker Johnson, Tim: "Representative Lopez."

Lopez: "My question, Representative, is very simple. Is the Mayor of the City of Chicago in favor or against your current Amendment, right now?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "I have no idea. I don't think he's seen this Amendment."

Speaker Johnson, Tim: "Give the Gentleman your attention."

Lopez: "Representative, have you sat down with anyone from the City of Chicago, anyone from the Chicago Board of Education, to discuss your Amendment which affects teachers in the City of Chicago, and affects the administration in the City of Chicago?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "No, we give them the option."

Speaker Johnson, Tim: "Representative Lopez."

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Lopez: "So, in other words, what you're telling us is that you're going to give them the option, and you did not sit down with them to discuss what's good or bad for the City of Chicago. Well, for your information, and I think it's important that you take note of this, and also the Members of the General Assembly make note of this, is that the IEA, the IFT, the CTU, Chicago Teachers' Union, AFSCME, the City of Chicago, AFL-CIO, are all against this. I think that this pretty much represents all the teachers in the State of Illinois. Have you sat down with any of these groups that I just mentioned?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "Would you repeat the question?"

Speaker Johnson, Tim: "Representative Lopez."

Lopez: "Have you sat down to speak about this Amendment with anyone from any of the teachers unions, not only the Chicago Teachers Union, but the Illinois Federation of Teachers, the IEA, or any of the other teachers' unions? Have you sat down with them to discuss your Amendment, that affects their members that they represent? Or AFSCME, for that matter."

Speaker Johnson, Tim: "Representative Poe."

Poe: "I think the precedent was said earlier when we had a five and a five, where the local school board in Chicago had to make that decision, and this is back to local control. And that's what we're trying to do, since that's a different system than downstate teachers."

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

Lopez: "Excuse me, Representative, you're avoiding the question. It is a simple yes or no question. Have you sat down to meet...can you look at me so at least I know I'm communicating with you. Representative...Representative."

Speaker Johnson, Tim: "Representative Poe."

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Poe: "No."

Speaker Johnson, Tim: "Representative Lopez."

Lopez: "So, there's probably about 30 thousand state employees who live in your district in the Springfield area. You did not bother to sit down with the union that they represent. Is that correct?"

Poe: "I don't know if you're right on the numbers. But, I have talked to the people in my district."

Speaker Johnson, Tim: "Representative Lopez."

Lopez: "Have you spoken to the union that represents your constituents, the people who they worked for, which is the state, or any other...have you sat down with the union that represents your constituents?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "I have talked to my constituents since the day I've been elected. Every meeting I go to in my district, there's state employees there. The first thing they tell me is that our Pension Bill stinks. It's been long overdue, and what can you do about it? Before I ever put this Bill and filed this Bill, I let an AFSCME representative read it."

Speaker Johnson, Tim: "Representative Lopez, further inquiry."

Lopez: "Well, Representative, it's quite obvious, that you're avoiding the question. You're not going to answer the question. Very obviously, you did not speak to the unions that represents your constituents. And that's going to be a very important issue when the November elections come about, that you do not care for their interests, that they are members of the union that represent them, down here in Springfield. To the Bill."

Speaker Johnson, Tim: "To the Amendment."

Lopez: "To the Amendment. This is another case of another Bill, another Amendment that they want to ram it down our throats. And I think it's important, it's too bad that we

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gotta do this at 7:00, when it's time to go home, because they don't care. They don't want to negotiate, they don't want to sit down and talk for the best interest of everyone involved in this matter. And I urge all the Members, especially those who have members that belong to the AFSCME Union, which are the prisons, the IEA, IFT. Those who have state employees, those who have teachers in their districts, I urge you to vote 'no' on this Bill."

Speaker Johnson, Tim: "On the Amendment, the Chair recognizes the Gentleman from Cook, Representative Parke. Proceed."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I would like to know if the Sponsor would yield."

