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- Speaker McPike: "Representative Matijevich, has the Rules
 Committee adjourned? Thank you, the House will come to
 order. The Chaplain for today will be a Reverend James
 Mahan, from the First Presbyterian Church in Shelbyville.
 Reverend Mahan, is a guest of Representative Tate."
- Reverend Mahan: "Let us Pray. Lord, God we ask Your blessing upon all those gathered here today. Guide and direct our elected Representatives to do what is best for all the people of the State of Illinois. Grant them wisdom to know what is right, grant them the courage to vote accordingly. This we ask Thy dear name, Oh Lord. Amen."
- Speaker McPike: "We'll be led by the Pledge of Allegiance, by Representative Ropp."
- Ropp et al: "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 McPike: "Roll Call for Attendance."
- Piel: "Yes, Mr. Speaker. Would the record show that Representative Hoffman and Representative Didrickson are excused today?"
- Speaker Giorgi: "The record show that, please. Representative Matijevich, any excused absences?"
- Matijevich: "Yes, Mr. Speaker, the excused absences on this side of the aisle are Representative Richard Mulcahey, Myron Kulas, LeRoy Van Duyne and Anthony Young.
- Speaker Giorgi: "Representative Matijevich. Representative Matijevich, would you please repeat the excused absences?"
- Matijevich: "Richard Mulcahey, Myron Kulas, Leroy Van Duyne and Anthony Young."

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Speaker Giorgi: "Take the roll, Mr. Clerk."

Speaker McPike: "Would you look at this guy up here on the Podium? Look at this, February 2nd, he had triple by-pass quadruple by-pass. Zeke Giorgi, welcome back.

One-hundred-twelve, (112) Members answering a Roll Call. A quorum is present. Representative Matijevich."

Matijevich: "Zeke, always wants full credit that was a quadruple by-pass."

Speaker McPike: "Yes, quadruple by-pass. A frontal lobotomy.

Representative Harris."

Harris: "Thank you, Mr. Speaker. I'd like the Speaker to know we placed a trifecta bet that the operation would be successful."

Speaker McPike: "Representative Flinn."

Flinn: "Are we ready for Motions, Mr. Speaker?"

Speaker McPike: "Pardon."

Flinn: "Are we ready for like waiving posting Rules, and that sort of thing. I'd like to make one if I may?"

Speaker McPike: "Sure, go ahead."

Flinn: "I didn't hear you."

Speaker McPike: "Go ahead."

Flinn: "I would like to move that the posting Rules be waived for Senate Bill 934, so it may be heard in Interim Study Committee this afternoon. I have talked to the Minority spokesman of the committee and it's okay with him."

Speaker McPike: "You have heard the Gentleman Motion...Representative Olson, do you object? Any objections? Hearing none. The Attendance Roll Call will be used, and the Motion carries. Representative, Myron Olson."

Olson, M.: "Thank you, Mr. Speaker. We want to welcome back,
Bill Black, on this side of the aisle who missed the
January Session. He's doing extremely well."

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Speaker McPike: "Representative Hensel."

Hensel: "Thank you, Mr. Speaker. I'd like to make an We do have a new grandmother in the crowd announcement. today it's, Kay Wojcik, celebrating her her grandson's birth the first one. So, she has candy over here and, of course, before you get a piece of candy she want you to the pictures. So, please come over and congratulate her."

Speaker McPike: "Committee Reports."

Clerk O'Brien: "The Committee on Rules as met and pursuant to rule 29 (c-3) the following Bills have been ruled exempt on March 6th, 1990. House Bills 595, 2913, and 2936. Senate Bill 819, signed John Matijevich, Chairman."

Speaker McPike: "Introduction, First Readings."

Clerk O'Brien: "House Bill 3016, offered by Representative Bill for an Act to revise the law in relation Hultgren, a to Casimir Pulaski's birthday. First Reading of the Bill. House Bill 3017, offered by Representative Phelps, a Bill for an Act to repeal the All-Terraine Vehicle Safety Act. First Reading of the Bill. House Bill 3018, offered by Representative Countryman, a Bill for an Act in relation to elections. First Reading of the Bill. House Bill 3019, offered by Representative Cullerton, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. House Bill 3020, offered by Representative Cullerton, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 3021, offered by Representative Wennlund, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Bill 3022, offered by Representative Stern, a Bill for an Act to amend the Environmental Protection Act. Reading of the Bill. House Bill 3023, offered by Representative McNamara, a Bill for an Act to amend the

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Illinois Abortion Law. First Reading of the Bill. House Bill 3024, offered by Representative McNamara, a Bill for Act in relation to financial planning and supervision commissions of units of local government. First Reading of the Bill. House Bill 3025, offered by Representative Homer, a Bill for an Act to amend an Act to revise the law in relation to clerks of courts. First Reading of the Bill. House Bill 3026, offered by Representative Mautino, a Bill for an Act to amend the Illinois Income Taxes Act. First Reading of the Bill. House Bill 3027, offered by Representative Hartke, a Bill for an Act to amend the Illinois Vehicle Code. First reading of the Bill. House Bill 3028, offered by Representative McPike, a Bill for Act to eliminate the agricultural premium fund. Reading of the Bill. House Bill 3029. offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Bill 3030, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 3031, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 3032, offered Representative Capparelli, a Bill for an Act to amend the Pension Code. First Reading of the Bill. House Bill offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 3034, offered by Representative Piel, a Bill for an Act to change the dates of the general primary election in certain board of education elections. First Reading of the Bill. House Bill 3035, offered by Representative Homer, a Bill for an Act to amend an Act in relation to simultaneous tenure of certain public offices. First Reading of the Bill. House Bill 3036, offered by

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Representative Laurino, a Bill for an Act to repeal the Hazardous Waste Crane and Hoisting Equipment Operators Licensing Act. First Reading of the Bill."

Speaker McPike: "Representative Balanoff."

Balanoff: "Yes, Mr. Speaker. I rise to ask, to suspend the rules to...so the following Bill could be heard in committee, which are in Interim Study now. House Bill 959, in Consumer Protection, House Bills 1804, 1853 and 2278 in Energy an Environment."

Speaker McPike: "Representative Balanoff, these been cleared by the Minority side?"

Balanoff: "No, they have not. I..."

Speaker McPike: "What is your Motion? To suspend the..."

Balanoff: "To suspend the rules so they can be heard in committee."

Speaker McPike: "These are Interim Study Bills?"

Balanoff: "Yes, they are."

Speaker McPike: "Why, don't you clear with the spokesman on the Minority side...that's the practice, then make the Motion again?"

Balanoff: "Okay."

Speaker McPike: "Representative McCracken."

McCracken: "I spoke to Representative Cullerton, about this. The Bill had been tabled or...let me speak to him and I'll get back to you."

Speaker McPike: "Okay. Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, I move to suspend the rules for posting of four Bills in Elementary an Secondary Education Interim Study. It has been cleared with the Minority Spokesman, those are House Bill 1220, 1222, and 1477, and Senate Bill 680. And I would request that those Bills be posted for hearing this afternoon."

Speaker McPike: "And this has been cleared by the Minority

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spokesman. Are there any objections? Hearing none. The Attendance Roll Call is used. The Motion carries. Representative Ronan."

- Ronan: "Thank you, Mr. Speaker. The House Transportation
 Committee is scheduled to meet today, but since we only
 have one Bill posted and that's for a Republican Member
 who's leaving to be a lobbyist, we don't need to meet. So,
 that I'd like to cancel the House Transportation Committee,
 if there's no questions."
- Speaker McPike: "House Transportation Committee, is cancelled.

 Representative Lang."
- Lang: "Thank you, Mr. Speaker. I move that we suspend the posting and notice requirement on Senate Bill 784, which is an Interim Study Bill. It's been cleared with the Minority spokesperson."
- Speaker McPike: "Any discussion? Any objections? Hearing none, the Attendance Roll Call is used. The Motion carries."

