

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

143rd Legislative Day

November 21, 1996

Speaker Daniels: "The House will come to order. The Members will please be in their seats. Those not entitled to the floor, please retire to the gallery. Our Pastor for the day is the Assistant Doorkeeper, Lee A. Crawford, who is the Assistant Pastor at the Victory Temple in Springfield, Illinois. Guests in the gallery may wish to rise for the invocation. Pastor Crawford."

Pastor Lee Crawford: "Let every head be bowed and every eye be closed. Father, we humbly come before You with an open mind, with an open heart and with an open will. A will to serve You, a will to honor You and a will to trust You, to depend and to rely on you. So as Your servant David said in the Psalms, 'The Lord is my shepard and I shall not want.' So, Lord, be our shepard this day, be our guide this day, be our protector this day and our provider this day. In Your son's name we pray. Amen."

Speaker Daniels: "Thank you, Pastor Crawford. We'll be led in the Pledge of Allegiance by Representative Lyons."

Lyons: "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 on the Democratic side of the aisle for any excused absences."

Currie: "Thank you, Speaker. Please let the record show that Representative Kaszak is excused because of a death in the family. Representative Martinez because of illness and Representative Blagojevich because he's off learning how to be a lawmaker."

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

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Cross: "And thank you for recognizing me, Mr. Speaker. Representative Tom Johnson is absent today. If the record would please reflect that, as is Representative Cowlshaw. Thank you."

Speaker Daniels: "Representative Cross."

Cross: "I believe those are excused absences, too. Thank you."

Speaker Daniels: "The record will so reflect. Mr. Clerk, take the record. There are 113 Members answering the Roll and a quorum is present. The House will now come to order. Introduction of Resolutions."

Clerk McLennand: "House Joint Resolution #140, the Adjournment Resolution, offered by Representative Churchill. Referred to the Rules Committee."

Speaker Daniels: "Mr. Clerk, on page 3 of the Calendar under Amendatory Veto Motions, appears House Bill 3193. Representative Parke."

Parke: "Good morning, Mr. Speaker, Ladies and Gentlemen of the House. I would ask that we accept the Governor's Amendatory Veto on House Bill 3193. The...this Bill is the Toxic Substance Disclosure to Employee Act and we wanted to change the definition of toxic substance to match the definition in the federal law. I agree with these changes because the federal definition is broader, more up-to-date and more protective of workers. And the whole concept of the legislation was not to be duplicative or to make it easier, yet still be able to provide the information necessary for people who have to know what is the content of various chemicals or products that would be found in the workplace. I would be happy to ask (sic-answer) any questions and would ask the Body to accept, along with myself, the Amendatory Veto on House Bill 3193."

Speaker Daniels: "Is there any discussion? The Gentleman from

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Cook, Representative Lang."

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

Speaker Daniels: "Indicates he will."

Lang: "Representative, I'm unclear as to why the Governor deleted the requirement that these compilations be reported to the Department of Labor. Can you tell us why he did that?"

Speaker Daniels: "Representative Parke."

Parke: "Certainly. On the face of it you might think that that's what's happened, but in essence, the federal guidelines are more comprehensive and more of a disclosure than the state's were. And so, therefore, we are now going to use the federal guidelines as the basis of this because it's a better system. And in addition, that through OSHA, which is where they'd be reported to, all they have to do is pick up the phone, call and ask for OSHA and that would be on file and it's more comprehensive and it's a better system than we have in the state."

Speaker Daniels: "Representative Lang."

Lang: "So, this is all reported to OSHA. Is that correct? And if that is correct, then how do we in Illinois, how would the Illinois Department of Labor or anyone in the General Assembly access that? Would we be able to call OSHA and get a list of everything that happened in Illinois, or would we have to do it on a case by case basis. Maybe you can enlighten me."

Speaker Daniels: "Representative Parke."

Parke: "That's a fair question. Yes, they would call OSHA and ask for the...Most of the time, Representative, it would be used if there's an oil...if there's a spill of a chemical, that we would find some employee that would getting sick or a number of employees that would be getting sick, or there would be a concern on a rash or something. That employee

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deserves his position, deserves to know exactly what is the makeup of that chemical in that workplace. The employee would also have his own files and they would be able to access those also, but 'if there was a question on - maybe it was a late shift and there was nobody in the office, they could dial OSHA and OSHA would be able to have that on file and tell them what was the content of that chemical spill or whatever was involved in the chemical or product that was used in that company."

Speaker Daniels: "Representative Lang."

Lang: "Well, I think I understand that the federal guidelines are better and that the report to OSHA is sufficient, but should we not require the Department of Labor to at least monitor those OSHA reports so that we in Illinois have a good handle on what's happening? If we want to say, as a policy consideration, that we don't want these reported directly to the Illinois Department of Labor on a case by case basis because it's too voluminous or whatever, should we not at least require them to monitor the OSHA reports?"

Speaker Daniels: "Representative Parke."

