

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

115th Legislative Day

May 11, 1990

Speaker McPike: "The House will come to order. The Chaplain for today will be Reverend Herb Hubbard of the Calvary Baptist Church of Taylorville. Reverend Hubbard is a guest Representative Hasara."

Reverend Hebert Hubbard: "Heavenly Father we thank You for the privileges You afford us as Americans. I pray Your blessings upon each Lady and Gentleman today as our Representatives. Which in Your Name we pray. Amen."

Speaker McPike: "You're welcome back anytime, Sir. We'll be led in the Pledge of Allegiance by Representative Ropp."

Ropp - et al: "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

Speaker McPike: "Roll Call for Attendance. Rep...Representative Piel."

Piel: "Good morning Mr. Speaker. Would the record show that Representative Penny Pullen is excused today."

Speaker McPike: "Representative Matijevich."

Matijevich: "Yes, let the record reflect the excused absence of Bruce Farley."

Speaker McPike: "Thank you. Take the roll, Mr. Clerk. 116 answering the roll, a quorum is present. Representative Piel."

Piel: "Thank you, Mr. Speaker. I was wondering if Representative Matijevich might have any further information on how Representative Farley is doing?"

Matijevich: "All the word is he's doing fine, so he's progressing very nicely."

Speaker McPike: "On page 32 on the calendar under Motions, we have an agreed Motion on both sides of the aisle. The Motion on House Bill 4013, by Representative Kulas and

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Representative Pedersen it's been cleared by both sides. Motion to take from the table. Any objections? Hearing none, leave is granted. The Attendance Roll Call will be used and House Bill 4013 is taken from the table, placed on Second Reading. Agreed Resolutions."

Clerk O'Brien: "House Resolution 1684, offered by Representative Kulas; 1689, William Peterson; 1691, Morrow; 1692, Balanoff; 1693, Balanoff; 1694, Balanoff; 1695, Balanoff; 1696, Balanoff; 1697, McCracken; 1698, McNamara; 1699, Hultgren; and Senate Joint Resolution 169, Weaver."

Speaker McPike: "Representative Matijeich."

Matijeich: "Mr. Speaker, these are all congratulatory. I move the adoption of the Agreed Resolutions."

Speaker McPike: "The Gentleman moves the adoption of Agreed Resolutions. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 1685, offered by Speaker Madigan; with respect to the memory of Reverend Francis A. Chiaramonte. House Resolution 1686, offered by Representative Cowlshaw; with respect to the memory of Arthur Landorf. House Resolution 1687, offered by Representative Cowlshaw; with respect to the memory of Marian Hake. House Resolution 1688, offered by Representative Lou Jones - Levin - Trotter; with respect to the memory of Othello Ellis. House Resolution 1690, offered by Representative Cowlshaw; with respect to the memory of Isabelle Eisele."

Speaker McPike: "Representative Matijeich moves for the adoption of Death Resolutions. All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Death Resolutions are adopted. Special Order, Education. Second Reading. House Bill 613, Representative McGann. Out of the record.

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House Bill 1222, Representative Curran. Out of the record.
House Bill 1382, Representative Cowlshaw. Read the Bill,
Mr. Clerk"

Clerk O'Brien: "House Bill 1382, a Bill for an Act to amend the
Public Community College Act. Second Reading of the Bill.
No Committee or Floor Amendments."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. An Amendment is being prepared for this Bill but
but if there is no objection I would just soon move it to
Third Reading now and then we can take care of the
Amendment when it's prepared. Thank you."

Speaker McPike: "Alright. Third Reading. Representative
Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. I have just been informed by
the Community College Organization that that Amendment may
be ready today. So could we just leave this Bill on Second
Reading. And I apologize for that. I wasn't aware that
it was almost ready."

Speaker McPike: "Alright. The Lady asks leave to return the Bill
to Second Reading. No objections, she has leave. The
Bill's on Second Reading. House Bill 2874, Representative
Shaw. Out of the record. House Bill 3067, Representative
Turner. Out of the record. House Bill 3421. Out of the
record. House Bill 3637, Representative Black. Out of the
record. House Bill 3789, Representative Wyvetter Youngee.
That's 3689 (sic - 3789). Enterprise High School Act. Is
the fiscal note filed Mr. Clerk?"

Clerk O'Brien: "Yes, it's filed. House Bill 3789, the fiscal
note and state mandates note is filed."

Speaker McPike: "Yes, everything's been filed. Do you want to
move this to Third? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3789, a Bill for an Act to create the

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Enterprise High School Act. Second Reading of the Bill.
No Committee or Floor Amendments. No Committee or Floor
Amendments."

Speaker McPike: "Third Reading. House Bill 3864, Representative
McAuliffe. Read the Bill, Mr. Clerk"

Clerk O'Brien: "House Bill 3864, a Bill for an Act in relation to
vocational education. Second Reading of the Bill. No
Floor or Committee Amendments."