Lang: "Thank you."

Speaker McPike: "Agreed Resolutions."

Clerk O'Brien: "House Resolutions 1290, offered by Representative Anthony Young; 1291 Hultgren; 1292 LeFlore; 1293 LeFlore; 1294 Shaw; 1295 Young; 1296 Morrow; 1290...the Bills I just read were Death Resolutions. Starting over, House 1297 McGann; 1298 Black; 1300 Leitch; 1302 Terzich; 1303 Williamson; 1304 Capparelli; 1305 Matijevich; 1306 Parke; 1307 Capparelli; 1308 Johnson; 1311 Black; 1312 Matijevich; 1314 Capparelli; 1315 Wolf; 1316 Hicks; 1317 Wennlund; 1318 Keane; 1321 McNamara; 1324 Mautino; 1325 Matijevich; 1326 Stern; 1327 Morrow; 1329 Woolard; 1330 Johnson; 1331 Johnson; 1334 Curran; 1338 Wolf; 1340 Goforth; 1351 Bob Olson; 1352 Ryder; 1353 Ryder; 1354 Leitch; 1355 Bob Olson; 1358 Terzich; 1359 Parke; 1362 Hultgren; 1365 Capparelli; 1366 Capparelli; 1367 Capparelli; 1368 Myron Olson; 1371

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Brunsvold; 1372 Kubik; 1373 Kubik; 1374 Kubik; 1376 Giglio; 1377 Johnson. House Joint Resolution 86, Harris; 88 Speaker Madigan; 89 Davis; 90 B. Pedersen; 91 Speaker Madigan; and in case I missed it House Resolution 1296 Morrow; was included."

Speaker McPike: "Representative Matijevich."

- Matijevich: "Speaker, both sides of the aisle has gone over these
 Bills or the Resolutions. I move to adopt the Agreed
 Resolutions."
- Speaker McPike: "Representative Matijevich, moves the adoption of Agreed Resolutions. All those in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Agreed Resolutions are adopted."

Speaker McPike: "Death Resolutions."

- Clerk O'Brien: "On the Death Resolutions. House Resolution 1290, offered by Representative Anthony Young; 1291 Hultgren; 1292 LeFlore; 1293 LeFlore; 1294 Shaw; 1295 Anthony Young; 1299 LeFlore; 1301 Munizzi; 1309 Johnson; 1310 Johnson; 1313 LeFlore; 1319 LeFlore; 1320 Shaw; 1322 Morrow; 1323 Morrow; 1328 Countryman; 1332 Johnson; 1333 Johnson; 1335 Anthony Young; 1336 Anthony Young; 1337 Anthony Young; 1339 Goforth; 1341 Stevens; 1342 Stevens; 1343 Stevens; 1344 Stevens; 1345 Flowers; 1346 Flowers; 1347 Morrow; 1348 Morrow; 1349 Morrow; 1350 Countryman; 1357 McPike; 1361 Johnson; 1363 Hoffman; 1369 Leflore; 1370 Stevens; 1375 Kubik; 1378 Johnson; 1379 Johnson; 1380 Johnson; and 1381 Johnson."
- Speaker McPike: "Representative Matijevich, moves for the adoption of Death Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it, the Death Resolutions are adopted. Representative Balanoff."
- Balanoff: "Yes, Mr. Speaker. I'd like to move to suspend the rules so that House Bill 959, can be heard in Consumer

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Protection, that's currently in Interim study. And the Minority spokesperson has no problem with it being heard."

Speaker McPike: "This has been cleared by the Minority spokesman.

There any discussion, and no objections? Attendance Roll Call will be used, and the Motion carries. Introductions First Readings."

Clerk O'Brien: "House Bill 3037, offered by Representative Ropp, a Bill for an Act concerning education and amending an Act here in name. First Reading of the Bill. House Bill 3038, offered by Representative Ewing, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 3039, offered by Representative Ewing, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 3040, offered by Representative Ewing, a Bill for an Act to amend the Vehicle Code. First Reading of the Bill. House Bill 3041, offered by Representative Capparelli - et al, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. House Bill 3042, offered by Representative McGann, a Bill for an Act to amend an Act concerning education. House Bill 3043, offered by Representative Santiago, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 3044, offered by Representative McGann, a Bill for an Act to prohibit solicitation or inducement of sale or purchase of real estate on the basis of race, color, religion, national origin, ancestry, creed, handicap or sex. First Reading of the Bill. House Bill 3045, offered by Representative Flinn - Wolf, a Bill for an Act to amend the Illinois Credit Union Act. First Reading of the Bill. House Bill 3046, offered by Representative Capparelli - Terzich, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 3047, offered by Representative

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Capparelli - Terzich, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 3048 offered by Representative Capparelli - Terzich. a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. House Bill 3049, offered by Representative Stern, a Bill for an Act to amend the Illinois Transplant Act. First Reading of the Bill. House Bill 3050, offered by Representative Saltsman, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. House Bill 3051, offered by Representative Curran - et al, a Bill for an Act to amend First Reading of the Bill. House Bill 3052, offered Representative Curran, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Bill 3053, offered by Representative Rice - et al, a Bill for an Act to amend certain Acts in relation to unclaimed lottery prizes. First Reading of the Bill. House Bill 3054, offered by Representative Phelps - et al, a Bill an Act to amend the Illinois Pension Code. First Reading of the Bill."

Speaker McPike: "Representative Matijevich, on a Motion."

Matijevich: "Mr. Speaker, I move that we dispense with the reading of a Journal, and the following Journals be approved: Journal #77 of January 9th, Journal #78 of January 10th, Journal #79 of January 11th, Journal #80 of January 17th, and Journal #81 of January 24, 1990."

Speaker McPike: "You've heard the Gentleman's Motion. Are there any discussion? Hearing none. The Attendance Roll Call is used, and the Motion carries. Representative Shaw."

Shaw: "Thank you, Mr. Speaker. There's a...there was suppose to be a meeting on the Select Committee on Aeronautics at 5:30, today. There's not but one Bill in Committee so, we going we're not going to have the meeting, we're going to

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reschedule the meeting."

Speaker McPike: "So the Select Committee on Aeronautics is cancelled."

Shaw: "Right."

Speaker Giglio: "Messages from the Governor."

Clerk O'Brien: "To the Honorable Members of the House οf Representatives 86th General Assembly. Pursuit to the authority vested in the Governor by Article IV, Section 9 (e) of the Illinois Constitution, I hereby return House Bill 1487, entitled a Bill for an Act in relation to the establishment and operation of multi-county statewide grand jury in relation to drug paraphernalia with my specific recommendation for change. Sincerely, James R. Thompson, Governor. To the Honorable Members of the House of Representatives 86th General Assembly. Pursuit to Article IV, Section 9 (b) of the Constitution of 1970, I hereby veto House Bill 2045, signed, James R. Thompson, Governor."

Speaker Giglio: "Representative Munizzi, are you seeking recognition? The Chair would like to read off some agreed Resolutions, and that is no indication that we are ready to adjourn. Everybody just stand fast. Agreed Resolutions, Mr. Clerk."

Clerk O'Brien: Senate Joint Resolution #111, offered by Representative Kubik; Senate Joint Resolution 112, Kubik; Senate Joint Resolution 113, Kubik; Senate Joint Resolution 114, B. Pedersen - Harris; House Joint Resolution 92, offered by Representatives Harris - B. Pedersen; House Resolutions 1382, Currie - et al; 1384, Black; 1384, Black; 1386, B. Olson; 1387, Balanoff; 1389, Weller; 1390, Balanoff; and 1391 Churchill."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Mr. Speaker, I move the adoption of the Agreed Resolutions."