Parke: "Representative, we have literally millions of entries. It would be impossible to monitor them. I understand what you're trying to say, but it's just not practical. That's one of the reasons why the legislation was presented, it's there if it's necessary. Rarely will it be necessary, but to cut down the bureaucracy, the cost of doing business in Illinois. We think this is a wise and comprehensive approach to it and the information will be accessible to whoever needs it. I think this veto is a good veto and I would ask the Body to sustain the the Governor's veto...Amendatory Veto."

Speaker Kubik: "Representative Lang."

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Lang: "I thank you for your comprehensive answers to my questions and I'll support your Motion."

Speaker Kubik: "Representative Kubik in the Chair. The Chair recognizes the Gentleman from Effingham, Mr. Hartke."

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

Speaker Kubik: "The Sponsor indicates he will yield."

Hartke: "Representative Parke, bottom line. In your opinion does this weaken the legislation to what we passed in the General Assembly last spring?"

Speaker Kubik: "Representative Parke."

Parke: "It's not a matter of weakening at all. It's a matter of doing away with repetition in reporting requirements that are not necessary. The federal guidelines, in essence, are stronger than the states were in the first place and we're just going to use the federal guidelines as the basis of whatever is reported; and it had to be reported that way to OSHA anyway. So, we're just going to use their guidelines. It comes from the department themselves. They say it's easier, it's more comprehensive and the information is available through OSHA."

Speaker Kubik: "Representative Hartke."

Hartke: "Thank you very much for your answer."

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

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

Speaker Kubik: "The Sponsor indicates he will yield."

Novak: "Yes, I apologize, Representative Parke. I was outside and I know at the time this Bill passed earlier this year, I don't think there was any opposition to it according to the roll calls. But was it the reason why the Governor

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changed some of the language cause he just didn't feel comfortable that it spelled out the actual intent of the Bill? Is that the reason why he sort of realigned some of the language?"

Speaker Kubik: "Representative Parke."

Parke: "He wanted...It's my understanding, according to the Veto Message, that he wanted to strengthen the definition of toxic substance to match the definition of the federal law. And it was a mistake in drafting that it wasn't defined properly to make sure that the intent of what the department wanted to achieve and that's what he amendatorily vetoed to make sure it was clear and what that definition was."

Speaker Kubik: "Representative Novak."

Novak: "So, I...The answer is yes. Okay. So...And one other thing, the material data safety sheets. That requirement is deleted. That's still in the Bill, right? The deletion of that?"

Speaker Kubik: "Representative Parke."

Parke: "To make sure I give you the correct answer, staff is reviewing that right now to make sure that you get a correct answer. Representative, if you'll review page 5, your answer is correct and that information is available from the employer upon request."

Speaker Kubik: "Representative Novak."

Novak: "Okay, thank you, Representative Parke. One other question. Nowhere in this Bill does it state or imply the...concerning the requirements that businesses have to submit similar data sheets with the Office of Safety and Health Administration in Washington. Correct? There's nothing dealing with OSHA in this?"

Speaker Kubik: "Representative Parke."

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Parke: "No, not at all. It just reflects the federal law."

Speaker Kubik: "Representative Novak."

Novak: "Thank you."

Speaker Kubik: "Any further discussion? Seeing none, Representative Parke to close."

Parke: "I would ask the Body to accept the Governor's Amendatory Veto on House Bill 3193."

Speaker Kubik: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 3193?' All those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there were 112 voting 'aye'; none voting 'no' and none voting 'present'. And House Bill 3193, having received the required Constitutional Majority, the Motion passes and the House accepts the Governor's specific recommendations for change."

Speaker Biggert: "Representative Biggert in the Chair. The Representative from Will, Representative McGuire. For what purpose do you rise?"

McGuire: "Thank you, Madam Speaker. I pushed my 'green' light, but evidently it didn't work and I would like to be recorded as 'aye' on that last vote."

Speaker Biggert: "Thank you. The record will so reflect that Representative McGuire would have voted 'aye' in the last vote. The Gentleman from Knox, Representative Moffitt. For what purpose do you rise?"

Moffitt: "Thank you, Madam Speaker. I rise for a point of personal privilege. We have a birthday to recognize on our side of the aisle and we'd like to invite everyone in the

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House to come join. During this time of birthday celebration, though, we may need someone else to move the previous question if debate should drag on because today we're honoring Representative Jay Ackerman. And there's cake back at his seat and he's at least 39. So happy birthday, Jay."

Speaker Biggert: "The Gentleman from Effingham, Representative Hartke. For what purpose do you rise?"

Hartke: "Thank you, Mr. Speaker...Madam Speaker. I just wondered if it was in violation of House Rules to introduce the Hutsonville High School class in the gallery and their instructor, Mr. Vincent?"

Speaker Biggert: "Proceed."

Hartke: "I just did. Thank you."

Speaker Biggert: "Thank you. Welcome. We will now proceed to the Order of Senate Bills Third Reading on page 2 of your Calendar. Mr. Clerk, read Senate Bill 523."

Clerk McLennand: "Senate Bill #523, a Bill for an Act that amends the Nursing Home Care Act. Third Reading of this Senate Bill."

Speaker Biggert: "And on this Bill, the Chair recognizes Representative Cross."