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

Parke: "Thank you. Representative, I appreciate what you're trying to do. I know that you're trying to respond to the needs of the people in your district, many of the state employees that are here. I commend you for looking out for their interests, and I know we all want to help people, but there is an indication that this Amendment might throw the Bill into a Conference Committee Report. Is there a chance that that could happen?"

Speaker Johnson, Tim: "Representative Poe, we've done very well so far of maintaining order in the Chamber. Let's continue. Representative Poe."

Poe: "I'm sorry. Repeat the question."

Speaker Johnson, Tim: "Representative Parke."

Parke: "Let me try this another way, Representative. Will there be any employee contributions into this plan?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "Yes, there will be a half a percent."

Speaker Johnson, Tim: "Representative Parke."

Parke: "In addition, is there any...are we looking at the pay out on unused sick leave involved in this in any way?"

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Poe: "No."

Speaker Johnson, Tim: "Representative Parke, proceed Representative Parke."

Parke: "Thank you. Is there anything that we're looking at in terms of health insurance premium for retired employees, involved in this?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "Not at this time. There's been nothing in the Bill that would deal with health insurance."

Speaker Johnson, Tim: "Representative Parke."

Parke: "And you have said that the unfunded liability of this Bill, in itself, is \$2.7 billion?"

Speaker Johnson, Tim: "Representative Poe."

Poe: "Yes."

Speaker Johnson, Tim: "Representative Parke."

Parke: "To the Bill."

Speaker Johnson, Tim: "To the Amendment."

Parke: "To the Amendment. Thank you. Ladies and Gentlemen of the House, again, I think we can all appreciate Representative Poe's wanting to help out his constituency, and many of you have employees, state employees in your districts. But, there comes a point in time when we've got to look at the big picture. You know, the \$2.7 billion cost to this Bill will be put on top of the 19.5 billion unfunded liability that's there already. And I want to remind the Body that in the year 2000, which is a mere four years from now, the contribution that has to be made by virtue of the law we passed a year ago will be \$1,147,000. This will add another \$64 million for total cost to us that cannot be appropriated, because it's got to come right off the top of \$1.2 billion. That means that we cannot fund public education with that money. We cannot fund welfare with the money. We can't take care of the needs of the

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children with that money, \$1.2 billion must come off the top. Now, I can appreciate what the Sponsor is trying to do. But I'm asking you, the Members of this General Assembly, are we doing the fiscally responsible thing right now? Because many of us are not going to be around when this big debt comes due. You know, we have some real problems in the State of Illinois. This is going to be a message that's going to be heard all over this nation. And right now, as of February 3, 1995, the State of Illinois bond rating went from an AA to an A-1 rating. We have consistently lowered our bond rating in this state because we have made unwise decisions in this state. The Robbins Incinerator is something that we're going to have to look at in the future. And that may come back to haunt us. I think we have to look at being more fiscally responsible and I think that this is not a wise approach for the majority of us. Now, one last thing that I want to share with the Members that have articulated a position on the other side."

Speaker Johnson, Tim: "Please, bring your comments to a close, Representative."

Parke: "The last time I checked, the City of Chicago, and the Chicago teachers were still members of Illinois."

Speaker Johnson, Tim: "We'll give you one more minute, but please bring your comments to a close."

Parke: "Have a responsibility to them, just like we have the responsibility to anyone else in this state. So please, don't demagogue the argument that only you, have the ability to make decisions, and only the people in Chicago have the ability to make the decisions. It's our responsibility, collectively, because they are part of us and we cannot ignore that. Ladies and Gentlemen, well intended as this Amendment is, this is not the right

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approach. The burden we're putting on the taxpayers is way beyond what we can afford to pay."

Speaker Johnson, Tim: "The Chair recognizes the Gentleman from Cook, Representative Howard. Proceed. I apologize. That's the Lady from Cook, Representative Howard."

Howard: "Thank you very much, Mr. Speaker. I'd like to yield my time to Representative Jay Hoffman."

