

STATE OF ILLINOIS
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Speaker Daniels: "The House will come to order. The Members will be in their seats. Those not entitled to the floor, please retire to the gallery. The Chaplain for the day is Reverend Chuck Alt of the Williamsville Christian Church in Williamsville, Illinois. Reverend Alt is the guest of Representative Raymond Poe. Guests in the gallery may wish to rise for the invocation. Reverend Alt."

Reverend Alt: "Thank you, Mr. Speaker. Would you bow your heads and pray with me. Almighty God and heavenly Father, we come to You in the name of Your Son, Jesus Christ and I come to You on behalf of the men and women who represent the people of the State of Illinois, and I ask for Your guidance on them today as they do their work, that You give them wisdom and good judgement. Help them to make decisions that are fair and right, in the best interests of the people of this state so that we can leave...live peaceful life. I pray this in the name of Your Son, Jesus Christ. Amen."

Speaker Daniels: "Thank you, Reverend Alt. We'll be led in the Pledge of Allegiance by Representative Lang."

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

Currie: "Thank you, Speaker. Please let the record reflect that Representative Schoenberg, the new papa, is not with us today. He's officially excused."

Speaker Daniels: "What is the child's name again?"

Currie: "Michal. M-i-c-h-a-l. Five pounds, I believe, six

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ounces."

Speaker Daniels: "Wonderful. Representative Cross, for excused absences on the Republican side of the aisle."

Cross: "Happy to say, Mr. Speaker, we're all here today. Thank you."

Speaker Daniels: "Thank you and the Journal shall so reflect. Introduction of Resolution."

Clerk McLennand: "House Resolution #59, offered by Speaker Daniels and House Joint Resolution #64, offered by Representative Churchill."

Speaker Daniels: "Mr. Clerk, take the record. There are 116 Members answering the Roll and a quorum is present. The House will now come to order. The Rules Committee is meeting. As soon as they are done, we will convene, so if the Members would just stand at ease for a few moments till Rules Committee is done. Messages from the Senate."

Clerk McLennand: "Messages from the Senate...From the Senate Secretary, Jim Harry, Secretary of the Senate. 'I'm directed to inform the House of Representatives that the Senate has passed the following Bills, the Veto of the Governor to the contrary, notwithstanding in the passage of which I'm instructed to ask concurrence of the House Total Veto on Senate Bills 95 and 245.' Amendatory Veto Message from the Senate by Jim Harry, Secretary of the Senate. 'I'm directed to inform the House of Representatives that the Senate has accepted the Governor's specific recommendations for change for the following Bills, the acceptance of which I'm instructed to ask concurrence of the House: Senate Bills #93, 276, 377, 442, 566, 736, Senate Bills 949, 1094 and 1133.'"

Speaker Daniels: "Introduction of Bills."

Clerk McLennand: "Introduction and First Reading of House Bills."

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House Bill #2552, offered by Representative Lachner, a Bill for an Act to amend the Illinois Vehicle Code. House Bill #2553, offered by Representative Hughes, a Bill for an Act to amend the Conservation District Act. Introduction and First Reading of these House Bills."

Speaker Daniels: "Committee Report."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman of the Committee on Rules, to which the following Bills and Amendments and Resolutions were referred, action taken on November 3rd, 1995, reported the same back with the following recommendations: 'do approve' for consideration Floor Amendment #9 to House Bill 2517 and House Resolution 59."

Speaker Daniels: "Supplemental Calendar announcement."

Clerk McLennand: "Supplemental Calendar #1 is being distributed."

Speaker Daniels: "Mr. Clerk. Supplemental Calendar #1. House Bills - Second Reading. House Bill 2517. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #2517 has been read a second time previously. Committee Amendment #1 was adopted. Floor Amendment #9 has been approved for consideration...offered by Representative Klingler."

Speaker Daniels: "Representative Klingler."

Klingler: "Thank you, Mr. Speaker. The Floor Amendment which is before us today is reflecting the concern that was raised at the Committee yesterday on the debate on House Bill 2517. The Bill had expanded those subject to registration to go beyond convicted adults to also include juveniles adjudicated delinquent because of sexual abuse against younger children. Attorney General Jim Ryan raised the issue that he feels it's very important that juveniles adjudicated delinquent for sex crimes against young

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children be on the registration list. However, he thought that an addition should be made to the Juvenile Court Act, so that the confidentiality requirements will not apply to the registration list. So this Amendment simply states that nothing contained in this Section shall prohibit the inspection, copying or disclosure of information set forth in a registration statement or change of address statement required by both the juve...the Child Sex Offender Community Notification Act and the Sex Offender Registration Act."

Speaker Daniels: "Is there any discussion? The Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Daniels: "She indicates she will."

Hoffman: "With regard to the Amendment, specifically it's my understanding that Section 5 of the Registration Act currently requires courts only inform child sex offenders of the requirements of registration if they have been convicted. So, they would have to be convicted. It's my understanding of the Juvenile Court Act, they're essentially not convicted, they're adjudicated. So there's a distinction, and there may be a technical problem in that you're not really doing anything by this piece of legislation."

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, that's incorrect. If you look at the Bill, which we'll be discussing shortly, the Bill expands the present Registration Act to go beyond those convicted of sex offenses. It also includes those found not guilty by reason of insanity and juveniles adjudicated delinquent."

Speaker Daniels: "Representative Hoffman."

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Hoffman: "No, my problem is, I'm talking about specifically about the Amendment. It's my understanding that the Registration Act requires courts only inform child sex offenders of the requirements of registration if they have been convicted. Okay? Accordingly, an Amendment needs to be made to require the court to inform the juveniles who have been adjudicated delinquent. Juveniles in Illinois are not convicted, they're adjudicated. And that's...that's what I'm making the point that...that your Amendment has a technical flaw in that it should refer to adjudication, not conviction. If I...The Bill, as amended, would create a technical flaw."

Speaker Daniels: "Representative Klingler."

Klingler: "The Bill and the Amendment refer to juveniles that are adjudicated delinquent. I think that this is a very important addition to the Sex Offender Registration and Notification Act for children. There's a tremendous loophole in the law, if we do not allow the information on these juveniles who commit sex crimes against children to be included."

Speaker Daniels: "Representative Hoffman."

Hoffman: "Do you understand that a juvenile in the State of Illinois is not convicted? They're adjudicated. You understand the distinction?"

Speaker Daniels: "Is that relevant to the discussion?"

Hoffman: "Yeah, it is very relevant, cause..."

Speaker Daniels: "Okay, Representative Klingler."

Klingler: "Representative, the reason for that distinction is the reason why we have this Amendment. We want to be able to offer additional protection to young children, in addition from those of convicted adults. And I certainly understand the distinction, and this is why that we are having the

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Amendment."

Speaker Daniels: "Representative Hoffman."

Hoffman: "My point is, I'm not disagreeing with you, Representative. I'm just saying that the...this Amendment essentially is...does not go far enough in that it doesn't change the Registration Act to change the word, 'convicted'. And my point is this, juveniles are not convicted in Illinois. They're adjudicated. Therefore, by not changing the Registration Act to include adjudication, you're not really going to what you're trying to do, and that's ensure that these juveniles have to register. That's my point."

Speaker Daniels: "Representative Klingler."

Klingler: "That's incorrect. The Bill, House Bill 2517, which we'll be discussing shortly, provides that in the Notification Bill, in addition to those convicted adults, there will be those adjudicated delinquent for the commission of such offense or an attempt to commit such offense. Now it's true that in the past, the Registration Act only referred to adults. That's a tremendous loophole, because unfortunately we're seeing more and more circumstances of young people committing offenses. And I'd like to just give an example that was called to my office yesterday. Someone called from a small town on the Illinois River, who had twin four year old girls. These girls had both been sexually molested by a 15 year old boy. That...that information would never be in the registration list were it not for the House Bill 2517 and were it not for the Amendment providing an exception for the Juvenile Court Act."

Speaker Daniels: "Representative Hoffman."

Hoffman: "My point is this. My point is this. I agree with you."

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I agree with you a 1,000%. The problem is that the technical language is such that if you work in the juvenile courts, juveniles are adjudicated. They aren't convicted. That's the technical language. The problem is that you have not made sufficient changes in your Amendment to get to what you and I both want to do, and that's make sure that they have to register. You didn't add the word, 'adjudication'. You just kept the word, 'convicted' in a certain part of the Registration Act that needs to be changed. That's the only point I'm trying to make, is that maybe you need to add an additional Amendment at some point."

Speaker Daniels: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker. Will the Lady yield? ... I have a few questions regarding, and I haven't seen the... I just received the final copy of the Amendments. In this, would you...Are you...Are you extending the amount of time which will be requiring the offenders to register in this Bill anywhere?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, we're talking only about the Amendment right now. And the Amendment refers to a provision to an exception to the Juvenile Court Act to allow registration information for those adjudicated delinquent to be included in public notification."

Speaker Daniels: "Representative Mautino."

Mautino: "Okay, this'll only...This is only applying to the Section which we discussed in Committee, where we might need some changes as far as notification, what can legally be done as far as adjudicated felons?"

Speaker Daniels: "Representative Klingler."

Klingler: "That is correct, Representative. As you know, you

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were at the committee hearing on this Bill and heard the discussion about expanding the notification to juveniles adjudicated delinquent. The Attorney General Jim Ryan strongly supports and advocated this addition to the Notification Act. However, as you recall, he indicated that may be necessary to make an exception of the confi...for the confidentiality in the Juvenile Court Act to allow this notification to occur. That is all that this Amendment is doing."

Speaker Daniels: "Representative Mautino."

Mautino: "Now, in the course of the Committee, you and I had extensive discussion on some of the things which were missing within the Bill itself or some of the loopholes in your legislation. Have you addressed only this issue or have you taken a look at...inside the Amendment itself, about increasing from a misdemeanor, a major weak point in your Bill, to a felony, those who fail to register. I think that was one of the major things that we discussed, that there's nothing in your Bill as it sat in Committee that would put these eight balls back in jail."

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, we're discussing only the Amendment at this point, the Floor Amendment, regarding the exception to the Juvenile Court Act, so that we can inform parents and schools of juveniles adjudicated delinquent for sexual offenses against children. This is the only issue that's on the floor right now."

Speaker Daniels: "Representative Mautino."

Mautino: "Do you have any further Amendments then that will address some of the issues of the shortfalls in your Bill which were discussed at length in Committee? Or is this the only area you intend to address before putting your

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Bill in its final form for passage?"

Speaker Daniels: "Representative Klingler."

Klingler: "Only Floor Amendment, Representative."

Speaker Daniels: "Representative Mautino."

Mautino: "I would hope that you would consider some of those changes. There were some excellent ideas for necessary changes inside the Bill that came from Representative Dart and...and from Representative Hoffman, myself, other Members of the Committee, which could strengthen what you're trying to do. I understand the motives there. I think that you have left...left some pretty sizeable holes in the Bill, which should be addressed. So I'd hope you'd consider that."

Speaker Daniels: "Further questions? Representative Lang."

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

Speaker Daniels: "She indicates she will."

Lang: "Representative, it sounds to me like not everyone is focusing on what this Amendment does. There's been some talk about the Bill, but not the Amendment. And I would like everyone to listen to this because I think this is pretty important. As I understand this Amendment, Representative, you are making a substantial change in the law in this state regarding juvenile court records. Is that correct?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, the only change that is being made is that juveniles who are adjudicated delinquent for sexually abusing or assaulting minors will have their name and that information in the registration system."

Speaker Daniels: "Representative Lang."

Lang: "Isn't the purpose of the laws we have regarding confidentiality of juvenile records to allow young people

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who have made errors, whether major or minor in their life, to rehabilitate themselves without the stigma of public disclosure of their past?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, I think that there is a major difference between a juvenile who's been adjudicated delinquent for throwing rocks through windows and a juvenile who has been adjudicated delinquent for sexually molesting a young child. I think that that 15 year old who sexually abused the four year old twins in a town not too far from here should be subject to the registration. If you want to leave open a loophole in the law and you want to allow those delinquents to continue unanimously in their community, then vote 'no'. If you want to extend protection to children of this state and stop juveniles from hiding behind that...the confidentiality requirement, then vote...then vote 'no'."

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

Lang: "Thank you. Well, that was a nice speech, Representative, but, juvenile court records when a 14 year old is accused and convicted of murder are not open to the public. Juvenile court records when a 14 year old is accused and convicted of arson are not open to the public. Those aren't throwing rocks. Those are very serious crimes in the State of Illinois. As important as your Bill is, and I think most of us intend to vote for your Bill, this is not a criticism of your Bill. This is a question about what you want to do here with juvenile court records. The law in this state is very clear. And the courts have held over and over again, that we are not going to violate the confidentiality of juvenile court records. And here you

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have carved out an exception for sex offenders. As important as it is, as heinous as those crimes are, we don't do that for murder, we don't do that for arson, we don't do that for armed robbery. If a 14 year old kidnapped an eight year old, we wouldn't do it for kidnapping. Why do we do it only for sex offenders?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, the only registration system that has been set up in Illinois was the Child Sex Offender Registration System. And this had enumerated offenses. I am going as far as the present registration system. I'm going...and for the offenses included, and I am going beyond it to allow notification. Further, I'm expanding what's presently in...covered by going beyond convicted adults to adults found or...found not guilty by reason of insanity and also juveniles. I think if we want to truly protect children, this Section needs to be added."

Speaker Daniels: "Representative Lang."

Lang: "What about the notion that we're supposed to pass laws around here that have some consistency? What about the notion we're supposed to pass laws around here that have some constitutionality? There...This Amendment cannot survive in court. It cannot survive. You cannot say that youthful offenders in this area, sex offenders, are a more serious crime than youths that murder, youths that commit arson, that kidnap, that do armed robbery. This Amendment cannot possibly sustain a court challenge. You're a lawyer, you know that. Why don't you clean this up and make it apply to whatever you want it to apply to? Why don't you just remove all the confidentiality records of very violent, youthful offenders and then we can vote on that issue? Why do you pick out one area and decide we

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should make an exception?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, this Bill focuses on child sex offenses. And this is obviously the focus of the Child Sex Offender Registration Act. We're having narrow focus. We're targeting on this particular concern. If we're...we would be leaving a tremendous loophole in the law if we allowed only convicted adults to be disclosed in a registration system. If we truly want to offer protection for children against sex offenses, which is the purpose and the legislative intent of the present child registration system, then those names should also be included."

Speaker Daniels: "Representative...Representative Johnson. Representative Johnson, Tim Johnson."

Johnson, Tim: "Yes, Sir."

Speaker Daniels: "Had your light on."

Johnson, Tim: "Not by my choice, but I move the previous question."

Speaker Daniels: "Representative Dart."

Johnson, Tim: "I move the previous question."

Speaker Daniels: "Representative Dart."

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

Speaker Daniels: "Indicates she will."

Dart: "Representative, I got a couple of quick questions here I want to ask you. The...the changes you're making in this Act obviously have a great deal of impact on the Juvenile Court Act itself. As we were just talking about now, the Juvenile Court Act, the whole thrust behind it was to prevent juveniles from being stigmatized by having their names and the crimes and the like published to the general public for fear that this was going to stigmatize them. More importantly though, in the people versus Adams case,

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they made direct reference to that. How is this going to be justified, given the Adams case?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, the registration system was initially challenged when it was put in place several years ago, and that was upheld as a rational state solution to a real problem. I think what you're looking at is weighing rights of juveniles adjudicated delinquent for committing sex offenses versus rights of children to be free from having those offenses committed on them. And I think that if we weigh those two concerns, I think in this particular area of sex offenses, that we should go on the side of protection for the young children."

Speaker Daniels: "Representative Dart."

Dart: "Thank you. But, the thrust of the Adams case was that the reason it was found constitutionally to be okay was that there was no stigmatization against this individual because it was not published, made public. This would make it public. So, this would fly right in the face of that. How do you argue against that?"

Speaker Daniels: "Representative Klingler."

Klingler: "The overwhelming public concern and outcry about sex offenses against young children means that we should make this Bill and notification as broad as possible in the area of sex offenses. If you don't want to have the juveniles included, then vote against it. If you think that juveniles should be included with those on the registration system, then you would vote for it."

Speaker Daniels: "Representative Dart."

Dart: "Well, Representative, I wish everything was quite as simple as you just tried to paint it. But unfortunately, we have this little old thing that you probably remember

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called the constitution. We're suppose to uphold that thing. How is it though that this Bill, this Amendment here, is going is going to stand up to a constitutional challenge? Because I'm signed to a particular case. How about if we deal with some legal logic for one second here. And can you tell me how this is going to stand up against that? Instead of just giving me this thing about how we got to look out and this compelling community interest, tell me how constitutionally - using law - legal things, tell me how that will stand up?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, I think that we have a right to do what we can to protect our young children. I think this is a very rational and major purpose to it. I think that if we as a society cannot take steps to protect ourselves, then we're not going to continue to function as a society."

Speaker Daniels: "Representative Dart, to the Amendment, Sir."