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- Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Agreed Resolutions are adopted. Matijevich."
- Matijevich: "Mr. Speaker, I would ask leave to suspend the rule whereby committee...Bill in the committee must be posted and also that a committee can not meet while the House is in Session. So, that the Rules Committee can meet in five minutes in the Speaker's Conference Room, to consider the compliance of House Bill 1487. I would ask leave of the House and use of the Attendance Roll Call."
- Speaker Giglio: "You heard the Gentleman's Motion. Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted. An the Committee on House Rules will meet in the Speaker's Office in the back. Speaker's Conference Room. Introduction of First Readings."
- Clerk O'Brien: "House Bill 3055, offered by Representative McCracken, a Bill for an Act in relation to international wills. First Reading of the Bill. House Bill 3056, offer by Representative McCracken, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. House Bill 3057, offered by Representative Goforth, a Bill for an Act to amend the Illinois Vehicle Code. Reading of the Bill. House Bill 3058, offered by: Representative Cullerton - et al, a Bill for an Act t.o provide support services to prevent homelessness. First Reading of the Bill. House Bill 3059, offered by Representative Shirley Jones - Klemm Balanoff, a Bill for an Act concerning telephone companies. First Reading of the Bill. House Bill 3060, offered by Representative Stern, a Bill for an Act relating to appointments of boards, commissions, committees and councils. Reading of the Bill."

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Speaker Giglio: "Representative Matijevich. Representative Matijevich."

Matijevich: "Would all the Members of the Rules Committee now meet in the Speaker's Conference Room, on House Bill 1487.

Rules Committee meeting right now, and we do want the bodies there. Alright, right now in the Speaker's Conference Room that's the grand jury Bill. Right now."

Speaker Giglio: "Mr. Clerk, supplemental announcement."

Clerk O'Brien: "Supplemental Calendar, #1 is being distributed."
Speaker Giglio: "Committee Report."

- Clerk O'Brien: "Representative Matijevich, Chairman of the Committee on Rules. Reports that earlier today they Committee on Rules met pursuant to Rule 46-(1), made the following report on House Bill 1487. The Bill is in non-compliance with Rule 46.1 (b) signed, John Matijevich, Chairman."
- Speaker Giglio: "Representative Myron Olson, for what purpose do you seek recognition, Sir?"
- Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Republican's request a Conference immediately for one hour in Room 118."
- Speaker Giglio: "Supplemental Calendar #1, Representative Homer."

 Homer: "Thank you, Mr. Speaker, I would like to call my Bill after the Republican's leave for Conferences. No, I'm just kidding. We'll let them be here when we consider it. Mr. Speaker, you'll note on the Supplemental Calendar #1, that there's an Order of Amendatory Veto, is House Bill 1487. I would like to declare my intention to call that Motion. I have filed a Motion to accept the Governors Amendatory Veto on House Bill 1487. I would ask that the Body hear that Motion today, in order to allow for the Senate to take up the matter tomorrow, which is the only day this month that the Senate will be in Session. So, my hope and intention,

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- Mr. Speaker, is that after the Republican Conference that we'll be able to reconvene and that I will then move for acceptance of the Governors Amendatory Veto."
- Speaker Giglio: "The intention of the Chair is that the Republicans will now Caucus for one hour and we expect to be back here by 2:15 and at that time we will take up...Representative Homer's, request to hear House Bill 1487. Committees will be delayed until the House is adjourned. So, please those of you who have things to do be prepared to come back here in approximately an hour. The House will now stand in recess, until the Republicans return from their Caucus."
- Clerk O'Brien: "May I have your attention, please. The House will reconvene in five minutes. The House of Representatives, will reconvene in five minutes. Thank you."
- Clerk O'Brien: "Introduction and First Reading of Bills. House
 Bill 3061, offered by Representative Shirley Jones, a Bill
 for an Act to amend the Illinois Insurance Code. First
 Reading of the Bill."
- Speaker Giglio: "House Joint Resolutions."
- Clerk O'Brien: "House Joint Resolution 93. Be it Resolved By the House of Representatives of the Eighty-Sixth General Assembly of the State of Illinois, the Senate concurring herein, that the two Houses shall convene in Joint Session on Wednesday March 7th, 1990 at the hour of 12:00 noon. For the purpose of hearing his excellency Governor, James R. Thompson, present to the General Assembly his budget message for fiscal year 1991. As required by Chapter 127 Section 28 of the revised statue."
- Speaker Giglio: "Representative Giorgi, moves for the adoption of Resolution. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair 'ayes' have it.

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The Resolution is adopted."

Speaker Madigan: "Speaker Madigan, in the Chair. The House shall come to order. Chair recognizes Mr. Homer, for a Motion on House Bill 1487."

"Thank you, Mr. Speaker, and Ladies and Gentlemen. Homer: to accept the Governor Amendatory Veto, of House Bill 1487. And I would like to briefly discuss what it was that, Governor did. We filed a 18 page Motion incorporating the Governors proposed changes to the Bill. I don't want to hit at least highlight those changes. First of all the Governor in his Amendatory Veto, modified the procedures concerning the convening of grand juries. Whereby, he shifted the discretion for granting authority to convene the grand jury from the Supreme Court to the Circuit Court, judge designated by the Supreme Court. Secondly, amended the provisions of the application to be filed the Attorney General for the purpose of requesting the convening of a statewide grand jury to require that in that application the Attorney General have a showing that the allege offense to be investigated occurred in more than one county, that the investigation and indictment could not be effectively carried out by the county grand jury. And also required the application to indicate the focus particular crimes to be investigated. So, with respect to that portion of the Amendment it was a limiting Amendment to narrowing the focus of the statewide grand jury. Thirdly, the Governor provided that an indictment for felony offense incidental to interrelated with the drug offense would be the proper subject of the statewide grand You'll recall that the Bill as it passed last fall jury. limited the grand jury statewide grand juries investigation and indictment authority to certain enumerated drug and drug related offenses. The Governor in his Amendment also

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allows for indictments of other offenses that are interrelated with an incidental too, the drug offenses. also deleted the limitation and the number of grand juries that could be sitting at any one time. The original Bill limited the grand juries to one, the Governor removed that limitation. He also, he also used the Amendatory Veto to implement the federal concept of use immunity into state statue. So, that as amended by the Governor proceedings in the State of Illinois, prosecutors would be authorized to grant and courts would be authorized to grant use immunity which is a more limited form than the transactional immunity that we currently have on the books. He repeals the sunset provision, you recall that there was a provision on the Bill that passed, that had a sunset and the Governor through the Amendatory Veto has, has removed that sunset provision. And I want to briefly address the issue that seems to be the boss word here. That people discuss when they talk about what the Governor did. And that has to do with what he did and did not do with regard to the wiretapping issue. Because I think there may be some misconception and a misunderstanding as to what was in original Bill and what the Governor did with his Amendatory Veto. Wiretapping is a concept that we implemented a year ago with some special legislation that allowed for court ordered wiretaps to be utilized to intercept conversations between two parties, neither of whom consented or had knowledge of the wiretap through a judicial application and judicial approval. That Bill that passed last year said that wiretapping could only be used in certain enumerated offenses and focused on drug offenses, Kidnapping was another one. The Governor in his Amendatory Veto simply said with regard wiretapping as it related to statewide grand juries, that statewide grand juries would also be