Cross: "Thank you, Madam Speaker. Senate Bill 523 is on Third Reading as the Chair has indicated. It came out of the Senate, I believe actually, last year on a vote with...on 37 to 19 to 0, and Senate Bill 523 amends the Nursing Home Care Act. Several years ago, back in 1993, the General Assembly enacted a piece of Legislation, in fact, the Bill we actually are amending today, dealing with the issue of restraints, both physical and chemical. And as a result of that Bill, the Department of Public Health was to institute a set of rules and guidelines to outline how nursing homes

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should handle the issue of restraints. As a result of that Bill and the rulings, the rules that came out, we are just now starting to see some rules be distributed in the area of restraints. There's been much disagreement about the resulting rules and 523 is an attempt to incorporate the federal rules in the area of restraints that are used throughout the rest of the country. I'd be glad to try to answer any questions if anyone has any."

Speaker Biggert: "Is there any discussion? The Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Madam Speaker. I would suggest that all Members pay attention because this is a Bill that you don't want to string yourself out on. This is a Bill, if you vote for it, that is going to come back to haunt you. If you want to vote for a Bill that would limit the rights and safety of nursing home residents, if you want to endanger vulnerable people in nursing homes, then this is the Bill for you. What does it do? It eliminates the requirement for informed consent. It eliminates what is a standard in mental health facilities, in all medical facilities, but still allows the use of restraints and psychotropic drugs with few restrictions for nursing home residents. If you look at the Sunday Saint Louis Post Dispatch, they have a large editorial saying nursing home abuse is widespread. We all know it; that abuse goes on in nursing homes and what they say is the only progress that we've made is in the area of reducing physical and chemical restraints. It eliminates that prior consent. It allows any nursing home employee to order and apply restraints to nursing home patients. It does not require training. It eliminates, perhaps the worst, the requirement that persons applying restraints be trained to do so without injuring patients.

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It eliminates the restriction that people that can't hear have those restraints removed for...so that they can communicate through hand signals. This is a bad Bill. This is the kind of Bill that could be viewed as an anti-senior citizen, anti-nursing home resident Bill. If you've been told there are excesses on this Bill, then let the industry sit down with us. This was a negotiated Bill when it passed. There's been over a year to work out the rules which just went into effect September 10th. They just went into effect. If there are problems, we will sit down with the industry and work them out. Everyone on the consumers' side, the Mental Health Association - let me tell you who is against this Bill. Illinois Citizens for Better Care, the Legal Assistance Foundation of Chicago, the Public Welfare Coalition, the Chicago Bar Association, the Mental Health Association, the Alliance for the Mentally Ill, Equipped for Equality, the Alzheimer's Association, and on and on and on. All against it. Who's for it? The industry is for it. That's it, for their convenience. Do not, do not hurt yourself by voting for this bad senior citizen nursing home Bill. You will endanger people. It's not worth it. We can sit down and we can work out whatever problems or details there may be but I am warning all of my colleagues on both sides of the aisle, do not support this last minute effort to go around the process that's been going on for two years where everybody's been sitting down and talking about this, at a last minute effort to cave into the industry. I'm warning you, this is a bad Bill, vote 'no'."

Speaker Kubik: "Representative Kubik in the Chair. The Chair recognizes the Lady from Cook, Representative Flowers."

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

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House. I hope each and every last one of you heard exactly what the previous speaker had to say about this Bill. This is the most punitive Bill that I've ever seen in almost the 12 years that I've been in this General Assembly. We are talking about people who cannot speak for themselves. We are talking about people who cannot do anything to help themselves. They are truly at our mercy right now. We are talking about people being constrained for no reason other than the fact that they may be a bothersome...they may be bothersome to the person that is working that particular shift. We're talking about people who cannot speak with their mouths, who have to use hand signs to articulate their problems but their hands will be restrained. We're talking about people given psychotropic medicine without a doctor prescribing it for them. We've seen the horror stories on television where the workers in the nursing home have sexually abused the patients. We're talking about people who will not be...their family members or their guardians will not be informed as to their treatment. Who are we to say that we will restrain these people and give them drugs? Are we becoming drug dealers? Are we going to perpetuate this? We treat criminals better than how...We do treat criminals better than how we treat these people in nursing homes. We are their voices now. We must speak up on their behalf. They must not be mistreated like this. They must have a right to be informed. They must be respected. I urge you to please vote 'no' on Senate Bill 523. As the previous speaker so stated, the only somebody this legislation is good for, is the industry. It would require that they not hire more people. They don't have to hire more people to work in the nursing homes because all the patients will be constrained or either given some type

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of medication to sedate them. Is that what we want to happen? I don't think so. I think it's time that we stand up for the children of this state, we stand up for the elderly people of this state, and the people who are incapacitated who cannot help themselves. Again, I urge you to definitely send a 'no' vote to Senate Bill 523."