Dart: "Thank you, Mr. Speaker. That's what I've been talking to, unfortunately, the Amendment. But I'm not getting response to my questions about the Amendment. The Amendment makes changes in confidentiality dealing with juvenile court. The People versus Adams case deals with confidentiality issues. And I'm trying to get an explanation, because we would like to vote for this. We do want to vote for this. We're all for what you're talking about. But I need to have here on the record, so that we don't run into problems down the road and that little thing called the Supreme Court with this thing here, okay. So if you can give me some type of legal argument, so that we can anticipate this, so this doesn't cause a problem down the road. Let's do something unusual around here. Let's anticipate the problem. Let's put it on the record and say okay, we're

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aware of this little old case and we're aware of that building across the street called the Supreme Court, and let's explain to us now and leave a little legislative history here for them as to why we are aware of this case and if this does not fly in the face of it. Just give it to me in those terms, it would be adequate."

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, any law that we pass can be challenged. It's impossible for us to anticipate every possible challenge. This provision of including juveniles was an effort to make the widest possible protection. You were at the Committee, and the Attorney General Jim Ryan thought that this was an extremely important measure to have and indicated that with an exception should be made to the Juvenile Court Act to allow this disclosure on the registration system."

Speaker Daniels: "Representative Dart."

Dart: "So, in your opinion then, the Adams case, though every law is subject to constitutional arguments, this one is going to withstand constitutional arguments based on the fact that we decided to do this and that it should be okay?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, a very important..."

Speaker Daniels: "You want to finish your answer, Representative Klingler."

Klingler: "Representative, a very important issue that needs to be very clear, if you're talking about upholding the purpose of this Act, is that this Act is regulatory and it's for protection of children in society. This is not additional punishment. The argument of the protection versus punishment was raised and was found to be a sound, rational approach by a state to correct a problem. If I

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think we should go ahead and include adjudicated juveniles, if a court at some point, two or three years down the road, says we cannot include them, then we can still have the convicted adults. I think we should opt now for the maximum, possible protection."

Speaker Daniels: "Representative Spangler."

Spangler: "Thank you, Mr. Speaker. To the Amendment. Recently I was reading in a law journal that pedophiles on the average in their lifetime create this...these sexual offenses 361 times. It is our duty to go back and try to lessen this average by taking the adjudicated delinquents and letting them know that this is not the proper way to act in society. Let's talk about the victims for a minute, Ladies and Gentlemen. For the criminal, it's a point in time act for each and every one of those 361 individuals, children, that that offender will come into contact with, they will have to deal with that for the rest of their lives. This isn't a point in time issue for them. This is an emotional scarring that's going to go on forever. Now I think we have to get on board with this Amendment and say we are fed up with this stuff and quit trying to say the Supreme Court is or is not going to uphold it. These people are not going to change. That drive is as strong as the heterosexual sexual drive that most of us here have. Now for crying out loud, let's quit fooling around here, get down to business, take care of the 361 victims on the average and lessen that amount by including these young sexual offenders that start out at such an early age. I urge an 'aye' vote from all of my colleagues on this Amendment. Thank you."

Speaker Daniels: "Representative Turner."

Turner, J.: "Thank you, Mr. Speaker. I move the previous

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question."

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

Klingler: "I would urge an 'aye' vote to extend protection to children from juveniles that commit these sexual offenses."

Speaker Daniels: "The question is, 'Shall House Amendment #9 be adopted?' All in favor say 'aye'; opposed 'no'. The 'ayes' have it; the Amendment's adopted. Any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Daniels: "Third Reading. House Bill - Third Reading. House Bill 2517. Mr. Clerk, ring the bell...read the Bill."

Clerk McLennand: "House Bill #2517, a Bill for an Act to provide for community notification of the release of certain sex offenders. Third Reading of this Senate (sic - House) Bill."

Speaker Daniels: "Ladies and Gentlemen, this is Third Reading on House Bill 2517. Representative Klingler."

Klingler: "Thank you, Mr. Speaker. This summer, I read a law review article from the John Marshal Law Review, and the article was entitled, 'Are the Children of Illinois Protected from Sex Offenders?' And the conclusion of this article was, no. Because even though we have an extensive sex offender registration system, this information in the State of Illinois is kept entirely confidential. Other states have limited access or public notification from their laws. And the point was made that in the State of Illinois, the registration system, as laudable as it is, it's basically used only to apprehend more criminals once

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they assault more children and not used pro-actively to protect children. I think it's very important that we go ahead and we remove the criminal sanction against law enforcement for disclosing this information. I would like to just briefly outline the points in the Bill. The Bill would apply to all child sex offenders who are currently on the sex offender registration system, as well as to those who commit such offenses in the future. The Bill would cover adults convicted of sex offenses against children, adults found not guilty by reason of insanity for sex offenses against children as well as juveniles adjudicated delinquent. And I would point out that this is a very significant expansion of the current law. There would be three types of notification. The first would be mandatory, and this would provide that..."

Speaker Daniels: "Ladies and Gentlemen of the House, please give the Lady your attention. If you could break up the caucuses and move them to the rear of the chamber, it would help. Representative Klingler."

Klingler: "Thank you, Mr. Speaker. There are three avenues for notification in this Bill. The first is a mandatory disclosure, and this would go to the Department of Children and Family Services, to the school boards, principals of public and private schools and child care facilities located in the state. I would note some of you may wonder about the number of distinctions about the notification that are contained in this Section. This is simply a practical way that the Illinois State Police felt would be a good way to provide the notification depending if we're talking about Cook County, downstate counties or within the City of Chicago. The second method would be that these records are open to the public. The person may be a call

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in to a local enforcement agency, perhaps even we could get a statewide number where this would be able. We could write groups that deal with children; children youth groups could write and call for information. So this is a second avenue. And the third avenue is discretionary, that the law enforcement may disclose the information to any person likely to encounter the child offender when they deem that it is necessary in the public interest. So we have mandatory disclosure focused at groups that deal with children. We have...We allow the private citizen, if that citizen has a concern, to call or write for information about someone in that community, and we also have the discretionary, additional notification that can be carried out as it's deemed fit. That is the general outline of my Bill."

Speaker Daniels: "Is there any discussion? The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. Will the Sponsor yield for a few questions?"

Speaker Daniels: "She indicates she will."

Currie: "First, Representative Klingler, I do appreciate your commitment to this issue and all the hard work you've done. We've had in the State of Illinois since 1986, mandatory notification about some of these sexual predators, at least to the local police departments. Do we have any information about what good that has done, what crimes that may have stopped, what value that particular notification program avenue to try to help prevent future problems has worked?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, I think that's a very good question. The information that's on the registration system now goes

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on the state LEADS computer to all law enforcement agencies. And I think, and from talking to law enforcement officials, it has been a tremendous help in trying to apprehend suspects when a particular crime has occurred. It is a tool to law enforcement to help them know, perhaps know, who to look for. They can check the registration system. The problem is that they cannot disclose this to anyone additionally."

Speaker Daniels: "Representative Currie."

Currie: "But can you quantify what value this has served? I mean how many people has it stopped? How many people has it caught, who otherwise would not have been catchable? I mean I would assume if the police know that there is in the community a person who has committed a heinous sexual assault against a child, and the police, I assume know that the statistics of recidivism are pretty strong, do we know whether the police are keeping an eye on those people? Do we know that we've prevented a single crime with that notification procedure that's already in place? This is not...I'm not...This is not meant to be...I'm...This really is a question for information. Can we identify a place where perhaps a crime didn't happen because the local police were on the scene and were on the alert?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, I think it's impossible to quantify with an exact number the number of crimes that have been stopped. However, I know from my experience, especially here in Springfield, that this is a resource that law enforcement does go to in looking for suspects. I know that when we had a sexual assault against a young boy here in July, the first thing the police mentioned was checking the sex offender registration list and that there were

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seven registered sex offenders near that area. So it's clearly a tool, and I think it's possibly used everyday by law enforcement throughout the state."

Speaker Daniels: "Representative Currie."

Currie: "On another topic, as I understand that the decision by the Department of State Police to..."

Speaker Daniels: "Members of the House. Excuse me, Representative Currie. Members of the House. Discussions in the center aisle, please give Representative Currie your attention. Thank you."

Currie: "On the question of the disclosure to individuals beyond the institutions that are specifically referenced in the Bill, on what basis will the Department of State Police make a determination whether to disclose information or not? What standards are in the Bill that would tell the Department of Police to whom information should be disclosed? Or am I wrong? Is it not discretionary?"

Speaker Daniels: "Representative Klingler."

Klingler: "I'm not certain I understand exactly your question. Regarding the Children and Family Services and school boards and child care facilities, that would be mandatory disclosure."

Speaker Daniels: "Representative Currie."

Currie: "I was specifically asking about the discretionary disclosure and that there is beyond the institutions, the schools, the child care facilities, there is a provision, I believe, that means that other individuals may be notified upon request. But that whether that request is honored, is discretionary with the police. Is that...Am I right on that?"

Speaker Daniels: "Representative Klingler."

Klingler: "Yes, that's correct. The Bill gives authority to the

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State Police to work out guidelines."

Speaker Daniels: "Representative Currie."

Currie: "And what standards in the Bill will guide the State Police in drafting regulations or making the determination?"

Speaker Daniels: "Representative Klingler."

Klingler: "The...the standard in the Bill is to likely to encounter standard. And this could range from persons in particular clubs or neighbors. I think that we need to get the professionals of law enforcement the ability to work out exactly how to use that. It certainly would have a different meaning in the City of Chicago than it would perhaps in a rural part of the state."

Speaker Daniels: "Representative Currie."

Currie: "My question had rather to do with what offenses would the State Police notify whomever they decide is appropriately notified or..."

Speaker Daniels: "Could you just bring your question to a close."

Currie: "I'm trying to. Are there particular offenders, classes of offenders, whose information would be disclosed or not?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, the sex offen...offenses that are included in the Child Sex Offender Registry Act are those that would be subject to the notification."

Speaker Daniels: "Representative Murphy. Maureen Murphy."

Murphy, M.: "Thank..."

Speaker Daniels: "Excuse me. Excuse me, Representative Murphy."

Murphy, M.: "Yes."

Speaker Daniels: "Representative Currie, for what purpose do you rise?"

Currie: "Speaker, it was long in getting answers, I mean there was a misunderstanding about some of my questions. If I

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could have one minute to close, I would certainly appreciate it."

Speaker Daniels: "Go ahead and address the Bill."

Currie: "Thank you, Speaker. I, as I said, appreciate the Sponsor's commitment to trying to solve the problem of sexual predation against our youth. I have some reservations as to whether this avenue of address will turn out to be particularly effective. We don't even know whether the notification of the police departments has had a salutary effect on instances of child sexual assault and abuse. I also think that we as a state ought to be paying more attention to our parole system. We have, what? Sixty-eight parole agents for 28,000 prisoners. We know in the situation involved in Kankakee, the individual who has been charged with sexual assault and murder was not maintaining his therapy sessions, and that nobody in the parole department in our state was seeing to it that he did so. Having said that, I have concerns about the due process provisions, the lack of due process in standards in the Bill. But I appreciate that this is a serious problem and to leave parents in institutions without some avenue of trying to protect their youth is not a situation any one of us would support. So for that reason, with those reluctancies and the hopes that the Senate will add due process provisions, I will support Representative Klingler's measure."

Speaker Daniels: "Representative Maureen Murphy, the Lady from Cook."

Murphy, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen, to the Bill. It was disturbing to read an editorial in the paper today that said this was an invasion of privacy. Here we go again. We're protecting the perpetrators instead of

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tomorrow's innocent victims. The pedophiles are getting even better at preying upon our precious children. Pedophiles, some of you believe, have a sickness. So you know, this urge, this deceptive urge that they have, they will go after children where children are. So where do they go, folks? They go to the scouts. They take on our children. They go into our schools, our day care centers, and we're so surprised when we hear that that nice scout leader, that that counselor later on is charged with serious pedophilia, with taking on hundreds and hundreds of various complaints. And then we're surprised, because we go, 'Well, how come the school employed this person? Well, how come the scouts allowed this person to be a counselor?' Well, they don't go around with a sign. They are in our neighborhoods. We had such a person in Oak Lawn. He was released on his own recognizance to go home and take care of his mom. That's what the judge said. Go home and take care of your 93 year old mother. It doesn't matter that 15 year old boys were lured to the basement, doesn't matter that that's where the crimes were occurring. He was sent home to practice his trade again. We need to know because we can't simply, like the editorial said, 'Tell your children not to talk to strangers.' Oh, it's not about the strangers. It's about the neighbors that we don't know what they are up to. It's about some of the educators that we have not checked out. It is about the scouts, where we are told, 'Have your children involved in the community in civic activities.' And here there is no checks and balances for these children. This is a long time coming, and if we save one small child from the degradation and victimization and yes, that here someone has to be kept on notice, that yes, they have a problem, and their problem is

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they break the law and they victimize our tiniest citizens.

This is a vote for the children. Thank you."

Speaker Daniels: "Representative Novak."

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

Speaker Daniels: "She indicates she will."

Novak: "Representative Klingler, as I understand it, your Amendment that you just added, does that really rewrite just about the entire Bill? Didn't you rewrite most of the Bill before you presented it in Committee?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, the Amendment which we just added referred only to allowing the juveniles to be included in the notification system."

Speaker Daniels: "Representative Novak."

Novak: "But I...maybe it was something I read in the media that your original Bill would have required about 35,000 parolees, those convicted of sex offenses, to register. And rather under the new provisions of your Bill, this registry only would...requires about, what? Seventeen hundred individuals to register. Is that not correct?"

Speaker Daniels: "Representative Klingler."

Klingler: "That's incorrect. The...And I don't know how that information got out. The current Sex Offender Registration Act as it's in place right now includes only those offenses against children. Now in January, 96, the Legislature has...will be expanding that. What we're focusing on is the current child sex offense registration system. And everyone who is now on that registration system would be subject to...would be included within this notification."

Speaker Daniels: "Representative Novak."

Novak: "Thank you. Representative...Representative, you and I...You and I talked some time ago about the situation that

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happened in Kankakee, and you know, I'm not worried about pride of authorship or anything, and I asked you as a favor to me and as a concern for the people in Kankakee, for especially for the Christopher Meyer family. That young boy, Ladies and Gentlemen, that was murdered in Kankakee in August, he was murdered by a pedophile, I guess. He was murdered by an individual that's been accused, that's in jail right now in Will County, that's been accused of his kidnapping and murder. He committed a murder in 1981 and served 12 years of his 25 year sentence. However, there's one salient point that I want you to understand. And to why this Bill would not rectify a situation that occurred in Kankakee, the Christopher Meyer situation. The young man who's been accused of Christopher Meyer's murder was convicted of First Degree Murder - First Degree Murder. Now, we applaud the Governor for signing Truth in Sentencing. We applaud the Legislature for passing that Bill, but as you well know, truth in sentencing is not an ex post facto law. That's illegal; it is not retroactive. So we have literally thousands of convicted murders, some may have been pedophiles, some not, that will be under mandatory supervised release, parole so to speak. They'll be getting out of prison tomorrow, next week, next year and years hence, because truth in sentencing does not apply to them. They were convicted prior to the effective date of the law. That is my major fear. Representative, I'm going to support your Bill. I think everyone in this chamber, with the exception of maybe one or two people, is going to support this Bill, and I believe it's a good start. Well, Ladies and Gentlemen, there are some major, major gaps in this Bill that I think criminals are going to fall through. If we want to send a real serious message, we want to

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really abide by what the citizens, our constituents want us to do, do we want convicted murderers coming back to our communities and slipping back into our communities without the parents or the victims notified or the police agencies notified? Do we want stalkers? Domestic violence is such a major issue. Do we want convicted stalkers that have abused their spouses? Do we want them to come back into our communities and maybe live two or three blocks from the spouse that they abused for years and years? Do we want convicted kidnappers, people that have kidnapped children or other individuals, taken them from their homes, the security of their property, do we want those people that are going to be getting out of prison to come back in our communities without being notified, without registering with the police? I think not. I think everybody would agree with me. Representative, I would hope that when this Bill passes, or maybe the Senate may see some wisdom to amend this Bill, to add those offenses on there. I don't think anybody disagrees with me. Christopher Meyer - Christopher Meyer died a horrible, a horrible death. This Bill is a good step in the right direction. But, Ladies and Gentlemen, this Bill does not address that situation I just alluded to you. Convicted murderers will still be able to get out of prison once they are released, come into the communities, and they won't have to say a word to anyone."

Speaker Daniels: "Further discussion? The Gentleman from Macon, Representative Noland."

Noland: "Thank you, Mr. Speaker. I rise in support of this Bill. Unfortunately, most of the sponsors have had recent tragedies in their districts. I'm no different. In Decatur, the unfortunate tragedy of Sara Kramer has brought

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home the real concern about these kinds of issues. It's an unbelievable amount of grass root support has come out in our area. The United Auto workers delivered 22,000 signatures in Committee the other day. The grass roots people have just come out saying we need this type of Bill to protect our children. I support it. I thank you for your support. Thank you."

Speaker Daniels: "Representative Mautino."

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

Speaker Daniels: "She indicates she will."