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allowed to-utilize wiretapping for those offenses the fall under the investigation of those offenses which, statewide grand jury jurisdiction specifically drug offenses. So, he really did very, very little with regard to wiretapping. He simply expanded very slightly the original Bill that passed last year that focused on controlled substance violations and expanded it to say that we could also use wiretapping for those drug offenses under the jurisdictions of statewide grand jury which include some cannabis violations. So, he really did very little on Wiretapping should not be subject to great wiretapping. concern to anyone here. He didn't do very much with regard to wiretapping. What he did do he amended the statue with regard eavesdropping statue, which is completely different than wiretaps. Eavesdropping is a procedure whereby where one party has consented to be overheard, and is going to be talking to another party who has not consented. Ιn Illinois current law for sometime has been that application to a judge, a judge could grant authority for eavesdropping, where he had one party who consented to that conversation being recorded. And the Governor said, that in so far as grand jury investigations, statewide grand jury investigations that will still be able to have consequential one party eavesdropping but the requisite, the prerequisite for a court order shall not be So, don't confuse wiretapping with one party consequential eavesdropping they're two entirely different concepts, and I think that many of the concerns that have been expressed about what the Governor did about wiretapping are ill founded. That constitutes the majority of the changes that the Governor made. Now, I note that on the Calendar that the Rules Committee has made...rendered an opinion that the Governor's Amendatory Veto of House Bill 1487, was

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non-compliance. In other words it's the opinion of the Rules Committee that the Governors action by amending this Bill go beyond the constitutional authority he has with respect to utilizing his Amendatory Veto. I have a regard for the Rules Committee and I have degree of respect for their opinions. I believe, however, in this case that they allowed the length of the Governor's Amendatory Veto which was a lengthy Amendatory Veto to interfere with judgement with respect to whether of not the constitutional standards have been met, with regard to the Governors jurisdiction in the case of Amendatory Veto. The Supreme Court of the State of Illinois has established the test. The test is whether the veto alters the fundamental purpose or legislative scheme of the legislation. That's the test, believe that in this case the Governor's Amendments did not substantially change the fundamental purpose of the legislation. The fundamental purpose of House Bill 1487, is passed out of this House last Fall was to attack drug dealers through a concept known as a statewide grand jury. And to allow for the Attorney General to utilize the tools of the Narcotic Forfeiture Act to go after drug profits. Nothing in what the Governor has done changes fundamental purpose of the legislation. The Bill still is limited to drug prosecutions. All that the Governor really has done is to add some additional tools to prosecutors and has modified some what the mechanics of and the procedures of the prosecution. In no way did he change the fundamental purpose of the legislation under four Supreme court cases that have construed this language and the Constitution in the four test cases and none of those cases has the Supreme Court ruled that the governor exceeded his constitutional authority. Many of those cases I would submit involve cases where the Governor took greater

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liberty to change the Bill, than he did with respect to House Bill 1487. I'm convinced that notwithstanding the good intention of the House Rules Committee, that their decision in this case their opinion is ill advised it's a none binding opinion in any event. And the purposes for which this legislation is being advanced, the need to have a strong centralized prosecution to attack drug deliveries, the druglords, the drug kigpens and to go after the drug profits are such great importance that there's a compelling need for this General Assembly to act and act today. To vote to accept the Amendatory Veto of House Bill 1487, and I would respectfully ask that you would join with me in voting to approve the Governors recommended changes. Thank you.

Speaker Madigan: "Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Gentleman's Motion. There some things in this legislation which are meritorious, and I think especially the narcotics profiteering section. Which tight up some of the heretofore restrictions which have inhibited law enforcement officers from grabbing and forfeiting the fruits of crime that they discover while investigating narcotic offenses. That legislation...that piece of this legislation is good but it could easily be separated out and put into a different Bill. Those of you who are downstate should take note of the potential cost to your county. If a grand jury is impaneled in the county in which you reside this legislation provides that the county in which the grand jury sits, shall bear the cost of the grand jury, and that means the cost of the courtroom the cost of the judge the cost of the prosecutors the cost of the witness the cost of the investigation the cost of the law enforcement staff in the county used to conduct

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investigation. The legislation goes on to provide that counties shall be reimbursed for their expenses from funds appropriated to them through the budget of the Attorney General of the State of Illinois. I would only suggest especially to my downstate friends that you've heard that song before. We have state's mandates Act in the State of Illinois and we have ignored it right and left. In my county, the County of Macon both federal and state mandates descended upon us to construct a new jail, we have done that with real property tax dollars. We raised the property taxes on our homes and apartment and business to pay for a \$21,000,000 jail in our county without one dime of help from the state or the federal government. probably will be out a lot of money and in smaller counties the cost of a statewide grand jury could break the county. The thrust of this legislation is to do something about the flow of drugs and drug trafficking in our state. legislation is advanced from the prospective that drug dealers don't recognize county borders, county lines. submit to the Members of the General Assembly that drug traffickers don't respect state lines and, as a matter of fact, they don't respect national boarders. The drug traffic is a international problem that we should attack it from a nationwide perspective. This legislation that it does not kick in, the statewide grand jury is not to be impaneled unless there is more than one in the State of Illinois. We have the largest volume of all cases in Cook County both civil and criminal. We have probably...I haven't got the statistics in front of me, but I think we all have realized because the is large probably have the largest volume of drug activity in Cook County. What will this Bill do about someone comes into Cook County over the Chicago skyway, from

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Indiana, someone who come in on the Indiana tollroad from New Jersey or New York, someone who arrives on the shores of Lake Michigan by boat and, of course, someone who flies O'Hare Airport carrying drugs distribution within Cook County? In each those instances only one county would be involved and this statewide grand jury legislation would have no impact. every drug courier flying into O'Hare Airport who sales and dispenses drugs all within Cook County escapes the of the statewide grand jury Bill. This legislation will apply only to cases in which two counties are involved and submit to you that there are a lot of cases involving Cook County especially where there will only be one county The Sponsor of the Motion has eluded to the impact of the eavesdropping of wiretap provisions of legislation. He mentioned that previously we had legislation which required the people who want to tap, the people who want to eavesdrop on our conversations to consult with judges. The purpose of this is so least be a buffer on behalf of society between those who plan to do things in secret and those who might have the...at least, the potential for abuse. The great majority of our law enforcement official are highly professional, highly trained and they put their lives on the line when they go out everyday to perform their duties, and I have greatest respect for them. But we were in this country to be concerned with the individual rights and freedom which drove our forebear to cross seas to come to America to start a new country. Among our best principles are the rights to individual privacy guarantee against unreasonable search an seizure. this legislation says is that if a grand jury is convened, upon convening that grand jury and there are several hoops

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which must be jumped through to convene a grand jury among them there must be some suspicion that drug trafficking is taking place. Having had that suspicion take place having more than one county involved an investigation can As soon as an investigation commences the investigating officers may eavesdrop, all they need...they don't need to go before a judge, they don't need anybody's permission except one party to the conversation. means that if when this Bill becomes law seven days a week 24 hours a day anywhere in the State of Illinois a secret grand jury can convene authorize the wiretap of your conversation when you call someone or they can pursuade you to permit your wire to be tapped and all incoming call to you will be eavesdropped upon. That means that they put bodywires on anybody anytime anyplace without any restriction and the Bill goes on to say that whatever comes out of those conversations can be brought into the criminal courts by means of indictment. We are moving away repressive societies in Eastern Europe and I think we shouldn't be taking steps like this now. We shouldn't throw out the baby with the bath water. Drugs are a terrible, terrible problem not only in this state but across our nation, and all across the world. What we do here in Illinois by creating a statewide grand jury will have possibly some impact on a small number of cases, but it will not get at the problem to any significant measure. It will only be a drop in the bucket, and the trade off is to give up some of those things that we have stood upon, stood for, fought for and protected in this county and in this state for more than 200 years. Basic, Basic freedoms. I urge you Ladies and Gentlemen to think about the range implications of this legislation. There are usually more than one way to skin the cat, this is not the way

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do it with this legislation. We can do the things which are requested to be done other ways with existing statue and proper safeguards. This Bill is oppressive and it should be defeated and I urge your 'no' vote."