Speaker Johnson, Tim: "Representative Hoffman's light is already on. The Chair recognizes the Gentleman from DuPage, Representative Daniels, the Speaker of the House."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I am going to ask the Sponsor to take this Bill out of the record. So everyone here understands what we will be doing, we will be extending the deadline on this Bill, so that the Bill will remain alive, so that we can continue our negotiations regarding the pensions for state employees, for downstate teachers, and yes, for Chicago teachers if the Chicago school system approves it. We will not force on the Chicago School System a pension increase unless the board and city council go along with that. That is the request of them and we worked too hard to work on that. Now, time is running short. We know that Session is going to end on Wednesday. I think that if people are working together, they will be able to come to a responsible agreement to raise the level of pension funds for our state employees that is now down at the bottom of the list. For 12 years, the other side of the aisle controlled this process without doing anything about state employees pensions. We need, as a Chamber, together, together, all of us, to correct that situation, not trying to take partisan advantage on either side of the aisle. Now, Mr. Speaker, I am going to request to the Sponsor of the Bill, to remove this from the record. And then I will,

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by letter, I will, by letter, extend the deadline on this Bill."

Speaker Johnson, Tim: "If we could give the Speaker of the House the courtesy of your attention. Please."

Daniels: "I will, then by letter, extend the deadline on this Bill until Wednesday, midnight. I will then ask the Chair to call House Bill 2524. I will ask the Sponsor of that Bill to Nonconcur in the Senate Amendment, and send that back to the Senate for future negotiations, because the level and the request is unreasonable on the taxpayers of this state. We can do something, and send to the Governor, a Bill that he can pass. That is our responsibility as a General Assembly. I expect each and every Member of this Chamber to work on behalf of our state employees, and our teachers to raise their minimal level of pension at least to a responsible fashion. And on this side of the aisle, speaking for this side of the aisle, we will work with you to accomplish that. So, Mr. Speaker, if the Sponsor of this Bill, so agrees, then we will follow that course of action."

Speaker Johnson, Tim: "Representative Poe, do you agree to withdraw the Bill from the record?"

Poe: "Mr. Speaker, I ask you to take this out of the record."

Speaker Johnson, Tim: "The Bill is withdrawn. On page six of the calendar, on the Order of Concurrence, appears House Bill 2524. The Gentleman from Sangamon, Representative Poe, moves to Nonconcur in Senate Amendment #1 to House Bill 2524. All those in favor signify by saying 'aye'. Those opposed, by saying 'no'. In the opinion of the Chair the 'ayes' have it. The House does Nonconcur in Senate Amendment #1 to House Bill 2524. Mr. Clerk, please read Senate Joint Resolution 107."

Clerk McLennand: "Senate Joint Resolution #107, resolved by the

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Senate of the 89th General Assembly of the State of Illinois, the House of Representatives, concurring herein. That when the Senate adjourns on Thursday, May 16, 1996, it stands adjourned until Monday, May 20, 1996 at 10:00a.m."

Speaker Johnson, Tim: "Representative Churchill has moved for the adoption of SJR #107. Those in favor, signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it and SJR 107 is adopted. Representative Churchill now moves that the House stand adjourned until Monday, May 20, 1996 at the hour of 10:00 a.m. Those in favor signify by saying 'aye'; those opposed by saying 'nay'. In the opinion of the Chair, the 'ayes' have it and allowing for Perfunctory time for the Clerk, the House now stands adjourned until Monday, May 20, 1996 until the hour of 10:00 a.m."

Clerk McLennand: "House Perfunctory Session will be in order. Committee Report. Committee Report from Representative Churchill, Chairman for Committee on Rules to which the following Joint Action Motions were referred. Action taken on May 17, 1996. Reported the same back, 'do approve for consideration' to the House Floor. House Resolution 124, House Resolution 115, House Joint Resolution 126, Floor Amendment #2 to Senate Bill 1258 and Floor Amendment #7 to Senate Bill 1278. Being no further business, the House Perfunctory Session stands adjourned and the House will reconvene in full Session on Monday, May 20th at the hour of 10:00 a.m."

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