Mautino: "Representative, I appreciate your concern and you putting forward legislation which will increase the amount of notification on the LEADS. I have a few technical questions that I'd like to ask you regarding it. The...First of all, are you familiar with how the Illinois LEADS System operates? We're currently, it's about a 25 year old system and we're going to have to under the LEADS' 2,000 initiative have to update that system. The original Bill, which you referred to, given the notification to the police in the first place is one that I wrote. This is an area I've always had great concern in. As a matter of fact, the Illinois law was then copied, I worked with Governor Pete Wilson of California on their crime package after the death of Polly Klause. In our system, in your Bill, you call for the photographs and the fingerprints to be included in the notification. Is that correct?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, my Bill calls for the registration information with the State Police to be included in the notification."

Speaker Daniels: "Representative Mautino."

Mautino: "I understand that, but my question was, does it call

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for the photographs and fingerprints to be included with the notification that's going to go from the State Police to the municipal authorities, and who's going to do that? The answer is, 'yes'. You do require it."

Speaker Daniels: "Representative Klingler."

Klingler: "The statute says, 'may be included'."

Speaker Daniels: "Representative Mautino."

Mautino: "Currently and in discussions with the State Police, they are looking to expand that system, the LEADS System, which I do believe needs to be revamped. Do you know currently how many offenders are registered at this point in time?"

Speaker Daniels: "Representative Klingler."

Klingler: "There are about 1,600 at this time, and there...they think that when January 1st, they're expecting it to be around 1,800. It would be...This Bill would expand the number of those subject to the registration, including those found not guilty by reason of insanity and the adjudicated delinquent. So that would increase that number."

Speaker Daniels: "Representative Mautino."

Mautino: "Okay, in your conversations then with the State Police, you realize that we have a problem with the system as it's set up now. In the counties themselves, they're not receiving notification of those sex offenders. Were you aware that that is something the State Police were seeking to correct? I don't see it anywhere in your Bill."

Speaker Daniels: "Representative Klingler."

Klingler: "The Bill does not address those kinds of technical problems. I think certainly database in many areas in this state to be updated and need to be included. I think the one thing that I think that's very good in this approach is

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that I think the number we're working with is not an unworkable number, and I think that we can get experience with this notification and see how that works. And it's possible then in the future, once this system is better established that we may be able to expand both the registration and the notification to other offenses."

Speaker Daniels: "Representative Mautino."

Mautino: "Well, if you'd be interested in taking a look. There's House Bill 2234, sitting on the Calendar, which does that. It puts the offenders registration in the...right at the County Clerk's Office. They're not getting it now. Currently, under the law when the convict is released from the prison system, they sign off. One goes to the State Police to be put into the system. One goes to the municipality where they're suppose to register. Nothing is given to the permanent court system. So under that Bill, these are changes that were requested, and I think should have been addressed in the legislation. I do support what you're trying to do. I think that you've left some major loopholes. The major one being that we tried to do this the past few years is failure to register is a misdemeanor. Basically, a hundred dollar fine. So if you get one of these sexual predators that moves into your area, and they don't register, they say, 'So what'. We fine them a hundred bucks. It should have been made a felony. Representative Julie Curry's Bill raised it to a felony. Representative Novak's Bill raised it to a felony. So we allow these animals into our communities. They're required to notify. If they don't do anything, we do nothing. Your Bill doesn't address that. That's a serious point. I wish you would have taken..."

Speaker Daniels: "Representative Mautino."

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Mautino: "I wish you would have taken and included that provision in there, which would have had some teeth. Because we can't legislatively fix stupid, and these animals are going to be out there. We got to let them know that if they fail to follow the intent of the law, they're going to go back to jail. So if you're...We will come back and we will address this portion of the Bill. I support what you're trying to do. I think that it should have been done with a little better working relationship with the agencies that should have...that will be involved in promulgating the rules. Some of the suggestions, excellent suggestions, about tying in the sexually dangerous person's Acts that Representative Dart brought up, can help protect all of our children. That's what we all want to do. Thank you."

Speaker Daniels: "An announcement by the Clerk."

Clerk Rossi: "The Rules Committee meeting scheduled for 10:15 will meet as soon as this issue's been resolved."

Speaker Daniels: "Further discussion? The Gentleman from Winnebago, Representative Scott."

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

Speaker Daniels: "She indicates she will."

Scott: "Representative Klingler, I share Representative Novak and Mautino's sentiments. This is a good first step, but I, too, also have some problems with the way this fits into other laws and the reality that we have right now. You say there are 1,600 people that are currently registered under the Offender Registration Program. When was the last time anybody checked to make sure those 1,600 people were where they said they were when they registered?"

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, the Illinois State Police is constantly verifying and updating that information."

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Speaker Daniels: "Representative Scott."

Scott: "How?"

Speaker Daniels: "Representative Klingler."

Klingler: "By their own internal procedures."

Speaker Daniels: "Representative Scott."

Scott: "Well, I don't think we should kid ourselves at all that we know exactly where all these 1,600 people are. We've all seen in the last few months tremendous stories of nightmares about people who are out on early release, that nobody knows where they are. We've got a problem where we've got 69 parole agents trying to watch out for over 28,000 releasees in the system right now. That's for every parole agent, that's 415. For every State Police officer, the number is equally as staggering. We know that people aren't keeping track of these folks right now. My point is very simple. This is good, this is a good start. This helps. But Representative Mautino is exactly right. There is no way that a misdemeanor offense of failing to register is going to stop people any more than breaking parole by moving out of your district without notifying your parole agent is stopping people from doing that right now. We've got a tremendous problem with that in this state right now. We've got a tremendous problem with not being able to keep track of people that we're suppose to be watching. Now understand what we're doing here. We're separating out one class of people who commit a certain type of crime. I've read the same studies that Representative Spangler's read. I understand what he's saying, and I even agree with him. That the conclusions reached in those make sense to separate this particular class out. But let's not kid ourselves while we're doing that, that we're doing anything better about watching these people than we are the other 28

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- 27,000 people who are released on parole. So when we all go back and we pat ourselves on the back and we say, 'Look at the wonderful thing we've done!' Let's realize that we don't know where half these people are, and we're not going to know where half these people are until we get tremendously serious about making sure the people who are released on parole, people that we let out of our system early, are being watched by parole agents who have the resources to be able to do their job - because we don't give them that right now. And if these people, if the rationale is there to separate these people out from the other classes of criminals as I believe it is, then maybe what we ought to be doing is saying perhaps they should be in prison longer, perhaps their sentences should be tougher, or perhaps when they get out, we should take extra special steps within the pre-start system to make sure that we know where they are. It's like Amendments that have been offered to this particular Bill. I understand what you're trying to do. It's a good first step, but we're absolutely kidding ourselves if we think this solves the problem."

Speaker Daniels: "Representative Klingler."

Klingler: "Representative, I believe that there is an accurate statement refer... regarding the misdemeanor. The first time a person does not register, first of all, is your...it is a misdemeanor but that person is then registered. The next time, it's a felony. So, that does increase dramatically. Now part of the original negotiations when the registration system was established, I don't know the reasons behind those negotiations, but we're sticking with the present system."

Speaker Daniels: "Representative Scott."

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Scott: "Violation of parole can send you back to prison immediately. If you're going to tell me that people who will leave the district where they're supposed to be or call in from the county jail when they've committed another crime in another jurisdiction, we've all seen those stories recently. If you're going to tell me that a misdemeanor offense, even if it's elevated to a felony the next time, is going to be any more effective, I'm going to respectfully disagree with you in this case. It's not going to stop people from doing it. Imagine...I mean think about this practically, what we're doing, too, within a neighborhood where you're notifying the neighbors of it, even though we agree with that. Think of what that does. And you're going to have a heck of a lot of people who are going to say, 'I'm not going to register and I'm not going to pay that price.' And I think the Amendments are well taken, that you need to make that penalty stiff enough so that people will absolutely say, 'I'm not going to take that chance. I'm not going to take the chance on that...on a felony offense for that, which is going to send me back for a long time.' I think we're really missing the boat, and to say that..."

Speaker Daniels: "Representative Scott, can you bring your remarks to a close."

Scott: "Certainly, thank you, Speaker. And to say that a second time, it's going to be a felony, I think we're all kidding ourselves if we think that's going to solve the problem."

Speaker Daniels: "The Lady from Macon, Representative Curry."

Curry: "Thank...Thank you, Mr. Speaker. I rise in strong support of House Bill 2517. I believe that this Bill is a start in its beginning, and we're headed in the right direction. It's finally the citizens of this state, people of the

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State of Illinois, our children are going to have the opportunity to feel safe and secure in their neighborhoods and homes. However, like my colleagues, I, too, am concerned about the many other crimes that are not included in this Bill. House Bill 2525 would have expanded the other offenders like first degree murder, second degree murder, kidnapping, aggravated assault, those things were included in that Bill. And I would hope that the Sponsor and this Body would continue to discuss this issue and would understand that the murder of children and other crimes are unforgivable. So I would encourage and urge every person, every Member of this Body, to vote for this Bill. And I commend the Sponsor for her efforts."

Speaker Daniels: "Further discussion? The Gentleman from Kendall, Representative Cross."

Cross: "Move the previous...move the previous question, Mr. Speaker."

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

Klingler: "Thank you, Mr. Speaker. I would urge the Members of the House to support this Bill, which goes as far as our present registration with all the offenses that are included, but unhandcuffs our local police, allows them to use that information to help protect children. Thank you."

Speaker Daniels: "Representative Klingler has moved for the passage of House Bill 2517. The question is, 'Shall House Bill 2517 pass?' All those in favor signify by voting 'aye'; opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Okay? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 116 'ayes',

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none voting 'no'. This Bill, having received an extraordinary majority, is hereby declared passed. Mr. Clerk, for an announcement."

Clerk McLennand: "Rules Committee meeting immediately - Speaker's Conference Room. Rules Committee - Speaker's Conference Room."

Speaker Black: "Representative Black in the Chair. Mr. Clerk, on page 3 of the Calendar under Amendatory Veto Motions appears House Bill 1149. Read the Bill. And on House Bill 1149, the Chair would recognize Representative Leitch."

Leitch: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1149, in its original form, went out of this House unanimously. It's a Bill that would seek to restore the 40% of natural gas sales that are right now leaving the State of Illinois by virtue of being able to avoid a 5% tax. This Bill will encourage the return of those sales. It will strengthen our utilities. It will strengthen, by virtue of the bulk sales, the reduction of gas rates and is a Bill that I would ask that you support me in this Motion to Override. Thank you."

Speaker Black: "And on the Gentleman's Motion, is there any discussion? The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Mr. Speaker. Mr. Speaker, if the Governor's Amendatory Veto would be accepted in this case, we would shut down the three largest industries in my district: a steel mill and a copper smelting plant. The override needs to be overridden, and I support Representative Leitch in his efforts to override. Thank you."

Speaker Black: "Is there any further discussion? And on that question, the Lady from Cook, Representative Schakowsky, is

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recognized."

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

Speaker Black: "He indicates he will."

Schakowsky: "As I understand, Representative, the intent of the Bill, it was to put Illinois gas utilities on an even kiel with out-of-state companies at...by eliminating a tax that incur...a state tax that encouraged people to buy outside of the state. Is that true?"

Speaker Black: "Representative Leitch."

Leitch: "The intent was as I described. Right now, we are losing 40% of our natural gas sales by virtue of this circumstance and in the debate when this passed, you, yourself, argued in favor of this Bill, describing it as a win, win, win for Illinois. And so I simply seek to return the Bill to its original form and pass it."

Speaker Black: "Representative Schakowsky."

Schakowsky: "How much of a tax, of a new tax, would the Governor's version, as written in his Amendatory Veto, impose on state businesses, et cetera?"

Speaker Black: "Representative Leitch."

Leitch: "I really don't know and I don't think it's relevant to this issue, because my issue is to restore it to its original form and result in increased revenues to the state, estimated at 10 to 12 million dollars."

Speaker Black: "Representative Schakowsky."

Schakowsky: "I was visited by some school...by a school district yesterday, who was imploring me to vote to override the Amendatory Veto, because they would be forced to pay significantly more money for their utilities. To what extent are public bodies, school districts, et cetera, would they be impacted if we fail to...if we were to accept the Governor's version?"

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Speaker Black: "Representative Leitch."

Leitch: "I really don't know the answer to that. I think it's difficult to obtain those numbers, but it's fair to say that restoration of this Bill will benefit the groups that you identify."

Speaker Black: "Representative Schakowsky."

Schakowsky: "So by supporting your legislation, we would...rather than imposing a new tax, would level the playing field by eliminating a tax for businesses and public bodies that would make Illinois utilities more competitive. Is that the essence?"

Speaker Black: "Representative Leitch."

Leitch: "Actually, what this does is return to Illinois those customers, those sales which Illinois is now leaking, if you will, by virtue of the status quo."

Speaker Black: "Representative Schakowsky."

Schakowsky: "Anything further, Representative? Further discussion? The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I simply rise in support of the Gentleman's Motion to Override the Amendatory Veto. Had the opportunity to speak with the Chairman of the Commerce Commission on the details of the original Bill, and it makes eminent good sense that we should provide the incentive for Illinois manufacturing companies and Illinois companies to use Illinois gas. I commend him for the Motion."

Speaker Black: "Further discussion? The Gentleman from Kankakee, Representative Novak."

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

Speaker Black: "He indicates he will."

Novak: "Representative Leitch, am I not correct in stating this:

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By virtue of the Governor's Amendatory Veto, did this create a new tax?"

Speaker Black: "Representative Leitch."

Leitch: "Um, I think, yes, it could be read that way."

Speaker Black: "Representative Novak."

Novak: "So, Representative, the Governor of the State of Illinois, by virtue of his Amendatory Veto, created a new tax on out-of-state gas purchases or in-state gas purchases?"

Speaker Black: "Representative Leitch."

Leitch: "Um, yes."

Speaker Black: "Representative Novak."

Novak: "Then simply we're just overriding this Veto so, we don't want this new tax. Is that correct?"

Speaker Black: "Representative Leitch."

Leitch: "What we prefer to do is restore the incentive for the business that we are losing to come back. And we think this is the most effective way to accomplish it."

Speaker Black: "Representative Novak."

Novak: "Well, Representative Leitch, that sounds real good to me. I don't want to create any new taxes. I'm all for this Bill."

Speaker Black: "Further discussion on this issue? The Lady from Cook, Representative Currie. Representative Currie, are you seeking recognition on this issue?"

Currie: "Thank you, Speaker and Members of the House. I thought the Governor was most imaginative and creative in his use of the Amendatory Veto power with respect to the provisions of 1149. My guess is that he exceeded his constitutional authority, but it was a great way of imposing, through the back door, a tax increase in the State of Illinois. Now I appreciate the Governor's reasons for wanting to insist

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upon a tax increase as a way to resolve the problem of all these folks who are leaving our utility grid and buying gas and other energy items elsewhere, not subject to the state sales tax, because we are losing major money, given those exemptions - somewhere between 30 to 35 million today, and that amount will increase in future years. Representative Leitch's original Bill would have accelerated the amount of money we lose from our State Treasury by permitting more people to avoid sales taxes on their energy buys. The Governor's response, as I say, was creative, although perhaps unconstitutional, and his decision was to stop the drain, stop the loss of revenues from Illinois. I'm sure he was concerned about the billion dollar debt to providers of services in the Medicaid program. I'm sure he was concerned about our inability to run a prison program that is adequate to the number of convicts that we control. I'm sure he was concerned about our inability to provide hospice care to people in the Medicaid program, podiatry services and so forth to those people as well. So, clearly each and every one of us will make a decision. Do we want to stand with the Governor and impose a tax increase? Do we want to stand with Representative Leitch and create one more loophole in the state sales tax laws? I leave it, of course, for each and every one of you to decide, but I think it's important that all of us understand exactly what the Governor proposed in his Amendatory Veto. And each and every one of us ought to be thinking about how we pay the bill, if we don't go with the Governor and instead opt to go with Representative Leitch."

Speaker Black: "With no one seeking recognition, the Chair would recognize Representative Leitch to close."

Leitch: "I'd appreciate an 'aye' vote."

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Speaker Black: "The question is, 'Shall House Bill 1149 pass, the specific recommendations of the Governor to the contrary, notwithstanding?' All those in favor will signify by voting 'aye'; opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on this Motion, there are 112 'ayes', 1 'nay', 2 voting 'present'. This Motion, having received the required Constitutional Majority, the Motion to Override prevails. On page 3 of the Calendar, under the section Amendatory Veto Motions, appears House Bill 544. And on House Bill 544, the Gentleman from DuPage, Representative Persico, is recognized."

Persico: "Thank you, Mr. Speaker and Members of the General Assembly. House Bill 544, I move to accept the Governor's Amendatory Veto on House Bill 544. And basically what it did, House Bill 544, if you remember, is the so called Brownfield Legislation. By accepting the Amendatory Veto that the Governor had on House Bill 544, what it does is it removes the provision of proportionate share from this Bill. And I respectfully request that you accept the Governor's Amendatory Veto."

Speaker Black: "On this question, is there any discussion? The Gentleman from Cook, Representative Dart."

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

Speaker Black: "He indicates he will."

Dart: "How does the Governor's Amendatory Veto change the Bill as you passed it? Because I know it had a lot of support when it left here. What's the thrust of the...his Amendatory Veto?"

Speaker Black: "Representative Persico."

Persico: "Representative, basically by accepting the Amendatory

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Veto, we will be accepting all the language that set up the parameters for the clean up, which is much needed language, which is what we wanted the intent of the legislation was, but by the Amendatory Veto remove the provision of proportionate share and put it back to joint and several liability."