Speaker Madigan: "Mr. Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of House. rise to join the previous Speaker in opposing I supported this Bill many months ago when started, and there are good parts to this Bill. But there's onerous provision in here which the Sponsor is...has really set aside, he's looked over. It deals with wiretapping. I think it's important that you understand that we're making a major change in legislation, and the wiretapping provisions of the Illinois Now, I support the wiretapping Bill a few years ago, but this Bill changes a Section of the Code Criminal Procedure, which makes it illegal to wiretap in exceptions, in the exemptions those are exemptions that exist in there for radio and telephone, communications radio and television emergency communications...open meetings act and...listening to...hot lines of consumer listed manufacturer of food and drug, one exemption we added a few years ago. What this says now is that...exempt it does say you have to go to a judge doesn't say you have to get a search warrant. It says we're making it's exempt. That means there no constraint there's no judicial review, and what it says is it exempt if it's done by any investigative or law enforcement officer, investigating an offense that's under this Act. Well, that includes perjury and...an attempt to communicate with jurors anything could be construed to be connected with that in anyway, and what it means is that it allows people to connect wiretaps almost anywhere, and

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that's what their doing. This doesn't have any limitations on it in anyway. I think it's bad legislation and because it got put in a Bill that looks like it's going down the tube, or down the track. And It's going to make it, that we ought to pass it. I think we ought to defeat the Bill and let's bring it back and let's work on it, let's do it right, and that's what the people of the State of Illinois elected us to do. Let's do that, thank you."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I rise to oppose the Gentleman's Motion, on House Bill 1487. And I do so primarily out of my concern for the Governor's abuse of his Amendatory Veto power. First, the Governor removes the sunset clause from the Bill. Ι sunset clause was a critical piece of the framework of this As you know, and I know the question who is responsible for retaining and continuing a piece of state legislation is quite critical to the decision whether we're for it or against it. Under the Bill as it went to Governor Thompson, responsibility to retain the program lay clearly with the advocates of statewide grand jury programs. when the sunset clause is removed the responsibility switches entirely to the opponents. The interference with the delicate balance of that framework in Bill strikes me as going beyond the Governor's Amendatory Veto powers. Secondly, the Governor substantially expanded the powers and the duties of the grand jury. No longer are we talking about one or items but we're talking about any kind of felony. It seems to me under the court ruling as I read them that's expansion of the powers of the grand jury was not. contemplated by the framers of the 1970 Constitution. Third, there is as the two prior speaker has pointed out

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completely new law in this Amendatory Veto Message on the topic of eavesdropping and wiretapping substantial expansions of complete new Section added to the Bill. Obviously, that's not part of the basic framework of the proposal we sent to the Governor, clearly under the court ruling we have seen the Governor has exceeded his powers. Finally, let me draw your attention to the issue of use immunity. And if you will look at page seven of Governor's Message to us, you will find that the Governor (not page seven) I'm sorry I've lost my page page eight the Governor says," While I believe that use immunity should be the law of the state in all criminal investigations. It is beyond my Amendatory Veto power to accomplish." beyond his beyond Amendatory Veto to accomplish. I think the Governor is absolutely right. Unfortunately Amendment that Representative Homer, urges us to adopt today does precisely what the Governor says he can not Use immunity is provided not only in respect to statewide grand jury investigations which are the principal point of House Bill 1487, as I read his language the use rather than transactional immunity provisions applies in any kind of grand jury provision. The Governor tells us he can't do that, with his Amendatory Veto pen, and yet if you vote to accept this Amendatory Veto you will permit him to precisely that. Why do you care, should you care, does it make a difference if the Governor has gone to far? It's my view that it makes a difference, and it makes a difference to us as Legislators. Some of you may say the Constitution is the Governor's problem, the Constitution is up to the courts. Let me remind you that each of us swore to uphold the Constitution of the State, when we were sworn in to this office Representative in the General Assembly. have a responsibility to make Constitutional determinations

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about each and everyone of our own actions. The writing of the Amendatory Veto is a power that belongs to the Governor, but accepting or rejecting a specific Amendatory Veto goes to the heart of our own Constitutional obligations. For those reasons whatever your preference is about the policies proposed by the Governor or proposed by us in House Bill 1487, as it went to him, I would suggest that the Constitutional vote on this Bill, on the Motion is certainly a 'present' or indeed a 'no'. Thank you."

Speaker Madigan: "Mr. Petka."

Petka: "Thank you, very much Mr. Speaker, Members of the House. I rise in opposition to my distinguished colleagues Motion. I want to make one thing I think very clear you there's a lot of chattering on here many people have probably made up their minds about the way their going to But, Ι think one thing simply. Thank you, Mr. Speaker. One thing simply needs to be pointed out, should one choose to disagree with the concept here does not necessarily mean that one is soft on crime or is taking a back seat in the war on drugs. Quite frankly, I look upon this legislation as to what the advertisers use in their technique in selling a product which is not sellable, they call it new and improved the new and improved brand X, this wasn't a good idea in the 1970's..."

Speaker Madigan: "Mr...Mr. Petka. Ladies and Gentlemen, could we end the caucuses? Could we end the caucuses and give your attention to Mr. Petka, who has the floor, Mr. Petka."

Petka: "Thank you again, Mr. Speaker. It wasn't a good idea when it was proposed under two former Attorney's General, Scott and Fahner, and it's not a good idea now. I believe that you can characterize this simply as a cosmetic approach to the drug problem. If I really felt in my heart and; other

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law enforcement professional felt in their hearts that this would conclusively solve the problem, I don't think there would be any problem and I think that we would have a very, very large majority willing to pass this Bill on signature. However, the very nature of the grand jury process the 'buzz' words that are use here, the grand process is an accusatory function. The grand jury is designed to accuse, the investigative function of the grand jury and I speak from considerable experience on this point is something which is never really really been demonstrated to show that is actually works. Every state's attorney under Illinois law can now convince a grand investigation of drugs. Every Attorney General right under current law, if he chooses to go before a grand and investigate widespread drug activity. But the fact of the matter is that the heart of any investigation is the informant network. Law enforcement officials, quite frankly utilize informants people from the drug milieu themselves in trying to solve drug cases. this Bill proposes is a rather novel concept and that that law enforcement officials from the outside of an area, from a distance removed can come into a community can identify a drug pusher can target them and ultimately prosecute them successfully. In the real world, in the real world folks the drug kingpens that had been eluded earlier are able to insulate themselves very, carefully. The only way that we've been able to snare large scale drug pushers in the past. Is simply when they have stumbled upon...we have stumbled upon a trusted confident, confidente of that drug pusher who himself finds himself in trouble and is willing to spill the beans. if we catch these people under present law they'll be prosecuted, and prosecuted vigorously. But, we know

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the drug problem is #1 in the Unites States in terms of people concerns. But, just because it is #1 in people concern, throughout this country and especially in this state, is no reason whatsoever, my fellow colleagues to simply embark upon a solution which may be a problem. This Bill will produce in my opinion a fundamental realignment of state and local prosecutor relationships. Before we do that we should ask a very, very simple question. Where is the imperial evidence anywhere in this country, anywhere in this country that an investigative grand jury has made a significant impact upon drug problems, from Miami to Seattle Washington from Los Angeles to Bangore Maine? Imperial evidence does not exist. Federal prosecutors now have many of the powers that are built into this Bill. And they quite candidly simply have not been able to cope with the problem. I can tell you simply from a person who has been in the system, and who knows a great number of law enforcement officials in the system, that where the real in this state and this nation should come is on problems of interdiction at the boarders and putting out more police officers with training and experience into this system, bringing more prosecutors, and career prosecutors staying in the system to attack this problem at the local level, where they know best what the problems are. We don't need Springfield coming into Will County to tell us who our drug pusher are, all they want is your money bureaucracy. Please vote against this Bill."