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

Dart: "Thank you. I echo the opinions of my fellow colleagues on this side of the aisle who were speaking about this Bill. This Bill is a horrible, horrible idea. It makes no sense. The only sense it makes is if, in fact, you're trying to help the industry, help them save some money and continue understaffing these nursing homes. Right now we are in a state right now where we have nursing homes that have complaints against them that don't get investigated. The few that do get investigated, they find nothing wrong and the ones they do find that something's wrong, they don't fine them. That's the environment we're operating in right now. And now we're going to send a loud and clear message out to the nursing home industry, that in addition to all that, continue the understaffing because you know what? You don't need staff when you have people drugged. You don't need staff when you have people under restraints. This is a horrible idea. As Representative Schakowsky mentioned, there was negotiations going on there. There's no need to rush this through right now. It's a bad idea. It's setting a bad precedent all the way around. This is strongly opposed by AARP, a group who is very interested in concerns of senior citizens. The Aids Foundation is opposed to it as well. This is something that all the groups who have shown a history of having concern with our

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elderly and those people in need of care, are opposed to this Bill. Why are they opposed to it? It's a bad idea. It's very simply an easy, convenient way for understaffed nursing homes to continue doing just that. And who is at risk? The disabled and the elderly. We can't do that. A vote for this Bill is sending that message loud and clear. And, Mr. Speaker, Mr. Speaker, Mr. Speaker, Parliamentary Inquiry. How many votes this is going to take?"

Speaker Kubik: "I'm sorry, Representative Dart. Would you please restate your inquiry?"

Dart: "Yes, I'm inquiring as to how many votes this is going to take."

Speaker Kubik: "Just one moment. Representative Dart, this Bill will require 71 votes. Representative Dart."

Dart: "Thank you, and if this receives a requisite number, I'd ask for a verification."

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

Ronen: "Thank you, Speaker. I join with my other colleagues in strong opposition to this Bill. As Representative Dart mentioned, the Aids Foundation of Chicago is strenuously opposed to this Bill. Let me explain to you why they are. They feel, and rightly so, that Senate Bill 253 is particularly harmful to HIV nursing home residents because it eliminates the informed consent for use of restraints or psychotropic drugs. Now many standard psychotropic drugs are contraindicated for HIV people. These drugs need to be administered with the advice of experts because they do not have the same effect on HIV people. An informed consent mechanism allows for the party consenting, either the resident or his or her informed appointed representative, to insure that the appropriate expert has been consulted

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before drugs are administered. So it's extremely important, we're talking about an extremely vulnerable group who is...who can be hurt and the effects of this can be especially, especially harmful. So I only ask you...I join with my other colleagues in strong opposition to this. There is no need to do this. We can sit down at the table and negotiate. There's no need to overturn what we passed last year. I beg all of my colleagues to join us in opposition to this very, very bad Bill."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in reluctant opposition to this Bill. I'm opposed to it. I'm not quite as virulent as some of my colleagues on this side of the aisle. Let me suggest that I've talked to people on both sides of this issue and I've listened very carefully. The people that want to pass this Bill have indicated to me that perhaps we have gone a little too far in this state in the...in the kinds of legislation we've passed in this area and perhaps it needs to come back a little. The problem is that this Bill comes back too far. In the end, when you take a look at this..."

Speaker Kubik: "Representative Lang, could I...Representative Cross is seeking recognition and perhaps we should hear from Representative Cross and then we'll go back to you if necessary. Representative Cross."

Cross: "Thank you, Mr. Speaker, and thank you for interrupting Representative Lang. I'd like to pull this Bill out of the record."

Speaker Kubik: "Thank you. Representative Lang. The Gentleman from Cook, Representative Lang."

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Lang: "Thank you. If the Representative wishes to shut me up by taking his Bill out of the record, that's perfectly okay with me, Sir."

Cross: "Thank you very much."

Speaker Kubik: "Representative Lang, I think we have a rebuttal. Representative Cross."

Cross: "Thank you, Mr. Speaker. If I had known that, I would have taken a lot more Bills out of the record throughout the last two years. Thank you."

Speaker Kubik: "Representative Lang."

Lang: "Well, I'm wondering if it's too late for you to take those terrible Tort Reform Bills out of the record, Representative?"

Speaker Kubik: "I think that ends the exchange. Mr. Clerk...Representative Cross, would you like this Bill returned to the Order of Second Reading? Representative Cross requests that..."

Cross: "Mr. Speaker, for the time being, if we could move this back to Second, I'd appreciate it."

Speaker Kubik: "Representative Cross, the Bill will be returned to the Order of Second Reading. Mr. Clerk, introduction of Bills."

Clerk McLennand: "Introduction and First Reading of House Bills. House Bill #3768, offered by Representative Cross and House Bill #3769, offered by Representative Mulligan. Both of these Bills are referred to the Rules Committee. Introduction and First Reading of these House Bills."

Speaker Kubik: "Mr. Clerk, Committee Reports."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman from the Committee on Rules to which the following Joint Action Motions were referred, action taken on November 21st, 1996, reported the same back 'do approve for

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consideration' to the House floor, House Resolutions #140, 141, 144, 150, and 158; and House Joint Resolutions #139 and 140. To the Order of Second Reading, Senate Bill 729. To the Order of Third Reading, House Bill #546 and Senate Bill #775. To the Order of Concurrence, House Bill #2918."