Speaker Black: "Representative Dart."

Dart: "Does that, in a certain sense, defeat the purpose of the Bill that you originally had dealing with the voluntary clean up and that?"

Speaker Black: "Representative Persico."

Persico: "Representative, this is a very key provision of the Bill. And what we have done over the past few months, have entered into negotiations with the Governor's Office and the EPA, as well as all the other interested parties, and we have made good faith progress in the sense of we're trying to come up with a funding mechanism that hopefully we will have a trailer Bill in the following, you know, week of Veto Session that will deal with this very issue again, but also deal with one of the Governor's concerns, which is orphan sites."

Speaker Black: "Representative Dart."

Dart: "But, won't the net effect of this, the way he's changing it though, discourage clean up because of the fact of the liability change because it'll... Instead of encouraging the volunteer clean up, by changing the liability scheme, won't it actually discourage the clean up?"

Speaker Black: "Representative Persico."

Persico: "Basically...Representative, basically, it will go back to the way it is now, will join several liability. And yes, it is my opinion that it will be somewhat of a hindrance in terms of voluntary clean up. That's why we've

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been negotiating in good faith with the Governor's Office to come up with this trailer Bill that will bring back a key provision, which is proportionate share, in a trailer Bill though in the next Veto Session."

Speaker Black: "Representative Dart."

Dart: "Then, in the trailer Bill, is the purpose of it, you're mentioning, is it to try to give us some type of funding mechanism? And if it is, can you explain to me what it is that you are envisioning?"

Speaker Black: "Representative Persico."

Persico: "Part of the process will be a funding mechanism that will help begin to clean up these orphan sites. I'm...We have not reached a full agreement on exactly what those...what the funding mechanisms are going to be, but it's, from my understanding, there will be no new fees involved in it."

Speaker Black: "Representative Dart."

Dart: "Nothing further. I yield my time to Representative Novak."

Speaker Black: "Further discussion on the issue? The Gentleman from Kankakee, Representative Novak."

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

Speaker Black: "He indicates he will."

Novak: "Representative Persico, I just learned about this new development, I guess I should say, by representative of the City of Chicago, cause they're so interested in this legislation. Before we came back to the Veto Session, I was called by the State Chamber of Commerce and was asked to put a letter together and send to my colleagues on the Democratic side of the aisle and urge them to vote to override this Bill. The IMA said we got to override this Bill, and the State Chamber says we got to override this

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Bill, and the Bankers Association says we got to override this Bill, and the Farm Bureau, and this group and that group and this group and that group and low and behold, 15 minutes ago, I just learned that we're...now we want to accept the Governor's Amendatory Veto. Could...I mean, what's going on? Could you get us all out of the dark? I seem to be a big Myron Kulas mushroom here. Can you get us all out of the dark and tell us what's going on, Vince?"

Speaker Black: "Representative Persico."

Persico: "Representative, as you are well aware, I usually deal very directly with you and tell you exactly what's going on during negotiations. This has been an ongoing process. There were...There was an attempt, or there was some movement to override the Governor. I believe that we had the votes to override the Governor, but as you know in this business, there are a lot of pressure points that bring other things that you need to deal with and hopefully do it in a manner that's acceptable to all interested parties."

Speaker Black: "Representative Novak."

Novak: "Can you explain these pressure points? I mean, was somebody massaging things in the Bill? I mean, why are we all...Why are we all in the same wagon now? What are we doing?"

Speaker Black: "Representative Persico."

Persico: "Well, as I mentioned, one of the pressure points is the ability to override, and I think that was a key pressure point in getting all parties that had a concern with this Bill to the bargaining table to negotiate in good faith. And it's exactly what we're doing right now. We're negotiating in good faith. We're making very good progress at coming up with a solution, which will make this Bill as good as it was in the original legislation. And hopefully,

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everyone will be satisfied with the end product."

Speaker Black: "Representative Novak."

Novak: "Thank you, Mr. Speaker. I know the big concern with the Governor's Veto was the liability aspects. Is that correct?"

Speaker Black: "Representative Persico."

Persico: "I think a bigger concern was what we were going to do with the orphan sites. And how were we going to find the money to help begin to clean up these sites."

Speaker Black: "Representative Novak."

Novak: "Representative Persico, I understand that because in my discussion with you a few minutes ago, the orphan site is not address...The orphan sites are not addressed in the legislation. Is that correct?"

Speaker Black: "Representative Persico."

Persico: "That's correct, but it's still a problem out there that we need to find some sort of solution, and the Governor's Office felt that we may be able to make some movement on this by having a trailer Bill that will deal with that as well as with proportionate share."

Speaker Black: "Representative Novak."

Novak: "Yes, the liability question, Representative Persico, is joint and several liability still in the Bill or is it comparable liability? What is it?"

Speaker Black: "Representative Persico."

Persico: "Joint and several liability will be in the Bill if we accept the Governor's Amendatory Veto."

Speaker Black: "Representative Novak."

Novak: "Okay, so you say joint and several liability will remain in the Bill if we accept the government's...Governor's Amendatory Veto. Well, isn't that one of the reasons why we put this Brownfield Bill together and moved it forward

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is because of the impediments that the joint and several liability concept was deterring businesses from...or government agencies from trying to determine who the liable property owners were and then subsequently assess liability on a proportionate basis so you can get these fields cleaned up in the first place?"

Speaker Black: "Representative Persico."

Persico: "You're...Representative, you're exactly correct. And if I felt for a moment that we were not going to be able to get proportionate share back into this legislation through a trailer Bill and at the same time, begin to clean up these orphan sites, which is one of the Governor's concerns, I would have not moved to accept his Amendatory Veto. I would have made a different Motion, but with the progress that's being made, hopefully, and it seems like we're going to have a very good opportunity to begin doing both - to begin to have proportionate share, which will help all these voluntary clean ups, as well as begin to address the issue of orphan sites."

Speaker Black: "Representative Novak, your time is expired. Bring your questioning to a conclusion. Proceed."

Novak: "I need some time. Time."

Speaker Black: "No one wants to give you any time. Yes, who's the Gentleman next to you seeking recognition? Yes, the Gentleman from Washington, impersonating former Representative Deering is recognized."

Deering: "Thank you, Mr. Chairman. I think we'll have some information in a week or so on what happened to the former Representative Deering, but since I'm standing in for this individual, I'd like to yield my time to Representative Novak."

Speaker Black: "That's fine, but I just...you're just a shadow of

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the former Representative Deering, I might say.
Representative Novak..."

Novak: "Yes."

Speaker Black: "...you've been granted an additional five
minutes. Proceed."

Novak: "Thank you, Representative Deering. Thank you, Mr.
Speaker. Representative Persico, are there any...Are there
any fees in here or any type of assessments on businesses
to create some type of revenue source to address these
orphan sites?"

Speaker Black: "Representative Persico."

Persico: "Well, first of all, Representative, I don't think you
should get a whole five minutes since it took about a
minute and a half for Representative Deering to yield his
time. But other than that, your question, which I will
answer is, no, they're no fees in this particular...in
House Bill 544."

Speaker Black: "Representative Novak."

Novak: "Well, maybe I was mistaken, Representative. Are there
going to be fees in a...Didn't you mention a trailer Bill,
a subsequent piece of legislation, that's apparently is a
result of these negotiations between the Governor and the
business groups to begin to address some of these orphan
sites? Is that correct?"

Speaker Black: "Representative Persico."

Persico: "Representative, that is correct and, you know, as
little ago as maybe 20 minutes ago, they were still in the
process of negotiations, and they began to really become or
make progress in this sense. Now if you're asking me if
there are going to be fees in this Bill, that...this
trailer Bill that's coming up, I highly doubt that there
will be any fees in the trailer Bill coming up. There will

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be some sort of revenue source, which we will be able to tap into to begin to clean up these orphan sites, but it's highly unlikely that there is going to be any fees involved."

Speaker Black: "Representative Novak."

Novak: "Representative, I was talking to a representative of the Realtors and these negotiations supposedly was going to increase some type of a transfer tax. Was that in part of the negotiations? Increase a real estate transfer tax to create some revenues for these Brownfield sites or these orphan sites?"

Speaker Black: "Representative Persico."

Persico: "Not to my knowledge, Representative, what we're beginning or what we're talking about is a fee that's associated...that's put on the business for...of the letter of remediation that they would receive."

Speaker Black: "Representative Novak."

Novak: "Well, let me summarize this, Representative Persico. Vince, you and I...You and I work very well on issues in the Committee and whether I was Chairman or you're Chairman now, I think our record speaks for itself. But there seems to be a lot of Members over here confused, and I'm not being facetious. There seems to be a lot of Members over here confused. Number one, they're confused because I sent them a letter asking them to override it. Now we find out 15 minutes ago that no, we want you to accept it. And I have spoken to anyone from the IMA or the Governor's Office or any other group, other than you a few minutes ago. So, could I ask you just for a few minutes to pull this out of the record, so at least myself and a few other Members and Leadership, Representative Granberg and few other individuals, so we can talk to the IMA and the Governor's

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Office and see what's going on here? We're just a little confused on this. Can I ask you for 15 minutes?"

Speaker Black: "Representative Persico."

Persico: "Representative, if that's your wish, I will pull this Bill out of the record for about 15 minutes in order for you to, you know, talk with the interested parties that are involved with this particular Amendatory Veto. But there's no hidden agenda here, Representative. Basically, what I was saying to you is true. We...You know, we did have...entertained a thought that we would override the Governor's Veto because proportionate share is a very key provision of this Bill. It is the intention of, in this trailer Bill, to bring back proportionate share in order to increase the voluntary clean ups that will be part of the benefits of this Bill. But by the same token, what we're trying to do is begin to deal with the orphan sites. In order to do that, we felt it was in the best interests of all parties to accept the Amendatory Veto, keep the negotiations going and deal not only with proportionate share, but also the orphan sites. But if you wish to have me pull the Bill out of the record for 15 minutes, I will do so."

Speaker Black: "Representative Persico, are you taking the Bill out of the record?"

Persico: "I would like to take the Bill out of the record for a few minutes."

Speaker Black: "Alright. Mr. Clerk."

Persico: "Mr. Speaker, if that's okay with you."

Speaker Black: "We'll grant the Sponsor's request. The Bill will be taken out of the record for approximately 15 minutes. Mr. Clerk, Committee Reports."

Clerk Rossi: "Representative Churchill, Chairman from the

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Committee on Rules, from which the following Joint Action Motions were referred, action taken on November 3rd, 1995, reported the same back 'do approve' for consideration Floor Amendment #4 to House Bill 2416; House Resolution 56; House Joint Resolution 63; House Joint Resolution 46; place on the Order of Concurrence House Bill 2349; place on the Order of Nonconcurrence Senate Bill 79; concur in Senate Amendment #1 to House Bill 2349; nonconcur in Senate Amendment #2 to House Bill 2349 and recede from House Amendment #1 to Senate Bill 79."

Speaker Black: "Yes. Mr. Clerk, a Supplemental Calendar Announcement."

Clerk Rossi: "Supplemental Calendar #2 is being distributed."

Speaker Black: "On page 3 of the Calendar, under total Veto Motions, appears House Bill 1810. And on that Bill, the Chair recognizes Representative Spangler."

Spangler: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the Bill that we have before us, 1810 for override of the Veto, would allow and create the deduction for individuals in the amount of...equal to the amount paid by taxpayer who is self-employed, a member of a partnership or a share holder in a Subchapter S corporation for health insurance or long-term health care insurance. Let me first of all say that when I came down here, I came down here as a Representative representing the people of my district and all the other districts in the State of Illinois. This Bill here, its major objection by the Governor was cost. It came out of Revenue that it would cost about \$9,000,000. Unfortunately, the figures on the other side of the fence indicating how many of these workers would be kept off of medicaid and what the impact of the economic vitality in Illinois for small business would be was not tabulated.

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Ladies and Gentlemen, this is not a tax break Bill. This Bill is about expanding health insurance to more workers and their families. If indeed we hope to be a strong state with regards to small business, the larger employer in the State of Illinois, I think it is absolutely imperative that we follow through as we did earlier in the Spring and give this Veto override a unanimous vote. I thank you for your support."

Speaker Black: "Is there any discussion? And on that, the Gentleman from Bureau, Representative Mautino, is recognized."

Mautino: "Will the Gentleman yield?"

Speaker Black: "Indicates he will."

Mautino: "Representative, I didn't, through some of the noise in the chamber, I didn't hear the full explanation on the Bill, but will this effect only the small businesses? We are talking about twenty-five or less employers."

Speaker Black: "Representative Spangler."

Spangler: "Yes, that is correct."

Speaker Black: "Representative Mautino."

Mautino: "So, we would not...in this, there would be no changes. We wouldn't be affecting anyone who is currently a risk exempt?"

Speaker Black: "Representative Spangler."

Spangler: "No. This just goes to improve the business climate in Illinois as I mentioned earlier by giving those small businesses that same level playing field that larger corporations currently have."

Speaker Black: "Representative Mautino."

Mautino: "Thank you for the explanation of the Bill and I do stand in support of the override Motion. It is an opportunity for those small mom and pop organizations,

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basically, yet a small tool and dye shop or someone who has a few employees, they can't take advantage of what we allow, 70% of the insured market to do, those who are...the rest are exempt. So, what we will do then, by passing this Bill, is give an advantage to the little guy and I think that is an important...important to all of the People of the State of Illinois."

Speaker Black: "Any further discussion on the issue? And on that, the Gentleman from Cook, Representative Dart."

Dart: "Will the Sponsor yield please?"

Speaker Black: "He indicates he will."

Dart: "Representative, about how much money is this going to cost the State of Illinois?"

Speaker Black: "Representative Spangler."

Spangler: "Representative, as I previously mentioned, Revenue has said that it would cost about \$9,000,000. I am not of the opinion that that is an accurate reflection of the cost simply because it has not been tabulated as to what benefits it would be, whereas we wouldn't have a lot of workers that could not afford health care through their employers on the medicaid roles. In addition to that, we need to create the economic vitality for small businesses here in Illinois."

Speaker Black: "Representative Dart."

Dart: "My understanding is the feds already pick up 30% of the cost of this. So, this would mean that the state would be picking up 70%? Would it not be accurate to say that the Department of Revenue would have the figures to tabulate this accurately, to give you a ball park figure between \$9,000,000 and \$10,500,000?"

Speaker Black: "Ladies and Gentlemen, excuse me for interrupting the debate, but there are some young pages down here with a

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large coffee and they have forgotten who ordered it. So, if you would help Mr. Rossi find who the coffee belongs to, it would help the young people in question. Thank you. I'm sorry, Representative Spangler. Will you respond to the question?'

Spangler: "Yes. Thank you, Speaker. As I already mentioned, they had come up with that cost that you mentioned as well, Representative Dart, and yes, I believe in the confidence of their figures from that standpoint without taking into consideration the afore mentioned numbers of people that would not be on medicaid as a result of not having this insurance."

Speaker Black: "Representative Dart."

Dart: "Did you have an estimate on how many people would be on medicaid as a result of not being on this insurance, though?"

Speaker Black: "Representative Spangler."

Spangler: "No, Sir, I do not. I would have thought though, during the assessment of what costs would be if those numbers would have been figured by the people that have that ability to do so."

Speaker Black: "Representative Dart."

Dart: "Now, is it not the case that right now, during the federal budget reconciliation debate, there is talk about the feds taking on 55% of this cost as it is right now?"

Speaker Black: "Representative Spangler."

Spangler: "That is precisely correct. I read in the paper as I am sure that you did that they are looking at 55%. It has not gone through yet, but they anticipate that it will."

Speaker Black: "Representative Dart."

Dart: "Would there be any problems posed by that? I mean, is there a need for us to wait until they are done so we know

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what the amount we are going to be picking up is? Is your Bill going to be able to handle that?"

Speaker Black: "Representative Spangler."

Spangler: "I think the language in the Bill will be able to take care of that, any changes in the federal...at the federal level. I also can remind everyone that the House has been trying to run this Bill for about three years, maybe a little bit longer than that. Both sides of the aisle have come to me and said, 'Steve, we need this Bill in Illinois'. I can assure you that we all voted 'yes' on this last time and I believe it was 42 'aye' votes in the Senate. I can also add that twenty-two different organizations and groups have called in full support of this measure. When we start talking about cost, I have a real hard time with that when workers lose their home, they lose their cars, they lose their credit, they lose everything that they have."

Speaker Black: "Representative Dart."

Dart: "I agree, Representative. That is why we push on different occasions, universal health care, which has not been well accepted around here because we are a little bit concerned about that as well and have thought about some long-term solutions. Because this, as you mentioned, is a very limited group of people. So, if we truly were concerned about the workers and the people that you are talking about, we would tackle the real problem, everyone, not just Subchapter S people here. So, I agree with your statement. Unfortunately, the actions have been louder than the words around this place because we have not tackled the problem, and people are not...they do not have the health insurance they need and people are losing their jobs and they are getting no benefits. So, I agree with your statement. I

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wish the actions were following up with it though, just as true. Is this Bill similar, identical, different, whatever, to Representative Feigenholtz's Bill at all?"