Speaker Madigan: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in opposition to this Bill too. I'm not a lawyer, I haven't been a former district attorney. I look at this through the eyes of your constituents. One of the most wonderful things we have this country is the right to

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privacy and although the idea of this may be alright and parts of the Bill are good, you are taking away your constituents right to privacy. We are living in a unique time right now, we watch the communist countries all demanding and receiving freedom and more privacy. would we then move in this direction and use KGB and Gestapo tactics on our own constituents. Now, you can that this eavesdropping provision is not that because one of the parties has to agree to it. Well, one of parties can be a mole or a law enforcement officer, and of course, they can call anybody at anytime anything even slightly related to a drug offense. That particular provision alone, although are several other that are But that alone takes away that right to privacy that has been endeared by our people in this country for 200 years, and I don't think at this time in history we should be doing this, when we watch the communist countries realizing our way is best, we should have a right to privacy and much more freedom. I think we should go back next year basics of the Bill are a good idea, we should go back next year rewrite the Bill and be very careful what we do about eavesdropping provision, because I think it unconstitutional and we should not at this time entertain the thought of taking away our constituents privacy. Please vote 'no' on this Bill."

Speaker Madigan: "Mr. Homer, you wish to close the debate? Mr. Homer."

Homer: "Thank you, Mr. Speaker. Let's make no mistake about what's an issue. It's high time that we open our eyes in response to our constituents and realize that we're facing a drug epidemic in this country and we're losing that battle. Drugs in this country is a \$90 billion a year business, it's bigger than Mobile Oil, it bigger than

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General Motors. Illinois has been identified by drug enforcement specialist as one of the primary illicit drug distribution centers in this country. More than 5,000 Illinoisan each year lose their lives to drug abuse and chemical dependency problems. In Illinois alone 300,000 children under the age of 17, have a chemical dependency problem. Sixty percent of all of our high school seniors throughout the State of Illinois admit to having abused drugs at one time or another. Those of you who would suggest that our current law enforcement efforts are sufficient are closing your eyes to reality, and not paying attention to the cries and concerns of the parents of children throughout the State of Illinois. suggested that this isn't going to put an end to drugs, absolutely correct, it won't. Nothing we can do will accomplish that, but our constituents demand of us the very best in providing sufficient law enforcement tools to allow our law enforcement agencies to do their utmost to try to stem the flow of drugs into our neighborhoods and into our schools. Yes, we ought to concern ourselves with the balance of rights, but I can't for the life of me understand whose rights you want to balance with those of our children. The rights of the drug trafficker? I submit to you that's not what your constituents want you down here There's been much, much too much made about the eavesdropping and the wiretapping provisions of this Bill. I reiterate, the Governor did very, very little about wiretapping that's the law that talks about neither party has consented, law enforcement gets a court order that would still be the law under this Bill. What the Governor did was to amend some of the eavesdropping provisions, which have...which would put Illinois in line with federal law, which has been time tested by the U. S. Supreme Court

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and upheld as constitutional. Under what the Governor has did...has done these provisions would be limited prosecutions by a statewide grand jury investigating drug offenders. I believe all the discussion about invasions of privacy are certainly not well founded. about empowering state law enforcement officials with the same tools that federal law enforcement officials have had for a long time in order to go after drug traffickers. Now, whether or not you want to realize it state's attorney's in this state are doing an outstanding job of prosecuting drug trafficking on a local county basis. But, there there are many times where are elaborate sophisticated drug networks that consist of elaborate corporate chart, kind of organizations consisting of the drivers, the distributors, the money kingpens, launderers, the financier, the cooker, the secretaries all parties needed in order to effectuate an effective drug trafficking network. It's those people and conspiracies that are going unprosecuted under current law. This would empower the Attorney General and the statewide grand jury to close that loophole, to go after the drug traffickers and it'll take the profits out of drug dealing. Somebody said let's come back again next year. This Bill and this concept was initiated in 1970, 20 years ago. has never been successful we finally in 1990, 20 years later have an opportunity to give the necessary tools law enforcement community to go after drug trafficking. would urge you to support this Amendatory Veto which is a vote against drugs, against drug trafficking and that's what a 'yes' vote will do. I would urge you to vote on this Bill."

Speaker Madigan: "The question is, 'Shall the House accept the specific recommendations for change with respect to House

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Bill 1487?' Those in favor signify 'aye', those opposed by voting 'no'. Have all voted who wish? Mr. McCracken, to explain his vote."

McCracken: "I'm waiting for, Representative Matijevich to vote. I'm curious to see how the Rule Committee going to handle this problem. You know, that is just part of the hypocrisy of this Bill. It's a bunch of baloney. The man who wants the Bill is eight years late. My friend, you are eight years late to the war on drugs. So, don't try to make your reputation at the 11th hour, and pretend you've done something for eight years long. You haven't done it, and this is just a 'smoke in mirrors'. And the Speaker. himself who portrays himself as having so much concern for the legislative perogative, will not support his Rules Committee because it's a political election year. And I'm sure, Representative Matijevich will stand up and have some pat distinction on which to base a 'yes' vote. you friend in support of the Legislature versus the politics, to vote 'present' be consistent with your own interpretation of the State Constitution."

Speaker Madigan: "Pursuit to the Gentleman request the Chair recognizes, Mr. Matijevich."

Matijevich: "Mr. Speaker, this is pursuant to my request because I have my light on to speak and...Representative McCracken, for 24 years I voted my own switch. I don't need your help at all, and I was going to say and; my comments will be no different after hearing, Representative McCracken. ascribe to every remark that Representative Currie said, every remark that she said. However, when the Governor put his Amendatory Veto on it, in fact I wrote a column it, and I said the Governor with a straight face said that he will never sign an unconstitutional Bill. He said that with a straight face, and then he qoes and make it

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unconstitutional. Now, the Gentleman whose the Governor of the State of Illinois can do that. You mean to tell me Representative McCracken, I can't do what I want to do with an issue as important as drugs. I'11 tell you why I'm to vote for think it is this Bill? Ι unconstitutional, I think it is patently unconstitutional. However, we haven't had a case since we've been using this recommendation that will go to the courts. This Bill Governor is forcing us to take somebody, not me. Somebody to take to the courts. But my constituency feels that drugs is the number one issue in the State of Illinois. Now, as far as my personal feelings go, the Governor his Amendatory Veto, he talks about the power of the Legislature, and a Bill having the function of Legislature. Now, you mean to tell me we as a Legislature can not say that we want to test an important issue to see how it works, and put a time period on it? And then if it going to work then we the Legislature reinstate that I think that's fundamental and that's why I think it's unconstitutional, but unlike the Governor in this instance, unlike the Governor who says he can not sign an unconstitutional Bill, then go ahead and makes it I am not an Constitutional Officer. unconstitutional. am a Legislator and that's all I am, and I would hope that the Chief Executive, in the little time he's got left, maintains that position. He has been a Chief Executive, he has been a Legislator by the abuse of the Amendatory Veto and power, now when he says he'll never sign an unconstitutional Bill, he has become the Chief Judicial Officers. Make up your mind, what are you? Now, I am a Legislator, but this issue is so important it test and I vote 'aye', so that we can start at least at trying to do something at drugs. It may end up in

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courts, and I'm afraid it may be unconstitutional Governor Thompson, but it's got my 'aye' vote at this time, and I hope Representative McCracken likes that."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. The Chair recognizes, Mr. McCracken."

McCracken: "For a verification, Mr. Speaker."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "Leave to be verified?"

Speaker Madigan: "Mr. McCracken."

McCracken: "Yes."

Speaker Madigan: "Would you verify, Mr. Leverenz?"

McCracken: "Representative Matijevich, votes 'aye'..."