Speaker Kubik: "While we are awaiting the...while we are waiting, further announcements I would like to take this moment to welcome the Tri-Valley Elementary School 4th and 5th graders who are here with us today, and they are from Representative Rutherford and Brady's district. Welcome, today. Thank you for being here. They're up in the gallery."

Clerk McLennand: "Committee notice. Rules Committee will meet at 11:15 a.m. in the Speaker's conference room. Rules Committee will meet at 11:15 a.m. in the Speaker's conference room."

Speaker Kubik: "Supplemental Calendar announcements."

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

Speaker Kubik: "On Supplemental Calendar #1, Mr. Clerk, please read House Resolution 158."

Clerk McLennand: "House Resolution #158 welcomes Tavin Pumarejo to Chicago and the State of Illinois, offered by Representative Lopez."

Speaker Kubik: "Representative Lopez moves for the adoption of House Resolution 158. All those in favor will say 'aye'; those opposed say 'no'. It's the opinion of the Chair the 'ayes' have it. The Resolution is adopted. The Gentleman from Rock Island, Representative Brunsvold. For what reason are you seeking recognition?"

Brunsvold: "Thank you, Mr. Speaker. As Caucus Chairman, the Democrats would like to have a conference when it's appropriate from the Chair, there, to grant us a

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conference. This will be for returning Members of the Democrats. Returning Members."

Speaker Kubik: "Representative Brunsvold, if you'll wait for one moment, I will respond to your request. Representative Brunsvold. Representative Brunsvold. If I could have the Members attention for one moment. Representative Brunsvold, the Democrats have requested a caucus...or conference. We have a few items to finish. We do not believe that it will be very long. What I would suggest is that upon adjournment the Democrats have their conference if that is okay with your side of the aisle. Representative Brunsvold."

Brunsvold: "That will be fine, Mr. Speaker."

Speaker Kubik: "Okay. So, with that, we will proceed to do a couple of items and then we will move toward adjournment. Representative Black now moves that House Rule 3-6(a) be suspended to allow immediate consideration of the Adjournment Resolution. All those in favor will say 'aye'; those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. Mr. Clerk, please read Senate Joint Resolution 116."

Clerk McLennand: "Senate Joint Resolution #116, offered by Representative Black.

'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 Thursday, November 21, 1996, the Senate stands adjourned until Tuesday, December 3, 1996, at 12:00 o'clock noon; and the House of Representatives stands adjourned until Monday, November 25, 1996, at 12:00 o'clock noon in perfunctory session; and when it adjourns on that day, it stands adjourned until Monday, December 2, 1996, at 12:00

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o'clock noon in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, December 3, 1996, at 12:00 o'clock noon in full Session.' Adopted by the Senate November 21st, 1996."

Speaker Kubik: "Representative Churchill now moves the adoption of Senate Joint Resolution 116. Those in favor will say 'aye'; those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Resolution is adopted. We are not ready to adjourn just yet, so please remain in your seats. Mr. Clerk, on Supplemental Calendar #1, House Bill 2918. The Chair recognizes the Lady from Cook, Representative Wojcik, for purposes of a Motion."

Wojcik: "Thank you, Mr. Speaker and Members of the House. I move to nonconcur with Senate Amendment #1 to House Bill 2918."

Speaker Kubik: "The Lady has moved to nonconcur in Senate Amendment #1 to House Bill 2918. Is there any discussion? Hearing none, the Motion is...All those in favor of the Motion will say 'aye'; those opposed will say 'no'. It's the opinion of the Chair the 'ayes' have it and the House does nonconcur in Senate Amendment #1 to House Bill 2918."

Speaker Biggert: "Representative Biggert in the Chair. Rules Committee meeting immediately in the Speaker's conference. Is David Leitch in the chamber?"

Speaker Daniels: "The House will come to order. The Members will please be in their seats. Those not entitled to the floor, please retire to the gallery. On the Order of Resolutions appears House Resolution 150. Mr. Clerk, read the Resolution. Members of the House, this is a Death Resolution for a former Member. Members of the House, it's a former Member's Death Resolution. Mr. Clerk, read the Resolution."

Clerk McLennand: "House Resolution #150, offered by

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Representative Black.

'WHEREAS, The death of former State Representative Charles M. "Chuck" Campbell brings much sadness to the members of this House; and

WHEREAS, He was born in Danville on October 11, 1921, the son of Gene M. and Vera Juvinal Campbell, and died on Monday, November 11, 1996, at Carle Foundation Hospital in Urbana; and

WHEREAS, He graduated from the University of Illinois and served as a lieutenant in the United States Naval Reserve in the Pacific Theater during World War II; he was awarded the Silver Star; and

WHEREAS, Before entering the political field, Chuck Campbell owned Campbell Insurance Agency; and

WHEREAS, He served as a member of the House, representing the 45th District in the 73rd General Assembly; the 49th District in the 75th, 76th, and 77th General Assemblies; and the 53rd District in the 78th, 79th, 80th, and 81st General Assemblies; and

WHEREAS, During his 18 years in office, Mr. Campbell served on numerous committees and held several leadership positions; and

WHEREAS, Mr. Campbell was a member of the Collison United Methodist Church, American Legion Post 210, and the Masonic Lodge; he was an avid golfer and fan of all sports; and

WHEREAS, The passing of Chuck Campbell will be deeply felt by his devoted family and friends who supported him throughout his public and private career, especially his wife, Marjorie; his sons, Con and Rand; and his granddaughters; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS,

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that we extend our sincere condolences to the family of Charles M. "Chuck" Campbell, a respected colleague who will be missed; and be it further

RESOLVED, That a suitable copy of this resolution be presented to his widow, Marjorie Barton Campbell.'"