Speaker Black: "Representative Spangler."

Spangler: "I am not familiar with Representative Feigenholtz's Bill."

Speaker Black: "Representative Dart."

Dart: "From my understanding, it was, I think House Bill 1201 which was identical which maybe the two of you were clairvoyant, maybe that is how it worked. No further questions. Thank you."

Speaker Black: "Thank you. Any further discussion? On that, the Lady from Cook, Representative Feigenholtz, is recognized."

Feigenholtz: "Thank you. Ladies and Gentlemen of the chamber, I rise in support of this Bill. Very coincidentally, Representative Spangler and I were on the same page when we both sponsored this Bill. And although I definitely agree with much of what Representative Dart was saying about universal health care and many of the other issues that are important to a lot of people from the City of Chicago and the State of Illinois, I think we should all look upon this as an incremental move to helping Sub S corporations and small business which is probably the largest growing proportion of business in the state. We all voted 'yes' on this and we should override this Veto. Thank you very much."

Speaker Black: "And with no one seeking recognition, the Chair would represent...or recognize the Gentleman from Grundy, Representative Spangler, to close."

Spangler: "Thank you, Mr. Speaker. I think quite enough debate has been done on this override Motion. I think it is a good Bill. I believe in it. I believed in this Bill from

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the time I picked it up. It is so important to the State of Illinois. I don't care if it was Representative Feigenholtz's Bill or my Bill, I think we need to rise in support of small business and the workers in the State of Illinois and urge an 'aye' vote. Thank you."

Speaker Black: "And on this Motion that will require 71 votes to prevail, the question is, 'Shall House Bill 1810 pass?', the Veto of the Governor of the contrary notwithstanding. All those in favor signify by voting 'aye'; 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 Motion, there are 113 'ayes', 1 'nay', 1 voting 'present', and House Bill 1810, having received the required Constitutional Majority, the Motion to override passes. On Supplemental Calendar #2, there appears House Resolution #56. And on that Resolution, the Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. Members of the House, this summer the Nation mourned the death of a great balladeer, an entertainer, a movie star, just a great individual and unbeknownst to many in the State of Illinois, Burl Ives was a resident of...born and raised in Jasper County in my legislative district. Many of the townfolk there wanted to keep his memory alive of his entertainment and so forth and honor Burl Ives by naming a bridge on Route 33 in his honor. And so House Resolution 56, if you take the time to read it, does such. It requests to the Department of Transportation that a plaque be placed on the bridge east of Newton, Illinois on the way to Hunt City in Hunt Township in Jasper County which names that bridge the Burl Ives Bridge, and I would appreciate

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your support of this Resolution. I'd be happy to answer any questions."

Speaker Black: "And on the Gentleman's Motion, is there any discussion? The Gentleman from Cook, Representative Lang."

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

Speaker Black: "He indicates he will reluctantly."

Lang: "Representative, isn't Burl Ives the guy that sang Goober Peas?"

Speaker Black: "Representative Hartke."

Hartke: "You know, I really don't know, but maybe we could have Dave Phelps sing it for us and I'd be able to recognize it."

Speaker Black: "Representative Lang."

Lang: "Well, isn't he also the guy that played 'Big Daddy' in Cat on a Hot Tin Roof?"

Speaker Black: "Representative Hartke."

Hartke: "I don't know that."

Speaker Black: "Representative Lang."

Lang: "Well, I...you have to be consistent. I gave heat to the other side of the aisle yesterday when I asked them questions about their Bill they couldn't answer. Don't you know why this man is so famous?"

Speaker Black: "Representative Hartke."

Hartke: "Yes, he did appear in Sing Out Sweet Land in 1944 and he performed in Big Country. He did sing many balladeers in many programs. I have been told he is the voice of Frosty the Snowman. He may have sung Peas, Peas, Goober Peas."

Speaker Black: "Further discussion? Representative Lang."

Lang: "Well, why don't we call this the Big Daddy Bridge or the Frosty the Snowman Bridge? Why do we have to use his name?"

Speaker Black: "Representative Hartke."

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Hartke: "Because Big Daddy nor Frosty the Snowman were born and raised in Jasper County, Hunt City."

Speaker Black: "Representative Lang."

Lang: "If we name this bridge after Burl Ives, what will we name after you later?"

Speaker Black: "Representative Hartke."

Hartke: "I really don't know what is going to be named after me, but I would be honored to have a bridge named after me or an overpass would be fine."

Speaker Black: "Representative Lang."

Lang: "Well, I am going to vote for this reluctantly, but I am only doing so because of my respect for the Sponsor."

Speaker Black: "And on the Gentleman's Motion, is there anyone seeking recognition? Any further discussion? With no one seeking recognition, I assume you are ready to vote. All those in favor of the adoption of House Resolution 56 signify by saying 'aye'; opposed 'nay'. The Chair is in doubt, but I think the 'ayes' have it. The Resolution is adopted. Yes. The Gentleman from Effingham, Representative Hartke, for what purpose do you seek recognition?"

Hartke: "Mr. Speaker, I have been informed by one of your esteemed colleagues that since this does cost for the expenditure of some monies, and that would be for the plaque, the Department of Transportation would have to expand. I do need a Roll Call on this Resolution."

Speaker Black: "I thought I heard you say that you were going to pay for the plaque. I must have misunderstood you."

Hartke: "I don't think that was in the tape. If you would like to replay the tape, I don't think I indicated that."

Speaker Black: "You want to recognize him, but not to the point of writing a check, correct? I see. Alright. The

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Gentleman from Effingham, Representative Hartke, has raised a legitimate point. There might be an expenditure of funds for a plaque naming the only bridge in his county after Burl Ives, so we better have a Roll Call Vote on that. The question before you is, 'Shall House Resolution 56 pass?' All those in favor will signify by voting 'aye'; those opposed vote 'nay'. This is final action. 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 115 voting 'yes', 0 voting 'no', 0 voting 'present'. This Resolution, having required the requisite number, is hereby declared passed. On page 2 of Supplemental Calendar #2, there appears House Joint Resolution #46. And on that Resolution, the Gentleman from Dekalb, Representative Wirsing, is recognized."

Wirsing: "Thank you, Mr. Speaker. A quick explanation of House Joint Resolution 46. There is a task force on organ transplants that was formulated almost a year ago and the intent and purpose of that was to look at a whole variety of areas relative to the issue of organ transplantation from expense costs to availability of gathering of those organs and the whole realm. I think what is been interesting during this one year, life of that task force, is the fact that there needs to be more information, more time spent because of its intensity and the depth of this whole issue. The legislation that was put in place a year ago sunsetted the task force on December 31 of this year. So, the purpose of the Resolution is to extend the life of this task force until January 1 of 1997, and we are using the Resolution route because of the time element during the Veto Session. The intent would be to come back then next Spring with legislation to extend it out even further

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beyond that, because ultimately, we want about a three year extension. And I would take any questions or move for passage, whatever is appropriate."

Speaker Black: "You have heard the Gentleman's Motion. And on that, is there any discussion? No one seeking recognition. Representative Wirsing to close."

Wirsing: "I simply request an 'aye' vote on the Resolution. Thank you."

Speaker Black: "This will be final action. You have heard the discussion. All those in favor of House Joint Resolution 46 please vote 'aye'; those opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'aye', 0 voting 'no', 0 voting 'present'. This Resolution, having received the requisite number of votes, is hereby declared passed. On page 1 of House Calendar, Supplemental #2, appears House Bill 2349. On that, the Gentleman from Winnebago, Representative Winters."

Winters: "Thank you, Mr. Speaker. I move to nonconcur to Senate Amendments #1 and #2 to House Bill 2349."

Speaker Black: "The Gentleman moves that the House nonconcur with Senate Amendments #1 and 2 to House Bill 2349. And on that, is there any discussion? The Gentleman from Cook, Representative Dart."

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

Speaker Black: "He indicates he will."

Dart: "Representative, can you explain to me exactly what these...each Amendment does and why it is that we want to concur with them...or nonconcur?"

Speaker Black: "Representative Winters."

Winters: "I don't have the analysis in front of me at this

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point."

Speaker Black: "Representative Winters, let's take this Bill out of the record. Alright, we'll take the Bill out of the record for the time being."

Speaker Black: "On page 2 of the Supplemental House Calendar #2, appears House Joint Resolution #63. And on the Resolution, the Gentleman from McHenry, Representative Skinner, is recognized."

Skinner: "Mr. Speaker, I rise on a Death Resolution and included in the Resolution is a request to waive the rules prohibiting Death Resolutions. The Fox River Grove Tragedy teaches us what is really important in life. It is not what we do here. This Resolution... This Resolution."

Speaker Black: "Excuse me, Representative. Ladies and Gentlemen of the House, if you would look at the subject matter on the board of House Joint Resolution 63, will the House come to order please? Proceed, Representative Skinner."

Skinner: "This Resolution is an inadequate attempt to show Fox River Grove residents that we share their grief. Passage also designates the area as Seven Angels Crossing, a suggestion by students of Carry Grove High School. There may be more that this General Assembly may wish to do. My brother-in-law, Dr. Joe 'Geingrosch' who is chief of the Good Shepard Hospital's emergency room, his first comment to me after treating the students is that we should do...was that we should mandate seat belts in school buses. I referred him to the excellent and balanced Chicago Tribune article of Thursday last on the subject. Later that weekend, he concluded, if you are thrown out of the bus, you are dead. We have got to find a way to keep children in the bus. I asked John 'Gaglia' of the National Transportation Safety Board whether he was going to be

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making recommendations on seat belts. Mr. 'Gaglia' told me they would try. He said that the Illinois State Police had taken blood samples from every location inside the bus and will try to match those samples with individual students in an attempt to determine whether or not seat belts would have helped. I for one, am willing to wait for this scientific evidence to be analyzed by these world experts. Then we can argue whether parents should urge their school boards to follow any recommendations or impose another, probably unfunded mandate on local schools. Fortunately, not many parents have shared the experiences of having a child leave home and never return. As a result of the Fox River Grove accident however, all parents have tried to imagine that. My hope and prayer is that the tragedy shall have long lasting effects on the relationships between parents and their children. Mr. Speaker, I ask consent to add all Members as Cosponsors and move the adoption of this Resolution and because the expenditure of money is involved, I ask for a Roll Call. Thank you."

Speaker Black: "You heard the Gentleman's Motion. And on that, are there any questions...anyone seeking recognition? No one seeking recognition, I assume you are ready to vote. All those in favor of the Motion before you, this will be final action, please vote 'aye'; those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'aye', 0 voting 'no', 0 voting 'present'. This Resolution, having received a Constitutional Majority, is hereby declared passed. On page 1 of Supplemental House Calendar #2, appears House Bill 2349. And on that, the Gentleman from Winnebago, Representative Winters, is

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recognized."

Winters: "Thank you, Mr. Speaker. I would make a Motion to concur with Senate Amendment #1 to House Bill 2349."

Speaker Black: "You have heard the Gentleman's Motion. And on that, is there any questions? The Gentleman from Cook, Representative Dart."

Dart: "Thank you, Mr. Speaker. I wonder if the Sponsor would yield and explain to us the Amendment that we are concurring with here."

Speaker Black: "He indicates he will."

Winters: "Thank you. Senate Amendment 1 simply cleans up some of the technical language. We had in it the language on the examination section of the underlying legislation, but did not have it in the endorsement section that deals with examinations that are done in other states and then the nurse would appear in Illinois and ask for licensure based on the other state's exam. So it needed to be in both sections. It had inadvertently been left out."

Speaker Black: "Representative Dart."

Dart: "So it is fair to say this is a technical cleanup, that there is nobody opposed to?"

Speaker Black: "Representative Winters."

Winters: "That is correct. There is no one opposed."

Speaker Black: "Representative Dart."

Dart: "And just to clarify things also, this is just to Amendment #1, and as far as Amendment #2, you are going to nonconcur. Is that the plan?"

Speaker Black: "Representative Winters."

Winters: "That is correct. This is concurrence with Senate Amendment 1 only."

Speaker Black: "Representative Dart."

Dart: "And as far as you are aware, is the Senate going to recede

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from Amendment #2 or is this going to go into a conference?"

Speaker Black: "Representative Winters."

Winters: "I believe the Senate has agreed to accept the nonconcurrency with #2, Senate Amendment 2."

Speaker Black: "Representative Dart. Any further discussion? With no one seeking recognition, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2349?' All those in favor signify by voting 'aye'; 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. One hundred and fifteen voting 'aye', 0 voting 'nay'. This Amendment...is concurred with by the House. The Chair now recognizes the Gentleman from Winnebago, Representative Winters."

Winters: "Thank you, Mr. Speaker..."

Speaker Black: "On a Motion to nonconcur. Representative Winters."

Winters: "Thank you, Mr. Speaker. I make a Motion that the House nonconcur with Senate Amendment #1 to House Bill...2, #2 to House Bill 2349."

Speaker Black: "You heard the Gentleman's Motion. All those in favor say 'aye'; opposed say 'nay'. The opinion of the Chair, the Motion carries. The House does not concur with Senate Amendment #2 to House Bill 2349. On page 1 of the Calendar, House Supplemental Calendar #2 on the order of nonconcurrency, appears Senate Bill 79. And on that question, the Gentleman from Logan, Representative Turner, is recognized."

Turner, J.: "Thank you, Mr. Speaker. I move to recede from House Amendment #1."

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Speaker Black: "You have heard the Gentleman's Motion. Is there any discussion? And on that, the Gentleman from Cook, Representative Lang."

Lang: "Thank you. To the Gentleman's Motion, Mr. Speaker and Ladies and Gentlemen, we would support that. It is an initiative of the Illinois State Bar Association. It seems to be agreed. So, we are in support and we will be voting green."

Speaker Black: "Any further discussion? No one seeking recognition, the Chair recognizes Representative Turner to close."

Turner, J.: "I urge an 'aye' vote."

Speaker Black: "The question is, 'Shall the House recede from House Amendment #1 to Senate Bill 79?' All those in favor will signify by voting 'aye'; opposed vote 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes', 0 voting 'no', 0 voting 'present'. The House recedes from House Amendment #1 to Senate Bill 79. And this Bill, having received the required Constitutional Majority, is hereby declared passed. The Gentleman from Peoria, Representative Leitch, for what purpose are you seeking recognition?"

Leitch: "Thank you very much, Mr. Speaker. The Republicans would request a conference immediately lasting for about an hour."

Speaker Black: "Alright."

Leitch: "An immediate conference, a Republican conference please."

Speaker Black: "Will the Democrats be going to conference or will you be at ease? The Republicans have requested a one hour

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conference. Yes, the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. The Democrats do not want a conference."

Speaker Black: "Alright, fine. The Republicans will have an immediate conference. The Democrats will not be in conference. We will stand at ease for approximately one hour. So the House will reconvene at 12:40."

Speaker Daniels: "The House will come to order. Members will please be in their seats. Announcements from the Clerk."

Clerk McLennand: "Messages from the Senate from Jim Harry, Secretary of the Senate. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolutions in the adoption of which I am instructed to ask the concurrence of the House of Representatives to wit Senate Joint Resolution #68 and Senate Joint Resolution #59. These are referred to... Senate Joint Resolution #59 is referred to the Rules Committee."

Speaker Daniels: "Mr. Clerk, please read the Adjournment Resolution."

Clerk McLennand: "Senate Joint Resolution #68, offered by Representative Churchill. RESOLVED, BY THE SENATE OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Friday, November 3, 1995, the Senate stands adjourned until Tuesday, November 14, 1995, at 12:00 o'clock noon; and the House of Representatives stands adjourned until Tuesday, November 7 in Perfunctory Session at 10:00 o'clock a.m.; and when it adjourns on that day, it stands adjourned until Tuesday, November 14, 1995, at 12:00 o'clock noon. Adopted by the Senate

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Speaker Daniels: "Representative Black moves that House Rule 3-6a be suspended to allow the immediate consideration of the Adjournment Resolution. All those in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Motion passes. On the order of Amendatory Veto Motions, House Bill 544. Read the Bill, Mr. Clerk. Representative Persico."

Persico: "Thank you, Members...Mr. Speaker, Members of the General Assembly. House Bill 544 deals with brown field legislation. This is the Bill that we took out of the record earlier this morning. Again, I apologize for the confusion that might have caused some members, but basically what we would like to do here or what I would like to do is to, you know, move to accept the Amendatory Veto of the Governor. This part would take out the proportionate share aspect of House Bill 544. There has been ongoing negotiations between the Illinois Chamber, the Illinois Manufacturing Association, the EPA, the Governor's Office, Illinois Bankers, and many other groups. In order to come up with a settlement or some sort of settlement that we can deal with or begin to deal with the orphan sites in the State of Illinois. Another key aspect is...deals with proportionate share. This aspect, which has being Amendatory Vetoed right now will be put back in a trailer Bill which we will deal with in two weeks, hence, and I do appreciate...I would appreciate your support in accepting the Amendatory Veto for House Bill 544."

Speaker Daniels: "Any discussion? The Gentleman from Williamson, Representative Woolard."

Woolard: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Daniels: "Indicates he will."

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Woolard: "I understand that there has been some significant discussion around the quarters here today and maybe some people had some concerns. Have those concerns been worked out from...especially the farming community?"

Speaker Daniels: "Representative Persico."