Speaker Madigan: "Record, Mr. Matijevich as 'aye'. Mr. Stange?

Mr. McCracken, would you verify Mr. Stange and Mr.

Leverenz?"

McCracken: "Yes."

Speaker Madigan: "Mr. Clerk, read the names of those voting 'aye'.

Clerk O'Brien: "Balanoff. Barger. Barnes. Black. Bowman. Breslin. Brunsvold. Bugielski. Capparelli. Churchill. Cullerton. Curran. Dejaegher. Deleo. Edlev. Farley. Flinn. Giglio. Giorgi. Granberg. Hallock. Hanniq. Harris. Hartke. Hicks. Homer. Shirley Jones. Krska. Lang. Laurino. LeFlore. Leverenz. Martinez. Matijevich. McGann. McNamara. McPike. Munizzi. В. Pedersen. Phelps. Preston. Regan. Rice. Richmond. Ronan. Saltsman. Santiago. Stange. Steczo. Stephens. Tenhouse. Terzich. Turner. Weaver. Sutker. White. Williamson. Wolf. Woolard. And Mr. Speaker."

Speaker Madigan: "Mr. McCracken. Mr. McCracken."

McCracken: "Representative, Shirley Jones?"

Speaker Madigan: "The Lady is in her chair.

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McCracken: "Representative, Ronan?"

Speaker Madigan: "Mr. Ronan, is in his chair."

McCracken: "Representative, Brunsvold?"

Speaker Madigan: "Mr. Brunsvold. Mr. Brunsvold, has returned to
 the chamber."

McCracken: "Representative Hicks?"

Speaker Madigan: "Mr. Hicks, is in the rear of the chamber."

McCracken: "Nothing further."

- Speaker Madigan: "There being no further questions, on this matter there are 63 people voting 'aye', 36 voting 'no'.

 This Motion has received the required Constitutional Majority. Motion is adopted and the House accepts the Governors specific recommendation for change. Mr. Steczo, you have matter to bring before the Body?"
- Steczo: "Thank you, Mr. Speaker. I move to suspend Rule 73, and having voted on the prevailing side, move to reconsider the vote by which the Second Conference Committee Report on House Bill 1287, was adopted. I believe it's been cleared on both sides of the aisle. I don't think there's objection to the Motion."
- Speaker Madigan: "Mr. McCracken. You've heard the Gentleman's Motion. Is there leave? Leave is granted using the Attendance Roll Call. Mr. Steczo, on the regular Calendar on page 2, under the Order of House Bills Third Readings there appears House Bill 2402. The Chair recognizes, Mr. Bowman. Mr. Bowman."
- Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I ask leave of the House to return 2402, to the Order of Second Reading for purposes of an Amendment?"
- Speaker Madigan: "Is there leave? Leave is granted the Bill shall placed on the Order of Second Reading. Mr. Clerk, are there any Amendments?"
- Clerk O'Brien: "Floor Amendment #1, offered by Representative

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Bowman."

Speaker Madigan: "Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the I offer Amendment #1, which rewrites the Bill and puts it in the same form as House Bill 1, which was filed this Session. House Bill 1, is known as the Comprehensive Budget Control Act. It is intended to systematic problems in our budgeting appropriation process. Specifically the process by which we are able to...run to deficit position year after year. This particular Bill will quarantee that the numbers appropriated always add up to the resources available for appropriation. The legislation further find resources available for appropriation to include other items, cash flow item that do not show up explicitly in the budget process. On such matters as the rate of which Bill are paid. For example, always a major source of contingent. This legislation has a number of Cosponsor on it, the House Bill 1, had 39 Cosponsors this year, and it's antecedent legislation has had as much as 80 Cosponsors. legislation it's time has come everyone here in the Assembly is dissatisfied with the appropriation process. I believe this legislation addresses the concern that I've heard expressed from you my colleagues over the eight years that I been chairman of the Appropriation Committee. I move adopted of the Amendment."

Speaker Madigan: "Mr. McCracken."

McCracken: "Point of Order, Mr. Speaker. I ask the Chair rule the Amendment not germane. The original Bill concern the Criminal Code this has no relationship whether by subject matter or title or any conceivable relation I defy the Parliamentarian to find one this time.

Speaker Madigan: "Mr. McCracken."

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- McCracken: "I just got my queue that Senator Netsch, said this Bill is alright. So, I am on board."
- Speaker Madigan: "So, you have withdrawn your request? The Gentleman's request for a ruling of the Chair is withdrawn.

 And the Chair recognizes, Mr. Bowman."
- Bowman: "Well, thank you very much. Mr. Speaker, I've already explain the legislation I now move for it's adoption."
- Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, the is Amendment is adopted.

 Are there any further Amendments?"
- Clerk O'Brien: "No further Amendments."
- Speaker Madigan: "Third Reading. Mr. Clerk, has this Bill been read a third time?"
- Clerk O'Brien: "The Bill has not been read a third time."
- Speaker Madigan: "Mr. Clerk, read the Bill."
- Clerk O'Brien: "House Bill 2402, a Bill for an Act relating to comprehensive budget control and amending certain Acts named therein. Third Reading of the Bill."
- Speaker Madigan: "On the Order of Third Reading, the Chair recognizes, Mr. Bowman."
- Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I served as Chairman of House Appropriations II Committee for eight years now, and in that capacity I have heard many complaints and comments from each of you about the appropriations process and the budget process and the last several years I've attempted to craft legislation through to respond to those concerns. This legislation is the result of my efforts to respond to your concerns about the budget the process. What this legislation does is simply to guarantee that we do not pass an unbalanced budget. We attempt to pass balanced budgets every year, but as you know, the process is cumbersome and awkward and

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because we consider each agency one Bill at a time. Situations arise where the budget does get out of balance. That doesn't serve anyone very well, and this legislation addresses that specific problem by setting up a control total early in the process which can be amended during the process but that control total then governs the final appropriation and anything over that amount, is them deemed to be illegal. So, to answer a question from the other side of the aisle. This deals with making illegal appropriations legal. That's why it's germane. I ask for your consideration and I stand ready to answer any questions."

Speaker Madigan: "Mr. McCracken."

McCracken: "This Bill can be called tomorrow. He hasn't move to suspend the rule to allow it to be called today and voted on. It shouldn't be called today. The rule provide it can only be suspended upon 71 votes, I object."

Speaker McPike: "Representative Bowman, you need 71 votes to suspend this. So, Out of the Record. Supplemental Calendar #1, House Bill 2045, Representative Parcells, on a Motion."

Parcells: "Thank you, Mr. Speaker. I am not filing a Motion to override the veto of House Bill 2045, for the following reason: There has been an agreement reached which is the way we'd always liked to settle things here. And I'd like to read you that agreement. General Motors Corporation is placing a moratorium on the 'Delco Tech Program' for at least 18 months except for a letter of intent or the like is already in place, until there is further review of the affects of the current Delco Tech Service Centers on dealership operations, and customer satisfaction. Based on considerable dealer concern voiced through dealer counsels General Motor Corporation is stopping the roll—out of the

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program, until there is agreement between General Motors and all of its customers including General dealerships, that 'Delco Tech' enhances customer satisfaction and helps owners, dealers and General Motors. The agreement process would be through the General Motors dealer policy committee which would include 'NADA' group dealers and division dealer counsel presidents. This has been signed by Edward B. Wallace, Jr., the Regional State Manager and Local Affairs, General Corporation. I think this is a very fine solution to what could have been a big problem here in the House, and I thought you all would be happy to know that the agreement has been reached."-

Speaker McPike: "Well, thank you very much, Representative Parcells. Ladies and Gentlemen of the House on your desk you see the schedule for this afternoon meetings. There has to be a quorum present in order to hold the Committee meetings so we would encourage you to go to these immediately. There will be no votes there will be no testimony the Bills have to be read into the record. So, the first one start at 3:30. Are there any announcements, Representative Levin?"