Speaker Daniels: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Chuck Campbell was a friend of mine. He served in this Body from 1962 to 1980. That's 18 years. When he retired, he was eighth in seniority and service in the Illinois House. He was very proud of that. Very proud of his service in the General Assembly. And how well I remember Chuck Campbell really enjoyed a good laugh and he was just...he was one of the most fun-loving people I ever met in my life. Never seemed to have a bad day - was very very proud of his honesty. And when my wife and I wanted to bring our young children over in the early '70's, Chuck just went out of his way to make sure we had a place to stay, and let me tell you, that was before the days of some of the hotels and motels that you enjoy in the Springfield area now. I think we stayed in the remnants of one of Abraham Lincoln's log cabins, as I recall. But Chuck brought us down to the floor and let the two...let Deb, my daughter Deborah and my son Doug page for a little while and they just really enjoyed it. And that's when there were about 177 Legislators in here. So you can imagine. If you think the hubbub is a little loud on days, you should have been over here when there were 177 of them and their only desks, early in Chuck's career, was the desk on the floor and their constituents service budget included a few stamps. And he liked to talk about those days and what it meant to serve in this Body. He was very proud of that.

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He never shied from calling himself a politician. I remember John Matijevich and Chuck talking one day about, it's too bad that some people don't stand up for the pride in that word. It is a noble calling and it can be a noble calling and it can be service to humanity. It doesn't have to be what some people would like to make it out to be today. Chuck was a remarkable baseball player. He was in the Brooklyn Dodger's Organization right after the war and he played an exhibition game in Danville. We were a farm team of the Brooklyn Dodgers at that time. He struck out Gil Hodges. And if it hadn't been for an arm problem later in his minor league career, I have no doubt that Chuck would have enjoyed a major league career as a pitcher with the Dodger Organization. He served two and a half years in the Pacific during World War II. As you heard in the Resolution, earning the silver star for gallantry. He's very proud of that service and his wife Marge mentioned that he...she thought it was appropriate that he passed away on Veterans Day. Chuck will be missed in Danville. He was very active in Republican politics, plus he served back in the multi-Member districts. He was very popular as anybody would have to be to be returned here nine times. And Chuck was always known to get nervous in the last few hours before the election and he would come around and call the precinct workers - I'd better have the bullet vote. I think I'm in big trouble. I need the bullet vote. Get the word out. In other words, you could vote for one candidate and they would get three votes in that election. And he just thoroughly enjoyed his service in the Illinois General Assembly. Was always available to talk to me, when I first came over here and give me advice. My sorrow is that I often didn't take enough of his advice. But he will be

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sorely missed by his wife Marge, his two sons, Con and Randy; and all of us are a little poorer when people like this pass on because he was just a very active member of our community; an insurance broker, an outstanding Legislator and I'm very proud to represent the district that Chuck Campbell did so effectively and so well for 18 years. My condolences to Marge, his two sons and the grandchildren and he will be sorely missed. And I appreciate very much your joining me in this Resolution which we'll present to Marge."

Speaker Daniels: "Representative Weaver."

Weaver: "Thank you, Mr. Speaker. I had the honor and the opportunity to meet with Chuck back in 1976 when I first started considering politics as something other than an advocacy. And Bill's exactly right, one of Chuck's great attributes is he learned very early, like many of us do, that campaigning is a lot more fun than being in office. And he absolutely loved to campaign. He loved people, he loved being out and shaking hands. And he got me involved in one of the old time campaign methods, which was the caravan. Now those of you in the city and the suburbs probably never had the opportunity to do that, but when you come from districts that have nothing but small towns, what you do to get people activated and motivated to participate in an election is put together a caravan of vehicles and you go from community to community and do a little stump speech at each location. And that was where I first met Chuck and we were on the caravan. That was back before cellular phones and so we had borrowed some CB's, CB radios so we wouldn't lose anybody. But our intent was to try and cover about 15 different communities in one day. Needless to say, we didn't make it and we lost a few people along

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the way. But Chuck had a great time in helping to set that organization up and run it as much as a ringmaster would do. He really enjoyed campaigning and I think he taught me a great deal about how to treat people during a campaign and after a campaign, once you're in office. I think a lot of us, particularly the freshmen and the newer Members of this chamber, are not as enriched as they might have been had we had the chance to share a little bit more of technique and personality with folks like Chuck Campbell. He was truly a man of the people and God bless you, Chuck."

Speaker Daniels: "Representative Black now moves that all Members of the House be joined as Cosponsors. Is there leave? Leave is granted. Representative Black now moves that the House does adopt House Resolution 150. All those in favor signify by saying 'aye'; opposed 'no'. The 'ayes' have it and House Resolution 150 is hereby adopted. Ladies and Gentlemen, we have two more Death Resolutions of former Members; former Representative Anderson and former Representative Oughton."