Persico: "It is my understanding, Representative, that the Farm Bureau doesn't have any problems with the Amendatory Veto itself. They would like to see the language of what, you know, like many of us would like to see the final language of the trailer Bill and they were also concerned about the no further remediation letter. My understanding is they received that letter from the Department of Agriculture if there is a spill and not from Illinois EPA, which might deal with...what we are going to deal with with the trailer Bill. But I just received a memo that the Illinois Agricultural Association says 'yes' on this Amendatory Veto as well as..."

Speaker Daniels: "Representative Woolard."

Woolard: "So, in other words, you are saying that right now they are in agreement, but they would like to have some assurance that they would be able to participate in the future resolution of this issue. Is that correct?"

Speaker Daniels: "Representative Persico."

Persico: "I believe there are going to be many interested parties that want to see exactly what the final language of this trailer Bill will look like, yes. And I hope, you know, that everyone will be able to participate in this."

Speaker Daniels: "Representative Woolard."

Woolard: "To the Bill. I stand in support of the acceptance of the Amendatory Veto as presented with the understanding that the farming community would be players at the table in future negotiations on the completion of this Resolution."

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Speaker Daniels: "Representative Ronen."

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

Speaker Daniels: "Indicates he will."

Ronen: "Representative, you mentioned some meetings and gaining consensus with different groups, but isn't it true that the City of Chicago wasn't part of those groups discussing this issue?"

Speaker Daniels: "Representative Persico."

Persico: "The meetings that I attended, the City of Chicago was not there. It was Illinois Chamber and the IMA and the Governor's Office."

Speaker Daniels: "Representative Ronen."

Ronen: "Thank you for that answer. Yes, and I would just say to these Members, this is an issue that is of vital importance to the City of Chicago and while we have great faith in your abilities and that you will keep your word on these things, since we haven't seen the specifics of this trailer Bill, I would ask you first who...can I have your assurance that the city will be part of a future negotiations around this?"

Speaker Daniels: "Representative Persico."

Persico: "Representative, again, I apologize for whatever confusion there was on this particular Bill. As I said, it hit very rapidly and the negotiations were ongoing over the last few days. In order to try to meet everyone's concerns, I do apologize that the City of Chicago was not part. I know that they have seen the language right now and I am sure that, you know, within a two week period before we come back, everyone is going to have an opportunity for review and input on this language."

Speaker Daniels: "Representative Ronen."

Ronen: "Thank you, Representative. I take that as a very strong

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'yes' and I do appreciate that and I would just say, I am going to vote 'present' on this Bill and I would hope that in the future, we can follow a process that is more inclusive and especially when we are talking about the largest city in this state, and I would ask all my colleagues to support this position. Thanks."

Speaker Daniels: "The Gentleman from Jo Davies, Representative Lawfer."

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

Speaker Daniels: "Indicates he will."

Lawfer: "I think I heard you say earlier that you were talking about a follow up trailer Bill and so on. Is that a firm commitment that we will have a trailer Bill in two weeks?"

Speaker Daniels: "Representative Persico."

Persico: "It is, in my opinion, it is a firm commitment from all sides that are involved in this, you know, negotiation process that we are going to have a trailer Bill that is going to answer not only the Governor's concern, but the City of Chicago's concern and the concerns of all the other interested parties dealing with certain aspects of this Bill."

Speaker Daniels: "Representative Lawfer."

Lawfer: "Thank you very much. With those concerns, I think we need to move along. I think this is something and if this takes two weeks, well so be it. I would support your Motion."

Speaker Daniels: "Representative Novak."

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

Speaker Daniels: "Indicates he will."

Novak: "Representative Persico, I don't think you have to apologize for any inconveniences. Some of the other...some of the other Members indicated their apology to me outside

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because a lot of us were kept in the dark about this, but I think some of the anxieties on this side of the aisle are reflected in the fact that we don't know what this trailer Bill is going to look like. I know one draft has been put together and some of the Representatives from the City of Chicago are reviewing that draft, but as I understand it, that is not the final draft. Is that correct?"

Speaker Daniels: "Representative Persico."

Persico: "Representative, as you are very well aware, you know, until we actually put it on the board, that is when the final draft is and I think that from my understanding, these are the points that have been agreed to in the negotiations and I think that it will be very close to that, if not that language."

Speaker Daniels: "Representative Novak."

Novak: "Thank you, Mr. Speaker. Well, will the subsequent meetings that take place, will they have people, not only such as yourself, in the current interest groups that negotiated this so-called agreement, will there be Representatives from the City of Chicago there as well as Members from the Environment Committee to be present at this meeting on this trailer Bill?"

Speaker Daniels: "Representative Persico."

Persico: "Representative, as far as I am concerned, and I am sure everybody else is involved, that everyone is welcome to participate in these negotiations to come up with the trailer Bill that will be able to pass the full General Assembly."

Speaker Daniels: "Representative Novak."

Novak: "Thank you, Mr. Speaker. Yeah, because many of us found it quite hard to believe, since most of these orphan sites are in Cook County, that City of Chicago Representatives

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weren't involved in these negotiations, but apparently that is what occurred. But we want a real very, very strong commitment that those individuals that I mentioned will be apprised of all the language and the changes that are going to be put in this trailer Bill that manifests this decision of...or this agreement that was reached today or this morning for that matter. Is that correct?"

Speaker Daniels: "Representative Persico."

Persico: "Representative, you have my commitment that everyone is welcome to participate in hopefully that we will not, through our own failures, fail to communicate to the interested parties what is being done and that is what I apologize for, that maybe we didn't get back quick enough."

Speaker Daniels: "Representative Novak, nothing further? The Gentleman from Kendall, Representative Cross."

Cross: "I'd like to 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 Persico now moves that the House accept the Governor's specific recommendation for change in respect to House Bill 544. All those in favor signify by voting 'aye'; opposed by voting 'no'. This is final action. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 81 'ayes', 1 voting 'no' and 30 voting 'present'. This Motion, having received a Constitutional Majority, is hereby declared passed and the Governor's specific recommendation for change regarding House Bill 544 are hereby adopted. Supplemental Calendar #2, House Bill 2416. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2416. The Bill has been read a second

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time previously. Amendment #1 was adopted in Committee. No Motions have been filed. Floor Amendment #2, offered by Representative Andrea Moore, has been approved for consideration."

Speaker Daniels: "Representative Andrea Moore, Floor Amendment 2."

Moore, A.: "Thank you, Mr. Speaker. Today we consider House Bill 2416. As you may know, the Elections and State Government Committee has passed what is know as MVRA twice; once under democratic leadership and again under republican leadership. Now, you might ask why are we considering this legislation again. We are here to pass legislation that will bring the conveniences of MVRA, bring the uniformity of MVRA and most of all, bring the integrity of MVRA to the Illinois voters. This legislation will do so, and it also includes safeguards in three important areas: In person voting for first-time voters using mail-in registration. Number 2, retains the purge provisions currently contained in Illinois law and number 3, their enhanced anti fraud provisions. What is current law in Illinois? Illinois currently has a two tiered system. People who register by mail are only able to vote in federal elections. People who register through the convenience of driver's license facilities are only able to vote in federal elections. Individuals must go to another location in order to register for all other elections. The very heart of MVRA is convenience. It is easier to mail in your registration rather than going in directly. It is much easier to register at the same time you get your driver's license. So, how can we provide this important access, increase convenience and still provide the assurances of integrity? Simple. Two forms at the time of registration. Not

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registration twice, just two forms at the time you register. In a more perfect world, voter fraud would not be a concern. The history in Illinois tells us to be very cautious and I have one specific thing that is out of USA Today that I would like to read to all of you. This was September 25, and it talks about a test that was made from a Louisiana newspaper. They were trying to see if this mail-in registration would actually work and if the integrity of any kind of fraud would be protected. They mailed in twenty-five applications that were all bogus. Twenty were accepted by the clerk, two were rejected and one was damaged in the mail. There was really no other word on the other two. The law requires...this MVRA requires states to register voters by mail and at offices where driver's license, welfare and other services are provided. We are proposing to keep additional safeguards in Illinois law. What else is happening? You have heard over and over again that Illinois is the only state, along with Mississippi, that has not actually implemented MVRA. That simply is not true. There are several other states across the country that are in various levels of litigation. California passed a single tier system, but at the same time, it is also continuing on with its court challenge and it is at the United States Supreme Court. Kansas has a partial two tiered system. The federal election mail in registration postcards only accepted for federal elections, not state and local. Michigan has tried to implement...has had...ordering its human service agencies to implement MVRA only after the federal funds are made available to do so. Of course, there are no such funds. In the meantime, Michigan does not offer agency based registration. Mississippi has a pure two tiered

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system. It made no changes at all to its State Election Code. New Hampshire, where our country kicks off its presidential elections, where it has less than 300 units of local government, New Hampshire tried to opt out of MVRA by passing legislation adopting same day registration for federal elections of August of '94, the deadline stated in MVRA. Its legislation is being challenged in court by interest groups, not by the Department of Justice. It also passed legislation that has been signed by the Governor which will automatically put a two tier system into effect if it loses the court battle. Pennsylvania has officially established a one tier system, but will be just like...system that will be very similar to ours because it has anti fraud safeguards in it. It will go to a two tiered system if those safeguards are stricken. South Carolina is not implementing MVRA, but they have a very unusual circumstance because they had a federal judge retire in the middle of their court process. This legislation is not the perfect answer to every single concern that exists. But for Illinois, it is the best answer that we have to improve access. So, for improved integrity, for greatly improved access to registration, I think this legislation is worth doing. This legislation will bring the heart of MVRA into Illinois law. Be happy to respond to questions."

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I would like... I am joined by the requisite number of my colleagues to ask for a Roll Call Vote on Amendment #2 on its adoption please."

Speaker Daniels: "There will be a Roll Call on both this one and Amendment #4."

Granberg: "Thank you, Mr. Speaker."

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Speaker Daniels: "Okay."

Granberg: "And then if the Lady would entertain questions."

Speaker Daniels: "She certainly will."

Granberg: "Representative Moore, I heard you indicate that this is a simple way to enhance voter registration, very simple way. But my Republican County Clerk has asked me how simple this is. So, let me give you a hypothetical. In my home county, which is divided into two State Representative districts, and we have a precinct that is divided, how many ballots will have to be made available to the public in the primary election? How many different types of ballots?"

Speaker Daniels: "Representative Moore."

Moore, A.: "It would depend on how many different taxing bodies, units of local government and different people who might need federal ballots only because of the military base. Your Clerk could answer that question."

Speaker Black: "Representative Granberg."

Granberg: "I'm talking about the number of ballots, not the ballot style. So, we have a state election, local election, federal election and we have a primary. So, we have people who come into this precinct that is divided. How many ballots will have to be made available by my Republican County Clerk?"

Speaker Daniels: "Representative Moore."

Moore, A.: "If there are other issues such as referendum questions or things like that going on, that would be an issue, depending on the district that the referendum might be considered. I think it is impossible to answer that."

Speaker Daniels: "Representative Granberg."

Granberg: "Just a primary election, Representative. A primary election. We are going to the polls next week, there is a primary election, state office and state federal office."

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How many ballots will have to be made available to the people that come in there wishing to exercise their right to vote?

Speaker Daniels: "Representative Moore."

Moore, A.: "...the answer to this, Mr...Representative Granberg..."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, it is my understanding that my Republican County Clerk would have to make available 10 separate ballots in this precinct. Ten separate ballots, is that correct?"

Speaker Daniels: "Representative Moore."

Moore, A.: "I can't tell you how many districts and how many questions might be out there and how many different ballots might be there. Currently, we have a federal process that is two tiered. You know that. That is currently what we have."

Speaker Daniels: "Representative Granberg."

Granberg: "So, Representative, my Republican County Clerk tells me that he is going to have to make available ten separate ballots. Ten ballots in a precinct that only fifty people will vote. Now, he is worried about the cost, he is worried about the inconvenience. We have a state election. I don't know why we just don't do it one tier like we attempted to do with the democratic proposal, but hypothetically, we have an election. We have Democrat-Republican primaries. Now, with your system, we are going to have a three tier system. My County Clerk indicates to me that he is going to have to make available ten separate ballots for the people in this precinct. Is that not true?"

Speaker Daniels: "Representative Moore."

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Moore, A.: "Here is the fact. If he tells you that is how many ballots he is going to need, this legislation isn't going to change the number of ballots that that Clerk is going to need. That Clerk needs those ballots in the next election anyway."

Speaker Daniels: "Representative Granberg."

Granberg: "Representative, I don't mean to imply, but that is just not the case, Madam. There will have to be ten ballots made available. That is not the case under existing law. If we do a one tier system, that is certainly not the case. I don't know why we are discouraging people from taking part in the governmental process. Now, if that is the Majority Party's idea that we should have people not vote, not register, I think that you can do that, but we certainly don't want to do that. We don't want to increase political cynicism. We want people to participate in government. We want to suppress State Mandates. We had this debate yesterday, Madam, that said the state should not do these things at the cost of local units. And here we are telling our local county clerks, like my Republican County Clerk, he is going to have to eat the cost for this. He is going to have to spend \$40,000 that he does not have to provide ten different ballots for all these different categories of voters that will go into effect with your legislation. I am against Mandates. I am against the state telling these locals what to do. We want to encourage political participation. This discourages it. Now, this is ten separate ballots, one precinct, forty voters. Now, if we are going to do this statewide, this makes absolutely no sense, Madam. With all due respect, I would ask you to adopt in a system where we have a one tier system to encourage people to take part in government and

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in politics and not to hinder them for their participation."

Speaker Daniels: "Representative Ronen."

Ronen: "Thank you, Speaker. I rise in strong opposition to Amendment 2. Formerly, I was a Cosponsor with Representative Moore of House Bill 2416 because that Bill was a true implementation of Motor Voter. This Amendment changes all of that and let's be clear. What we are doing here is not implementing the Motor Voter Bill. What we are doing here is setting up more barriers and restrictions to stop people from voting. This is going to make it more difficult for people to vote. This is going to set up barriers which will cause people to be more cynical about government. The Representative talks about the fact that there are...there is only two forms, but not two tiers. Well, in fact, because there are two forms and there are no assurances that those forms are leaned together and when somebody is registered to vote, that all forms must be completed, we are in fact implementing a very, very complicated two tier and even three tier system. We will note in the Committee Meeting where this was discussed, witnesses uniformly opposed this. Editorials throughout the state have called for a true implementation of the Motor Voter Law. There is no reason... There is no reason that we can't. The Representative talked about what other states are doing. Well, let's remember Illinois and Mississippi are the only two states, no matter what you said, the only two states who are not implementing the National Voter...Motor Voter Bill. You know, it is one thing to be concerned that we are not implementing Motor Voter and that is a shame and a crime and we should all really be ashamed of ourselves. But what really is worse

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is to pretend that we are implementing Motor Voter in this Bill and try to fool the public. And what is going to happen when that public tries to vote, they are going to find that it is much more complicated than they imagined and people are going to lose that right and that is the most precious right we have in this country. So, I would ask all of my colleagues if they support open government, if they support the right for people to vote, that they must vote against this Bill."

Speaker Daniels: "Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. It is interesting that we have had a numeration of the number of ballots that might be necessary to be available in certain precincts. Of course they quote precincts that are split between various jurisdictions to begin with. I think we need to keep this all in perspective. Illinois voters were delivered by President Clinton and his administration an absolutely ridiculous piece of legislation, federal law that said that we had to register people to vote without even asking the question, 'Are you a citizen of the United States?' What my colleagues across the aisle want is to be able to say or to be able to rule that if you want to register, God forbid we should ask about your citizenship. Under your premise, in order to eliminate the number of ballots that would need to be necessary to carry on an honest election, you don't want to know if a voter is a citizen of the United States. Not only do you not want to know it, you want to prohibit by law a registrar from even asking that question. I wonder if one of you will step forward and tell us what the punishment for that registrar who breaks the federal law and says, 'By the way, are you a citizen of the United States?' Are you really a bona fide

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candidate for registration? I wonder what you want to do with them. Do you want to put them in jail? I wonder, will they qualify under the Truth in Sentencing Legislation? Let me tell you, we have fraud in elections today. We had a candidate on this side of the aisle walking precincts just last week. They found that in the last election, there were people who voted who were in fact, deceased before they voted, married and moved away, changed their name, but voted in that precinct. In St. Claire County, part of an area that I represent, we have evidence of the Democratic Party handing out \$2,000 in cash, not a check, not a voucher for reimbursement for legitimate expenses, but cash in small bills. What would you do with that on election day? Well, let me tell you what one Democratic Precinct Committeeman said that he did. He said that 'I give it in two and three dollar increments to voters to vote'. Guess what his reward was? I'm not drawing any implication from this, any direct correlation. But several months later, this poor destitute individual living in rented property...had his rented property where he had almost no valuable goods inside, his home was broken into and he was beaten just short of death. I don't know that the two are related. I certainly hope not. Do we have voter fraud today? Yes, we do. Let me tell you one more time why we have the problem. The problem is Bill Clinton. I have talked to Members of our Majority Congress and what they say, they would easily and recommend that we override the National Motor Voter Bill as it is written. We want easier registration, but we don't want aliens voting in United States elections. We don't want people voting who have never... Well, we are hearing from the aliens... We have never allowed that and we shouldn't.