Levin: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. The House Select Committee on Chicago School Reform, will not meet this afternoon."

Speaker McPike: "Thank you. Further announcements, Representative Dunn."

Dunn: "By way of clarification, Mr. Speaker, at these committee meetings is the presence of the Sponsor necessary?"

Speaker McPike: "No."

Dunn: "Okay. I thought I should clear that up. Thank you."

Speaker McPike: "Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 94, Matijevich - Ropp;

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- House Joint Resolution 95, Kubik; House Resolutions 1395, Ryder Giglio; 1396 Leitch et al; 1397 Tate; 1398 Speaker Madigan."
- Speaker McPike: "Representative Matijevich, moves the adoption of Agreed Resolutions. All those in favor say 'aye', opposed 'no'. The 'ayes' have and the Agreed Resolutions are adopted. General Resolutions."
- Clerk O'Brien: "House Resolution 1392, Davis; and 1393, Davis."

 Speaker McPike: "Committee on Assignment. Representative Jesse

 White? Jesse White, Representative Jesse White?

 Representative White, your on the phone. Further General

 Resolutions"
- Clerk O'Brien: "House Resolution 1356, Novak; and 1360, Santiago; and also House Joint Resolution 87 Weller:
- Speaker McPike: "Committee on Assignment. Death Resolutions."
- Clerk O'Brien: "Senate Joint Resolution 108, offered by Representative Daley in the Senate in respect the Memory of Marshall E. Hersheway. House Resolution 1383, offered by Representative Currie, with respect to the memory of Sister Mary Regina Polk. House Resolution 1388, offered by Representative Kirkland, with respect to the memory of Frederick E. Downing."
- Speaker McPike: "Representative Matijevich, moves for the adoption of Death Resolutions. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. Death Resolutions are adopted. Representative White."
- White: "...Mr. Speaker, and Ladies and Gentlemen of the House.

 I'd like to suspend the appropriate rule so, that House
 Bill 2083, could be heard in Executive Committee."
- Speaker McPike: "Has this been cleared with the other side."
- White: "Yes, it's been cleared on both sides of the aisle."
- Speaker McPike: "Now, is it any discussion or any objection?

 Hearing none. The Attendance Roll Call is used and the

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Motion carries. No. further announcements. Tomorrows schedule will be as distributed earlier. The only change in this afternoon schedule, the first committee meets at 3:30, which was about 12 minutes ago. Representative Matijevich, moves that the House stand adjourn until tomorrow at the hour of 11:30 A.M. Perfunctory time for Introduction and First Reading of Bills. All those in favor say 'aye', opposed 'no'. The 'ayes' have it, and the House stands adjourned until tomorrow at 11:30 A.M."

Clerk O'Brien: "Introduction and First Reading of Bills. House Bill 3062, offered by Representative Dejaegher, a Bill for an Act to amend the School Code. First Reading of House Bill 3063, offered by Representative White, a Bill for an Act to amend the Emergency Medical Service First Reading of the Bill. House Bill 3064, offered by Representatives Matijevich - Parcells, a for an Act to amend an Act in relation to the construction operation regulation maintenance of a system of toll highways. First Reading of the Bill. House Bill 3065, offered by Representative Kulas, a Bill for an Act to amend the Illinois Credit Union Act. First Reading of the Bill. House Bill 3066, offered by Representative Olson, a Bill for an Act to amend the Illinois Lottery Law. First Reading of the Bill. House Bill 3367, offered Representative Turner, a Bill for an Act to amend the baccalaureate assistance law for registered nurses. First Reading of the Bill. House Bill 3068. offered by Representative Novak - et al, a Bill for an Act to amend the School Code. First Reading of the Bill. Introduction and First Reading of Constitutional Amendments."

Clerk Leone: "House Joint Resolution Constitutional Amendment #18, offered by Representative Daniels — et al. Resolved, by the House of Representatives of the 86th General

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Assembly of the State of Illinois, the Senate concurring that there shall be submitted to the electors of the state for adoption or rejection at least at the General Election next occurring at least six months after the adoption of this Resolution. A proposition to amend Section 2 of Article VIII, of the Illinois Constitution to read as follows: Article VIII Finance Section 2, Finance. Paragraph (a) the Governor shall prepare and submit to the General Assembly at a time prescribed by law a state budget. The budget shall set forth the estimated balance of funds available for appropriation in each biennial budget period which shall consist of every two successive fiscal years commencing with 1992 fiscal The budget shall also set forth the estimated receipts and a plan for expenditures and obligation during the biennial budget period of each of every department authority public corporation and 'quasi' public corporation of the state every state college and university and every other public agency created by the state, but not the units of local government or school districts. The budget shall also set forth the indebtedness and contingent liabilities of the state and such other information as may be required by law. Proposed expenditures shall not exceed funds estimated to be available for the biennial budget period as shown in the budget. Paragraph (b) The General Assembly by law shall make appropriations for all expenditures of public funds by Appropriations for a biennial budget period shall not exceed funds estimates by the General Assembly to that be available during period. Schedule: This Constitutional Amendment takes affect upon approval by the electors of this state. Reading First ٥f this Constitutional Amendment. House Joint Resolution Constitutional Amendment #19, offered by Representative

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Daniels - et al. Resolved by the House of Representatives of the 86th General Assembly of the State of Illinois the Senate concurring herein that there shall be submitted to the electors of the state for adoption or rejection at General Election next occurring at least 6 months after the adoption of this Resolution. A proposition to amend Section 9 of Article IV, of the Illinois Constitution to reads as follows: Article IV of the of the Legislature. Section 9 Veto procedure. Paragraph (a) Every Bill passed by the General Assembly shall be presented to the Governor within 30 calendar days after its passage. The foregoing requirement shall be judiciously enforced. If the Governor approves the Bill he shall sign it, and it shall become Paragraph (b) If the Governor does not approve the Bill, he shall Veto it by returning it with his objections to the House in which it originated. Any Bill not returned by the Governor within 60 days after it is presented to him shall become law. Ιf recess of Adjournment of the General Assembly prevents the return of the Bill the Bill and the Governors objection shall filed with the Secretary of State within 60 calendar days. Secretary of State shall return the Bill and objections to the originating House promptly upon the next meeting of the same General Assembly of which the Bill can be considered. Paragraph (c) The House to which a Bill is returned shall immediately enter the Governors objection upon its Journal. If within 15 calendar days after such entry that House by a record vote of Three-Fifths of the Members elected passes the Bill it shall be delivered immediately to the second House. If within 15 calendar days after such delivery the second House by a record vote of Three-Fifths of the Members elected passes the Bill it shall become law. Paragraph (d) The Governor may reduce or Veto any item of

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appropriation in a Bill presented to him. Portions of the Bill not reduced or Vetoed shall become law. An item shall be returned to the House in which it originated and may become law in a manner as a Vetoed Bill. An item reduced in an amount shall be returned to the House in which it originated and may be restored to its original amount in the same manner as a Vetoed Bill. If a reduced item is not so restored it shall become the law in the reduced amount. Paragraph (e) The Governor may return a Bill together with specific recommendation for change to the House in which it originated. The Bill shall be considered in the same manner as a vetoed Bill but the specific recommendations shall be accepted by a record vote of the Majority elected to each House. Such Bill may be presented again to the Governor and if he certifies that such acceptance conforms with his specific recommendations the Bill shall become law. If he does not so certify he shall return it as a Vetoed Bill to the House in which it originated. Schedule: This Constitutional Amendment takes affect upon approval by the elected of this state. Reading of this Constitutional Amendment. No further business, the House will now stand adjourned until tomorrow Wednesday, March 7th at the hour of 11:30 A.M.

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