Speaker Biggert: "Representative Biggert. On Supplemental House Calendar there appears House Resolution 141. Mr. Clerk, please read the Resolution."

Clerk McLennand: "House Resolution #141, offered by Speaker Daniels.

'WHEREAS, The members of the House were saddened to learn of the death of James H. Oughton, Jr., of Dwight, former member of this Body; and

WHEREAS, Mr. Oughton was elected in 1964, and served as a member of this House during the 74th General Assembly; and

WHEREAS, James Oughton, Jr., was born in Chicago on May 14, 1913 and lived his entire life in Dwight; he attended Dwight Public Schools, Phillips Exeter Academy, and

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Dartmouth College; and

WHEREAS, He served as an officer in the United States Navy during World War II and saw active duty in the South Pacific; and

WHEREAS, Mr. Oughton was a farmer, farm manager, and cattle feeder; he served on the boards of various corporations and was Administrator of the Keeley Institute in Dwight for many years; and

WHEREAS, Mr. Oughton was very active in civic affairs and dedicated much of his life to the treatment of alcoholism; he served on the Advisory Board to the Division of Alcoholism of the Department of Mental Health; and

WHEREAS, Husband, father, legislator, businessman, and friend, James H. Oughton, Jr., is worthy of the respect of this Body and all citizens of Illinois; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we express our sincere condolences to the family of James H. Oughton, Jr., a respected colleague who will be missed; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of James H. Oughton, Jr.'"

Speaker Biggert: "And on that Resolution, Representative Rutherford."

Rutherford: "Thank you, Madam Speaker. I knew Jim Oughton, he was from my home county. And as a young person, myself, getting involved with politics locally, Jim was absolutely an icon in Livingston County for the Republican Party. And I remember the stories of Jim when he first ran as a State Representative and it was my understanding it was on the 'Bedsheet Ballot', where it was a statewide, hundreds of people going out and getting elected and Jim was one of

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those individuals that was able to do that and come here to serve the people of his home district. When I first decided to seriously consider a bid for the Legislature, I went to Jim's house and sat down with him and counseled and he said, 'Young man, it's going to be tough, it's going to be hard and it will be one of the most rewarding things you will ever experience in your life'. And Jim Oughton was correct. When Jim passed away, it was a sad time for Dwight, Livingston County, and actually a sad time for the fraternity of Legislators. He is a gentleman who has influenced and touched the lives of many and it is sorrow that we have to extend our sympathies to the family of Jim Oughton, but he is man who is well to be remembered."

Speaker Biggert: "Representative Skinner."

Skinner: "It should be noted that his daughter Deborah used to be on the House Republican staff. And the last time I saw her was at a veterans affair where she was helping advise them how to approach the General Assembly, and I think she still lives in Springfield."

Speaker Biggert: "Speaker Daniels."

Daniels: "Thank you, Madam Speaker and Members of the House. As Representative Skinner pointed out, we had a very close association with the Oughton family when Deb Oughton worked on our staff, and we knew a great deal about her father and the many fine things he had done and the leadership that he provided in Dwight. We're very grateful for the time that he served his constituents here in the General Assembly. His background and his activities during World War II, serving in the Navy, along with the fact that he really was a Representative from his area, being a farmer, a farm manager, a cattle feeder, and served on various boards of various corporations. He was a man that was held in high

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esteem. I've known the Oughton name for years and was very pleased to work with his daughter, Deb, and very pleased that he spent part of his career in the Illinois General Assembly. We're very proud of him and we send our condolences to his wife and family and he will be missed. Thank you."

Speaker Biggert: "Representative Daniels asks that there be leave that all Members be joined as Cosponsors of the House. Is there leave? Speaker Daniels has moved for the adoption of House Resolution 141. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it and the Resolution is adopted. Continuing on the same order of business is House Resolution 144. Mr. Clerk, please read the Resolution."

Clerk McLennand: "House Resolution #144, offered by Representative Moffitt.

'WHEREAS, The members of the House were saddened to learn of the death of Raymond E. Anderson of Walnut Creek, California, formerly of Galesburg, who proudly served in the Illinois House of Representatives; and

WHEREAS, He was born in Galesburg on December 4, 1918, the son of former Galesburg Mayor Joe E. and Agnes Lundberg Anderson; and

WHEREAS, He attended Silas Willard Grade School and graduated from Galesburg High School; he graduated from North Park College in Chicago, where he was a four-sport athlete; and

WHEREAS, He opened Ray Anderson Cleaners in Galesburg and sold his interest in the business in 1979; and

WHEREAS, He served with the United States Army Air Corps during World War II and was assigned to the 86th Fighter Bomber Group, 525th Squadron, in the European Theater of

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Operations; and

WHEREAS, He served on the Knox County Board of Supervisors in the 1950s and 1960s, and served as a member of the Illinois House during the 73rd, 75th, and 76th General Assemblies; he held the position of Majority Whip and Assistant Majority Leader; he later served as Assistant Director of the Illinois Department of Aeronautics in Springfield; and