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But they would pass that, but they know it is fate. President Clinton and his imminent wisdom would Veto the Bill. So, what is before us is trying to make the best of a very bad situation. You don't want to help us because we want to eliminate voter fraud. That's as simple as that. You don't, we do, it is clear President Clinton, the Members of the other side of the aisle stick together. They want to continue voter fraud in Illinois. We are doing our very best under bad conditions to limit voter fraud. I think you should vote according to whether you support voter fraud or not."

Speaker Daniels: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. Just to correct some misimpressions that the prior speaker may have left in your minds. Let me tell you that the application under the National Voter Registration Act, the application to become a registered voter specifically states, I am a citizen of the United States. It specifically provides that the individual sign the statement saying that I understand that if this is not true, I can be convicted of perjury and fined up to \$5000 and/or jailed for two to five years. That information, that affidavit is not in fact part of current Illinois law. If you want to dissuade people who are not eligible to register to vote, to dissuade them, if that is what you really want to do, your better off doing it under Motor Voter than you are under current Illinois law. There is no question that we are here today to try to address a serious problem. The serious problem is the two tier system of voter registration, a two tier system that makes it difficult that creates barriers, that creates obstacles for ordinary, everyday, Illinois eligible citizens who want to exercise

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the franchise. I was hopeful a month ago when I read in my newspaper that the leadership of this House wanted to solve that problem. I was appalled and outraged when I discovered this Tuesday, when I discovered this Tuesday, that the solution...the solution to the two tier problem is not the unitary's solution, the one tier solution that everybody else recommends, it's a three tier system. A three tier system that is only going to make it worse. The two tier system costs the County of Cook more than \$2,000,000 above what a unitary system would cost. Let me tell you that the three tier system is going to double that amount. So, we are talking, in Cook alone, more than \$5,000,000 in an unfunded mandate so people can register twice. Ladies and Gentlemen, that makes no sense at all. Fraud is not the issue here. The issue is the ability of people to participate in the electoral system. You want to talk fraud, let's find ways to stem fraud. Nothing in Motor Voter encourages. In fact, I would argue that the affidavit and the fact that someone who is signing up to get a driver's license is very unlikely to say, now I am going to fraudulently register to vote and here is my picture on this document so that you have an easy time coming after me. The real point is that the Majority Party in this chamber somehow thinks it's Democrats that will register if we go to a unitary, a single system. I would urge that you are on the fact, wrong. It is all citizens who need this opportunity and it is my belief that your proposal is a barrier, a nonpartisan barrier for Republicans, as well as people, who might choose to cast a democratic ballot. In Committee the other day, a representative of the League of Women Voters speaking against this proposal said that the two tier system is like

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offering us a beaten up, broken down Ford. And the three tier system you offer me is a beaten up, broken down Chevy. Well, the League of Women Voters, the people of this state, do not wish to choose between either of these alternatives. They are not good enough. The Members of this chamber have already adopted, overwhelmingly adopted with almost no negative votes, a unitary system of voter registration for Illinois. The Sponsor of this Bill and this Amendment, herself, has reported out of Committee a unitary system that does the job. Let's go back to the drawing boards. Let's do it right. We're talking about the opportunities of legitimate, eligible citizens to participate in their government. And when they find out, if they are lucky enough to find out, that the only way they can participate is to register twice. They are going to think we all lost our minds, in my sense is, they will be right. Vote 'no' on Amendment 2. We have time to go back and do the job right. We'll be here in two weeks time. Let's start... Let's go back to the drawing boards and let's do ourselves and our citizens a favor."

Speaker Daniels: "Representative Jones."

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

Speaker Daniels: "Indicates she will."

Jones, S.: "Could you tell me, will they have, when they register, do they have extra binders? Will they have separate binders from what the State of Illinois have, binders?"

Speaker Daniels: "Representative Moore."

Moore, A.: "It is my understanding it depends on how the Clerk keeps the records. If they can note that on the actual registration, then they will not. If they cannot, then they will. And also that the State Board of Elections is

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putting together a unified form."

Speaker Daniels: "Representative Jones."

Jones, S.: "If they do have the...separate binders, do you know if they going to hire more judges for this?"

Speaker Daniels: "Representative Moore."

Moore, A.: "Nothing in the Bill requires any additional judges to be hired."

Speaker Daniels: "Representative Jones."

Jones, S.: "But if we have six or seven binders on the desk, you are going to need more judges to mandate those binders. So, don't you think that we should put that in the Bill, that they have more judges, if this Bill happens to pass?"

Speaker Daniels: "Representative Moore."

Moore, A.: "I believe that the amount of judges that would be needed would depend on the turnout of the voters itself."

Speaker Daniels: "Representative Jones."

Jones, S.: "Just say, for instance, everybody in the binder decided to turnout and you don't have that many judges there. You have a chaos on your hands. And I am expecting the turnout going to be very great. So, don't you feel that they should have more judges if this happens to pass?"

Speaker Daniels: "Representative Moore."

Moore, A.: "I think that it is clear that the responsibility of administering the elections at the local level is the Clerk's responsibility and the Clerk will make that decision."

Speaker Daniels: "Representative Jones."

Jones, S.: "But this is the federal, right? This is federal state...federal and state?"

Speaker Daniels: "Representative Moore."

Moore, A.: "I don't understand what the question is."

Speaker Daniels: "Representative Jones, could you restate your

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question please?"

Jones, S.: "When you register with the Secretary of State, you only can vote in the federal election, right?"

Speaker Daniels: "Representative Moore."

Moore, A.: "That is right, Representative, and this Bill proposes to change that. It proposes to allow people to register for state and local elections at the same time they are going to register for the federal elections at the Secretary of State's Office and also through mail in registration. And also at all the agencies just like currently they are doing it now with only the federal, this Bill expands that to provide greater access of registration through the agencies, through the Secretary of State and through mail in."

Speaker Daniels: "Representative Jones."

Jones, S.: "Like now, we can vote for everybody. We can vote federal, we can vote state, we can vote whatever. You are saying that your Bill is going to do the same thing that we are doing now?"

Speaker Daniels: "Representative Moore."

Moore, A.: "Currently, people cannot go to the drivers' license facilities and register for state and local elections or they can't use a mail in form to register for state and local, only federal. If this Bill passes, then people will be able to register for both."

Speaker Daniels: "Representative Jones."

Jones, S.: "You are saying if I registered, if I registered at the Secretary of State, I will be able to vote under federal and state?"

Speaker Daniels: "Representative Moore."

Moore, A.: "If this Bill passes and you go to the Secretary of State's Office, you will be able to register for both the

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federal, like you can now, and also the state and local and go and vote like you always did, Shirley."

Speaker Daniels: "Representative Jones."

Jones, S.: "I have to register twice?"

Speaker Daniels: "Representative Moore."

Moore, A.: "You do not have to register twice, you do have to fill out two forms."

Speaker Daniels: "So I am registering twice if I am filling out two forms."

Speaker Daniels: "Representative Moore."

Moore, A.: "Either you are registered to vote or you are not registered to vote and you fill out two forms to be able to be registered to vote fully."

Speaker Daniels: "Representative Jones."

Jones, S.: "So, I do have the option of registering either state or federal? So, that is two forms. I am registering twice."

Speaker Daniels: "Representative Moore."

Moore, A.: "You must fill out two forms."

Speaker Daniels: "Representative Jones, your time is almost expired."

Jones, S.: "Okay. You are saying I must... I don't have to fill out those two, I can fill out one if I want to right?"

Speaker Daniels: "Representative Moore."

Moore, A.: "That is correct."

Speaker Daniels: "Representative Jones."

Jones, S.: "So, I am registering twice then, but I can only register once if I..."

Speaker Daniels: "Representative Jones, your time is expired. The Gentleman from Kendall, Representative Cross."

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

Speaker Daniels: "The question is, 'Shall the main question be

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put?' All in favor say 'aye'; opposed 'no'. The 'ayes' have it. Representative Moore now moves the adoption of Amendment...Floor 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? Have all voted who wish? Take the record, Mr. Clerk. On this question, there is 64 'ayes', 51 'nos'. This Amendment is adopted. Further Amendments?"

Clerk McLennand: "Floor Amendment #4, offered by Representative Andrea Moore, has been approved for consideration."

Speaker Daniels: "Representative Moore."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #4 enhances some of the issues that relate to voter fraud and...by requiring clerks to advise voters on absentee ballot applications of criminal penalties for vote fraud. Clerks must notify voters that it is illegal to solicit others to falsify their eligibility to apply for or cast an absentee ballot. It prohibits candidates from assisting physically incapacitated voters in marking absentee ballots. Additionally, absentee voters must mail in their own ballots as opposed to having someone else mail it in for them. Absentee ballot violations are subject to a Class 3 felony punishable by two to five years in prison."

Speaker Daniels: "Any discussion..."

Moore, A.: "...ask an 'aye'..."

Speaker Daniels: "The Gentleman from Cook, Representative Lang. No discussion? Representative Moore moves for the adoption of Amendment #4. 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? Take the

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record, Mr. Clerk. Amendment #4, there are 115 'ayes', 0 voting 'no', 0 voting 'present', and the Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Daniels: "Third Reading. House Bills - Third Reading. House Bill 2416. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill #2416, a Bill for an Act that amends the Election Code. Third Reading of this House Bill."

Speaker Daniels: "Representative Moore."

Moore, A.: "Thank you, Mr. Speaker. I think this issue has been discussed and debated by this House for a lengthy time. We all know the issue. The most important issue is to improve access to registration and guard against fraud. House Bill 2416, as amended, brings Illinois into compliance with the National Voter Registration Act of 1993 and it expands opportunities for individuals to register to vote in all elections in Illinois. A vote against this Bill is a vote against expanded registration. A vote against this Bill is a vote against...protecting against fraud. For improved integrity, for greatly improved access, vote 'aye'."

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

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in opposition to House Bill 2416. This is the...the area, the motor voter that the Governor of this state spent millions of dollars of our money to try to not let happen. He talked about fraud. There is a provision about fraud in this Bill which everybody supports, but let's take a look at what the Bill does. First of all... Excuse me. You are providing here for a mandate on local government. The Sponsor of the Bill has been a great proponent of taking away mandates from local governments,

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mandates away from school districts, mandates away from county clerks, mandates away from townships, mandates away from everybody. And yet, here is a mandate that is going to require county clerks to spend millions of dollars, millions of dollars printing extra ballots, preparing new ballot boxes. And let's take a look in practical terms as to what this three tiered system will do. Not just at the time of registration, which is chaotic enough, but let's take a look at the polling place on primary election day in 1996. Where I vote, there are three precincts that vote all at a high school. The county clerk will be required at that precinct on election day, on a primary ballot, to do the following: They will need three separate ballots for the Democrats, three separate ballots for the Republicans, three separate ballots for the libertarians, three separate ballots for any third party, separate ballots for nonpartisan elections. That is fifteen separate ballot styles, fifteen separate ballot styles. But it is worse. It is worse. It's worse because three precincts vote there. It gets worse, yet. At a primary election, there is not just one booth for every ballot, there is four or five. So, where I go to vote on primary election day, 1996, there will be as many as seventy-five to one hundred voting booths in the space the size of the Speaker's Well, the Clerk's Well. Where are we going to put one hundred voting booths in that size? Where will the election judges sit? Where will the voters stand in line to go to vote? This is chaos, chaos. The Sponsor of this Bill may want to talk about how this will open up the process and allow people to vote. This will have a chilling effect. Others have talked about a chilling effect on registering. That is bad enough. Now we are going to have a chilling effect

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on voting, not just by new voters who are aggrieved by this three tier registration process, but by people who have been registered to vote for fifty years. They are going to come to vote and there will be lines and machines and election judges and people and chaos everywhere. Where will people go? Senior citizens are not going to stand in those kinds of lines for two hours and figure out where to stand. They are going to go home. So, you are not only saying to the new registrants, jump through three hoops when you register and when you vote. You are going to say to every citizen of Illinois who is registered to vote, you must jump through hoops on election day. Go to work, be there on time, but do your civic duty. And if it takes three hours to figure out where to stand and where to vote, well, that is okay because we are so concerned about fraud. We are so concerned about who is going to register and who is going to vote, that we just don't want to make it easy for anyone to vote. So, now we are going to say to you, not only should you not register, but if it is such a hassle to vote, go on home. Go on home. And so in a society where 37% of our people voted in the last election, let's drop it to twenty-seven. Let's drop at the seventeen. In fact, why don't we just draw lots to see who will win elections. I don't think this is what we want to do. We don't want to make it more difficult for our people to vote, even if Representative Moore wants to make it more difficult to register, which I dispute, let's at least not make it more difficult for the people who are already registered to vote to go to the polls and cast their vote. This is a nonsense Bill. It is an unfair Bill. The people of our state will revolt if we pass this Bill."

Speaker Daniels: "Representative Deering."

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

Speaker Daniels: "She indicates she will."

Deering: "Representative, it says in the Bill now, as presented before us, an applicant for registration and this was the line of questioning we had the other day. Nowhere in this piece of legislation is it defined who an applicant for registration is. Who makes that decision of an applicant for registration?"

Speaker Daniels: "Representative Moore."

Moore, A.: "I believe we discussed that in the Committee and that an applicant is a person who applies to register."

Speaker Daniels: "Representative Deering."

Deering: "It doesn't say that in any language...in any printed language in the Bill. Now, if I walk into a... Let's go this route. If I walk into a Secretary of State's Office and want to register, I am already registered as of today, do I walk in... Do I have to ask the desk clerk or the person that is waiting on me for an application if I want to register?"

Speaker Daniels: "Representative Moore."

Moore, A.: "If you are already registered under the Code, there would be no reason for you to ask for an application."

Speaker Daniels: "Representative Deering."

Deering: "Well, as I understand it, the Motor Voter Legislation as it came down from the federal government, says that the person is supposed to ask an individual when they come into the office if they want to register. So, how would that desk clerk know if I am already registered or not?"

Speaker Daniels: "Representative Moore."

Moore, A.: "They are required to ask. That wasn't your question. You asked, 'Should I have to ask the Clerk?' Yes, the Clerk would have to ask you if you would like to register

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to vote at the agencies."

Speaker Daniels: "Representative Deering."

Deering: "Well, you just contradicted yourself from the answer that you gave me previously, but if the clerk does ask me to vote, does the clerk ask me only to vote for federal elections, or does the clerk, is the clerk required to ask me to vote for federal and state elections?"

Speaker Daniels: "Representative Moore."

Moore, A.: "The clerk is required to ask you if you would like to vote for federal elections and it is intended in this Bill that you be asked if you would like to vote for state and local elections, also."

Speaker Daniels: "Representative Deering."

Deering: "Same question then that I posed to you the other day, where does it say that in the Bill? Tell me what page and what line it says that the clerk must ask if I want to register for federal and state or local elections. It doesn't say it in here unless you can prove it to me. Show me what line and what page."

Speaker Daniels: "Representative Moore."

Moore, A.: "As we discussed in Committee, on page 15 on line 9."

Speaker Daniels: "Representative Deering."

Deering: "Well, on page 15, if you start reading on line 9 and read down through line 11, 12 or 13, it specifically says for federal office. It does not say anything for state and local elections."

Speaker Daniels: "Representative Moore."

Moore, A.: "On page 22, there is... On page 13, 'each applicant for registration either in person or by mail or after the effective date, shall be furnished the registration officer and application for...registering to vote in elections for federal office and an application form for registering to

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vote in state and local elections. Finally."

Speaker Daniels: "Representative Deering, your time is almost expired."

Deering: "Thank you, Mr. Speaker. I think if we go through the roster, I think I'll have someone to yield here, but... That is for mail in... On line...page 13, what line did you read that from, Representative?"

Speaker Daniels: "Okay, Representative Deering, your time is expired. Representative Moore, can you answer that question?"

Moore, A.: "I'm sorry. I didn't hear the question."

Speaker Daniels: "Briefly state your question, Sir."

Deering: "Well, the question was... The question was, where does it say that the...that the clerk has to ask an applicant for registration if he or she wants to vote to... I'm sorry. If he or she wants to register for state and local elections. Every instance or every item in the Bill that pertains to this says they are required to ask. It doesn't say if you give them an application, it says they are required to ask if they want to register to vote for federal elections."

Speaker Daniels: "Representative Moore."

Moore, A.: "On page 27, there is language that is repeated often that talks about the county clerk appointing the directors of different departments or a reasonable number of employees who may accept the registration of any qualified resident of the state at these offices and that is the language that will facilitate the opportunity for people to register at state and local elections."

Speaker Daniels: "Further discussions? Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. Just once more to reiterate. The same guy who brought us white water, gave

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us the keystone cop version of foreign policy, the largest tax increase in the history of the United States Government is responsible for this tobacco and his name is Bill Clinton. I hope we all remember it. There was going to be confusion on election day no matter what. What the Republicans have tried to do is bring sanity, fairness and honesty to that system. It is obvious that there are objections from the other side of the aisle to fair and honest elections. I don't know why. I wish you would not persist in promoting dishonest, unfair and unequal elections. But you will persist. The ultimate culprit here is Bill Clinton. I hope that the American public, in its wisdom, will remember that."

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

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

Speaker Daniels: "She indicates she will."

Mautino: "Representative, now, we understand that the program that the Governor put in place, the two tiered system, is an absolute disaster and does not work. And I think that we wouldn't be trying to change it if we all didn't acknowledge that fact. Now, as far as what you are proposing now at a third tier in there, I was wondering if you can tell me how many people have already registered, federal only, to date under the two tier system."

Speaker Daniels: "Representative Moore."

Moore, A.: "First of all, this is not something that the Governor of the State put in place. This is something that was ordered by a federal judge. This is federal legislation that we are trying to make work in Illinois and secondly, I don't have those numbers here. Perhaps the State Board of Election might have some estimate and we could try and get

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that for you."

Speaker Daniels: "Representative Mautino."

Mautino: "I could not hear the answer in regards to how many people. First of all, we should have just gone to a one tier system like the majority of the other states; however, how many people? I had heard 50,000, 60,000, 100,000. How many people are registered for federal only?"

Speaker Daniels: "Representative Moore."

Moore, A.: "Would that be those that were registered for federal only before the court order? Would that number be included?"

Speaker Daniels: "Representative Mautino."

Mautino: "How many are...have gone in under the impression... I tell you what, why don't we make this easy? Let me ask you this real simply. In five days, we got an election coming up. There is 50,000 or 60,000 people that are going to walk in and expect they are going to be able to vote. So, they are going to turn to their local county clerk, the election official, and say, well I went into the Secretary of State's Office or one of these and I registered, I should be able to vote. Now, your local county officials that we have mandated this very expensive system on which is going to cause them to do 12, 13, 14 ballots in a precinct, are going to have to answer for these. Do we have any idea or is there any provision in your legislation to notify those people who believe they are registered voters in the State of Illinois but are going to show up in five days and find out that we have withheld that right from them?"

Speaker Daniels: "Representative Moore."

Moore, A.: "One of the very reasons that we wanted to call this Bill today is because we are trying to fix this problem

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that currently exists in Illinois. That is why we have got it out here. We want to be able to say to people that the registration has been expanded, you will be able to register for state and local elections at the same time, unlike what has been happening over the past three months. Keep that in mind next week, that the House Republicans are in favor of fixing this problem for the registration."

Speaker Daniels: "Representative Mautino."

Mautino: "Then why don't we fix some of these things before we try and pass this Bill, which is going to add as I believe, David Orr had mentioned, and most of the county clerks that I have talked to, including my own Republican County Clerk, that if we are going to pass this...which is going to create additional headaches for them. We are not solving the problem as we so often do as we do down here in Springfield. This Bill is going to compound it. It will be more expensive and it will bar people from using the process. If you are going to go ahead and make the changes in the system, maybe you want to listen to some of the other members here and members of your own Committee who have asked questions. Who is eligible? Where is the language that Representative Deering had referred to? We don't see it in the Bill, so there is a great... In the rush to get this legislation put forward, which the Governor should have taken care of when the mandate came down from the feds and gone with the unitary system, we are going to fix it by adding more bureaucracy, another tier. I don't think that is the correct answer or the way the state should go. Thank you."

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

Hartke: "Thank you very much, Mr. Speaker. To the Bill. I

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really think we're trying to re-invent the wheel here. You know, if 48 other states have found an answer to this problem of the Motor Voter, surely we can look around and see what other states are doing and come up with a better conclusion to fix this problem what we're doing here. I would urge each and every one of you to vote 'no', and let's think about this. Run it again in another couple weeks with a true answer to this solu...problem. The editorials that I have read, I don't think this is the answer and I think we'd be in error. Confusing the public more is not solving the problem, and I urge a 'no' vote on this legislation."

Speaker Daniels: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I followed the debate with a great deal of interest, and perhaps one of the problems is, if we refer to this as Motor Voter, we haven't gone far enough. You see, I wanted to propose an Amendment that would have put a real motor in this Voter Bill. I think we should mandate that every drive-in window in the State of Illinois, in a fast food restaurant must ask if you want to register before you pick up your french fries. I think every time you go to a drive in window that's your dry cleaning, they should ask you before you pick up your dry cleaning, can we register you to vote? You know, I could go on and on and on, and that's kind of the assinity of MVRA. Let me tell you what I think the real issue of this Bill before us is, and don't cover it up, don't sweep it under the rug, don't put it in the closet and shut the door. The real thing that many of us are concerned about, and I dare say some of you are concerned about, is the

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fraud possibility that exists under MVRA. When you can register by mail and never have to show up to vote, and you change the purge requirements, so that it makes it more difficult to move a deceased individual from the registration rolls. Don't discount the fraud provision that we're attempting to add in here. We are not restricting registration, we are expanding registration opportunity, by this Bill. Think back with me if you will to the 1960 election. One of the first elections I recall on nationwide t.v., a cliffhanger as you'll recall. What city was it that kept all of us awake for more than 30 hours before we knew the results of the 1960 election. I believe it was that great city up north on the lake. And I don't want to misquote anyone, but I think, I think at that time, after the 1960 election, the gentleman who held high office in that city, when being congratulated for delivering the vote that elected John F. Kennedy, how did you do it? And I hope I'm not misquoting, but as I recall, he said something about the river precincts came in a little late, but they came in. You know Ladies and Gentlemen, there is a sanctity in the electoral process, and if there is vote fraud in any corner of this state, it impacts each and everyone of our districts. Because a vote cast fraudulently in my district could impact the results of a race that you and your district were very, very interested in. We have an issue here of federalism versus state's rights. I thought for years, we in this chamber set the basic registration rights and procedures of the people of the State of Illinois. And the federal government has made reasonable changes and service men and women voting absentee, and being able to vote in federal election if you didn't meet precinct and state

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requirements. And now they have foisted on us what many states have gone to court for, and New Hampshire as the Sponsor indicated went to same day registration and is still being sued. There is by many of us on this side of the aisle a deep concern about protecting the sanctity of the electoral process. The secret ballot. The ability to cast your vote and have it count and have it mean something. But beyond that, I'll say what I said last spring, the real issue in my opinion, is not whether or not you register to vote, I'm a deputy registrar, I dare say many of you are deputy registrars. I can put, as County Chairman, I can put hundreds of registrars out on the street tonight. I have gone to people's homes and registered them. I can't go to an event in my district, that the county clerk or the board of election commissioner doesn't have a booth set up to register to vote. We literally take every opportunity throughout this state to register people to vote. And as a earlier speaker said, chaos. And I quote what he said, 37% of the eligible voters, voted in the last election. Holy toledo, is that a fault of the registration process? Maybe we should reserve some of righteous indignation and pass a national voting Voting Rights Act. It is very disturbing to me, that we continue this path to where the individual takes no responsibility. It's a right to vote. A right bought and paid for by many of our fathers and grandfathers, and men and women of our service who have died to give us that right. And maybe we should focus some of this righteous indignation, what's happened? Why do only 37% of the eligible voters vote? Is that a fault of registration? I don't think so."

Speaker Daniels: "Can you bring your remarks to a close Sir?"

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Black: "Mr. Speaker, I will. I simply would say to you, that there is a responsibility in this process, and that preventing fraud is part of the responsibility is part of that process. I leave you with a joke that many of you have heard, I don't know, I can't give attribution, but allegedly a politician in that great northern city on the lake, on his deathbed, called his family together, and said, 'I want you to promise me one thing. Yes, grandfather what is it? When I die, please make sure that I'm buried in the City of Chicago. Oh we will grandfather, we will, but why? So I can stay active in politics'."

Speaker Daniels: "Representative Ronen."

Ronen: "Thank you Speaker. The previous speaker spoke a lot about fraud, but let's be clear when we're talking about fraud. The only fraud happening here today is this bogus Bill that we're passing and calling it election reform. The speaker also talked about why people don't vote. Maybe they don't vote because they can see the kind of process that goes on and the kind of distortions and lies that go on in this chamber and the kind of Bills that we try to pass that only place obstacles and barriers in front of people voting. That's not what MVRA is all about. MVRA is very simple. It says, let's make government run more smoothly. Let's make government run more efficiently. Let's say when people come to get a drivers license, when people come to a state office, enroll for some program, let's do the efficient thing and let's allow them to register to vote at the same time. What MVRA does is, make it easier. It makes government work better, and the result of government working better, means that more people can vote, more people have access to voting. This issue of trying to deny rights of saying that the concern is

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citizenship, MVRA sets forth specific procedures. People have to declare whether they're citizens. This is a red herring. A total red herring to be used to make it more complicated for people to vote. I would just ask that Members in this chamber, think very carefully about what they're doing. The rhetoric today is going to be gone when people actually go to the polls and find out that they can't be registered to vote, and when they find that out, they're going to say, who set up this stupid system. Who set up this system that is taking away my most precious right. And that's what this Bill would do. So I ask all the Members to use some common sense and think about the citizens and to fulfill our fundamental responsibility to those citizens and vote 'no' on this Bill."

Speaker Daniels: "Further discussion? The Gentleman from Kendall, Representative Cross."

Cross: "I'd like to move the previous question, Mr. Speaker. Thank you."

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

Moore, Andrea: "Thank you, Mr. Speaker. Ladies and Gentlemen. It's important to remember some things about this Bill. Number one, it is definitely going to make it easier for people to register in this state. This is a federal mandate that we are bound to implement. The clerks are only required to keep records to distinguished different groups. They are not mandated to keep tiered systems such as you are speaking of. There are two really important issues that this whole House should understand because we had a very strong debate on this issue and voted in support of it. If we do not pass this legislation today, there

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will be no requirement for voting in person when you do...when you vote the first time if you mail in registration. There will be no mail in registration at all for state and local elections. One of the very hearts of MVRA is to improve the access. Twenty four sixteen, brings Illinois into compliance with the National Voter Registration Act. For improved integrity, for greatly improved access, please vote 'aye'."

Speaker Daniels: "The Lady moves for the passage of House Bill. The question is, 'Shall House Bill 2416 pass?' All those in favor signify by voting 'aye', opposed by voting 'no'. This will take 71 votes. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record Mr. Clerk. On this question, there are 64 'aye', 51 'no', and this Bill having failed to receive the necessary, extraordinary majority, is hereby declared lost. Clerk for announcements."

Clerk McLennand: "Message from the Senate by Jim Harry, Secretary of the Senate. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has accepted the Governor's specific recommendations for change which are attached to a Bill with the following title, the acceptance of which I am instructed to ask concurrence of the House: Senate Bill 46, action taken by the Senate on November 3, 1995."

Speaker Daniels: "Representative Churchill in the Chair."

Speaker Churchill: "House Resolution #59. Mr. Clerk, would you please read the Resolution. Ladies and Gentlemen, this is a Resolution on the death of one of our Supreme Court Justices. Perhaps the Body would like to rise and pay attention to those who will address the issue and pay respect to the family and the person who has passed on.

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Mr. Clerk, would you please read the Resolution."

Clerk McLennand: "House Resolution #59.

WHEREAS, The members of the House were saddened to learn of the death of former Illinois Supreme Court Chief Justice Thomas J. Moran on Thursday, September 14, 1995; and

WHEREAS, He was born in Waukegan on July 17, 1920; he was a graduate of Lake Forest College and Chicago-Kent College of Law; and

WHEREAS, Thomas Moran was elected State's Attorney of Lake County in 1956 and began his career on the bench when he was elected Probate Judge in 1958; in 1961 he was elected Circuit Judge in the 19th Judicial Court, where he later served as Chief Judge; he was appointed to the 2nd District Appellate Court in 1964 and was later elected and served on that Court until he was elected to the Supreme Court in 1976; and

WHEREAS, Thomas Moran served on the Illinois Supreme Court from 1976 through 1992 and served as Chief Justice from January 1, 1988 through 1990; and

WHEREAS, Through his leadership and compassion, he personified the nobility of public service; and

WHEREAS, His passing will be deeply felt by his family and friends, especially his wife, Mary Jane; his children: Avis Lennarson, Kathleen Litz, Jane Smythe, and Tim Moran; 17 grandchildren; and 2 great-grandchildren; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we note with sorrow and regret the death of Justice Thomas J. Moran and extend our sincere condolences to his family and friends; and be it further

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RESOLVED, That a suitable copy of this resolution be presented to his widow, Mary Jane Moran.

Speaker Churchill: "The Chair recognizes the Gentleman from DuPage, Speaker Daniels."

Daniels: "Ladies and Gentlemen of the House. Tom Moran was my friend. He was your friend too. He was Illinois' friend and truly Illinois son. He rose in the ranks from States Attorney to Probate Judge to Circuit Judge to Appellate Judge to Supreme Court Judge and ultimately, the Chief Justice of the Illinois Supreme Court. I first learned of Tom Moran when he attended law school with my father, Chicago-Kent Law in Chicago. And I learned of the name and the person because my dad admired him during the time they were in law school. And throughout my life, as Tom Moran progressed in his individual profession, his name kept on popping up with as name to be held with high respect and esteem. In 1975, I was asked by Tom Moran to run his campaign for the Supreme Court. And I thought that was rather interesting and by the way, quite an honor. I had never thought about running a campaign for Supreme Court Justice. But I knew Tom, I respected him, and I took on the challenge. What I didn't know, is that although he asked me to run a campaign, he in fact, was going to run his own campaign. And for any of us in this business of politics, you understand the true meaning of a politician who not only runs his own campaign, knows his own campaign, but does everything right. We'd go visit a coffee shop in western Illinois. People had no idea who Tom Moran was. They'd walk in, I'd go over there to sit down, he would work every table in the room, shake everyone's hand and tell a little story, and by the time he sat down to have a cup of coffee, he had every vote in the coffee shop. I

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looked at him and I said, 'What is it you expect me to do?' He said, 'Run my campaign.' And I said, 'Okay, the next time we go in a coffee shop, I want you to shake every hand, meet every person there, and get to know them well.' So, as I got to know Tom, and you know he was successful in that election, and as I got to know him, I found out the real reason, that not only the people of Lake County, but the people of Illinois had elected him progressively to higher office and why ultimately he ended up to be the Chief Justice of the Illinois Supreme Court. Tom loved life. He loved people. He wanted to participate in every aspect of it. I remember times he would call be from the Supreme Court and he said, 'What are you doing tonight kid?' And I said, 'Well, I don't have much to do.' Well, let's have dinner. We'd go out and we'd have dinner. He'd talk about politics and he'd ask me how things were going. He asked me what's happening in the House. We'd talk about a case, and I' say, 'You know Tom, there's some of us who don't like the way that you ruled on that case and the opinion you wrote.' He said, 'Then tell me I'm wrong. Go to the House floor, draw a Bill, pass the Bill and tell everyone the Supreme Court was wrong. That's what this is all about. You don't like it, tell them we're wrong.' And I learned then that he had a true love for the law, but he also understood the difference between the branches of government, and the fact that the Legislature ultimately was responsible for the implemenation of laws. And he respected that difference. But more than anything, it was his love of life that kept him coming back. A true Irishman. You could find him at times singing, at various bars, a good Irish song. And did he love to do that. And by the way, he didn't have a bad voice. And he raised four

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children with his wonderful wife Mary Jane, and he now left 17 grandchildren and two great-grandchildren. But more than that, he left the legacy of Tom Moran. The Irishman, the individual, the former States Attorney, the former jurist. A person that cared about this state, loved the law, and loved each and every citizen in this state. I was enriched, truly enriched by my personal friendship with him, and gratified by the advice that he gave me throughout the time that we knew each other. So when he passed away, you always think of those moments. Those moments of what your relationship with an individual meant. And to me, it was the reward and enrichment to have shared some time with this great American, and I am very grateful for that. So Mr. Speaker, and Ladies and Gentlemen of the House, I talk of the memory of Tom Moran because I will carry the benefit of our relationship for the rest of my life, and I speak of it with a great deal of honor and respect and gratitude for what he has done. For me, for you, and all of the people of Illinois. So Chief Justice Thomas J. Moran, rest in peace. God bless you."

Speaker Churchill: "Speaker Daniels now moves that all Members be added as cosponsors. Is there leave? Leave is granted and all Members are added. Speaker Daniels now moves for the adoption of House Resolution 59. All in favor signify by saying 'aye', any opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and House Resolution 59 is adopted. And now Speaker Daniels has moved that the House stand adjourned until Tuesday, November 14, 1995, at the hour of twelve noon with Perfunctory Session on November 7th. All those in favor signify by saying 'aye', any opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and allowing Perfunctory time for the Clerk, the

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House now stands adjourned until Tuesday, November 14, 1995, at the hour of twelve noon with Perfunctory Session on November 7th at 10:00 a.m."

Clerk McLennand: "This Perfunctory Session will be in order. Introduction and First Reading of House Bills. House Bill 2554, offered by Representative Holbrook. A Bill for an Act to amend the Toll Bridge Act. House Bill 2555, offered by Representative Woolard. A Bill for an Act concerning the enclosure of private swimming pools. House Bill 2556, offered by Representative Moffitt. A Bill for an Act to amend the Illinois Pension Code. Introduction and First Reading of these House Bills. Being no further business, the House Perfunctory Session stands adjourned and the House will reconvene in Perfunctory Session on Tuesday, November 7th at 10:00 a.m., and the House will reconvene in full Session on Tuesday, November 14th at the hour of twelve noon."

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