WHEREAS, Raymond Anderson was a member of Covenant Church in Galesburg, where he served as a trustee, deacon, and Sunday School teacher; he also was affiliated with the Galesburg Rotary Club, the Soangetaha Country Club, the Cub Scouts, the American Legion, and the Veterans of Foreign Wars; and

WHEREAS, His passing will be deeply felt by his family and friends, especially his wife, Barbara; his sons, Joe, Larry, and Peter; his grandchildren; and his sister, Marion Peterson; 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 our colleague, Raymond E. Anderson, and extend our most sincere condolences to his family and friends; and be it further

RESOLVED, That a suitable copy of this resolution be presented to his widow, Barbara Anderson.'"

Speaker Biggert: "And on that Resolution, Representative Moffitt."

Moffitt: "Thank you, Madam Speaker. I certainly, with sorrow, that we bring up the Resolution of the death of Ray Anderson. I knew Ray. He was kind of winding up his political career about the time I got out of college, but I was involved locally with some of his campaigns. Ray

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Anderson was a very highly regarded businessman in the Galesburg area and had a very distinguished military career and a very distinguished political career. Ray Anderson was certainly one that, if you were looking at a career in politics, he brought honor and distinction to politics as being a career and he never lost sight that it was the people that he was down here to represent. Ray was an extremely effective campaigner and I think every day of his life he was campaigning and working at representing his people. I know one time during a campaign, he was out on the trail and they were going between towns. We've heard today about a caravan, but it was a rural rail crossing along a state highway and it was kind of a long freight train. Well, Ray took the advantage to go along and work all the cars that were waiting at that rail crossing and he had a young person with him. He said, 'Now, here's...take advantage of this down time.' So he campaigned with all the people waiting at that crossing. And that's the way he was, whether he was out of the...another community or restaurant, whatever, he was making sure that the people had an opportunity to visit with him. He's one of the first individuals in our area that one time he was campaigning, he had took a car and painted his name - it was professionally painted - the full length of the car, so that that car was a moving billboard as he went down the highway. So Ray certainly rose to leadership quickly in the Illinois House, made many contributions to the State of Illinois, was highly regarded in our community and I extend my condolences to the friends and family of Ray Anderson. He certainly will be missed and have made many contributions that he and his family can be proud of. Thank you."

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Speaker Biggert: "Representative Moffitt has moved that all Members be added as Cosponsors. Is there leave? With leave of the House all Members will be joined as Cosponsors of House Resolution 144. Representative Moffitt has moved for the adoption of House Resolution 144. All those in favor say 'aye'; those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it and the adoption...the Resolution is adopted. A reminder to the Democratic side of the aisle. There has been a request for a conference immediately following adjournment in Room 118. Are there any announcements? Representative Churchill now moves that the House stand adjourned until Tuesday, December 3rd, 1996 at the hour of 12:00 noon. All those in favor signify by saying 'aye'; opposed 'nay'. In the opinion of the Chair the 'ayes' have it and allowing for perfunctory time for the Clerk, the House now stands adjourned until Tuesday, December 3rd, 1996 at the hour of 12 noon."

Clerk McLennand: "The House Perfunctory Session will be in order. Messages from the Senate. A message from the Senate by Jim Harry, Secretary of the Senate. 'Mr. Speaker, I'm 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 of the following title, the acceptance of which I'm instructed to ask concurrence of the House; Senate Bill #1122. I'm further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change; action taken by the Senate November 19th. I'm also 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 of the following title, the acceptance of which I'm instructed to ask

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concurrence of the House, to wit; Senate Bill #1425, a Bill for an Act to amend the Illinois Insurance Code. I'm further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations, action taken by the Senate November 20th, 1996. In addition, I'm directed to inform the House of Representatives that the Senate has passed a Bill of the following title with the Governor's specific recommendations for change to the contrary, notwithstanding, and the passage of which I'm instructed to ask concurrence of the House; Senate Bill #1440, a Bill for an Act to...concerning the deaf and hard of hearing. I'm further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations. And I'm also 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 of the following title, the acceptance of which I'm instructed to ask concurrence of the House, to wit; Senate Bill #1467, a Bill for an Act in relation to criminal law. I'm further directed to transmit to the House of Representatives the following copy of the Governor's specific recommendations for change, action taken by the Senate November 19th, 1996.' Being no further business, the House Perfunctory Session stands adjourned and the House will reconvene in Perfunctory Session...the House Perfunctory Session will stand at ease. House Perfunctory Session will be in order...will be back in order. Messages from the Senate. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a Bill of the following title, to wit; House

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Bill 2702, together with the attached Amendments, in the adoption of which I'm instructed to ask concurrence of the House in Senate Amendments #2, 3 and 4, passed the Senate, as amended, November 21st, 1996.' Being no further business, the House Perfunctory Session stands adjourned and the House will reconvene in Perfunctory Session on Monday, November 25th, 1996 at the hour of 12 noon, and the House will reconvene in full session on Tuesday, December 3rd, 1996 at 12 o'clock noon."

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