Speaker McPike: "Third Reading. And returning to two Bills that
we just passed by, House Bill 2874; Representative Shaw.
Read the Bill, Mr. Clerk"

Clerk O'Brien: "House Bill 2874, a Bill for an Act in relating to
collegiate athletics. Second Reading of the Bill.
Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative
Shaw."

Speaker McPike: "Representative Shaw on Amendment #2."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.
Amendment #2 is...all it does is prohibit any athlete from
being suspended...no. Let's start over again. It prevents
a school from canceling a athlete's scholarship after they
have been injured while playing for that school. And
that's all it does."

Speaker McPike: "Any discussion on this? Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, if we're correct, let's see if we can
work this out. Amendment #2 deletes everything after the
enacting clause, which destroys the underlying Bill. And

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I'm not sure you want to do that. And Amendment #2 also creates the Scholarship Athlete Incidental Living Expense Act. And that measure, of course, was one of your Bills that didn't get out of committee. I guess our major concern is that your Amendment destroys your underlying Bill and I'm not sure that's what you wanted to do."

Shaw: "I beg to differ with you. I was...and I apologize. I was reading from the wrong thing."

Black: "Correct. I thought you were."

Shaw: "This does create the incidental living expense. And that's what the Amendment does."

Black: "But are you sure you want the Amendment to abolish your four year renewable scholarship Bill? Because this Amendment deletes your original Bill."

Shaw: "Could we take this...could we take this out of the record, for...could I take this out of the record. Thank you."

Speaker McPike: "Certainly. Out of the record. Representative Black, on House Bill 3637. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3637, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3989, Representative Hicks. Out of the record. House Bill 4023, Representative Turner. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4023, a Bill for an Act concerning driver education. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative

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Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. Amendment #1 removes the two hour requirement for driver's education instructors as well as adds the instruction on the Anatomical Gift Act. What we're trying to do is not only educate the instructor regarding alcohol and substance abuse, but also make the instructor aware of organ and tissue donor...tissue donations. And I move for the adoption of Amendment #1."

Speaker McPike: "Any questions on this Amendment? Any discussion? Being none, the question, is 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed say 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "The Bill stays on Second Reading, Representative Turner. There's a fiscal note request and a state mandates note request. House Bill 4087, Representative Trotter. House Bill 4135, Representative Munizzi. House Bill 4180, Representative Shaw. Out of the record. Alright. And under the Order of Education. If any Members have a Bill on Third Reading that it would wish to move back to Second. The Chair recognizes Representative Matijevich on House Bill 3085."

Matijevich: "Yes, Mr. Speaker. I'd like to have leave to return House Bill 3085 to Order of Second and leave it sit there. Representative Mautino's got an Amendment that isn't ready yet. So I'd ask leave to return that to the Order of Second."

Speaker McPike: "Alright. House Bill 3085. Hearing no objections, is returned to Second Reading. Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, I'd like to return House Bill 4024

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for an Amendment."

Speaker McPike: "Mr. Clerk, House Bill 4024. The Lady asks leave to return it to Second Reading. Are there any objections? There being none, the Bill's on Second Reading."

Clerk O'Brien: "Floor Amendment #1 offered by Representative Satterthwaite."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. This is a technical Amendment. The Bill itself is also technical and is meant to apply only to the University of Illinois. In one section there were questions that this might affect other state agencies and so the revision included in Amendment #1 is to clarify that the change applies only to the University of Illinois."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Are there any other requests under Education, to bring Bills back to Second? Representative Hartke."

Hartke: "Mr. Speaker I have a...there's been an Amendment filed. I'd like to bring 3299 back to Second Reading but it's not been distributed yet. An Amendment has been filed."

Speaker McPike: "We'll just leave it on Third Reading right now, Representative Hartke. And when the Amendment is distributed we'll bring it back to Second."

Hartke: "Okay. Thank you."

Speaker McPike: "On the Order of Human Services, Second Reading, appears House Bill 1651, Representative Wyvetter Younger. Read the Bill, Mr. Clerk"

Clerk O'Brien: "House Bill 1651, a Bill for an Act to create the

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Urban Civilian Youth Service. Second Reading of the Bill.
No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 1656, Representative
Wyvetter Younger. Read the Bill, Mr. Clerk"

Clerk O'Brien: "House Bill 1656, a Bill for an Act to amend the
Illinois Public Aid Code. Second Reading of the Bill.
Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3147. Representative
McGann, do you wish to call this Bill? It's a Committee
Bill. Yes. Read the Bill, Mr. Clerk"

Clerk O'Brien: "House Bill 3147, a Bill for an Act to amend the
Mental Health Developmental Disabilities Confidentiality
Code. First Reading of the Bill. Amendment #1 was adopted
in committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative
McGann and Black."

Speaker McPike: "Representative McGann."

McGann: "Yes. Thank you, Mr. Speaker and Members of the
Assembly. Amendment #2 to House Bill 3147 is an Amendment
that's been worked out with the Department of Mental Health
and our committee relative to the procedures for the
disclosure of patient records in a legislative proceeding
whereas they have abuse and neglect taking place. So I
believe, I'd like to have the adoption of this Amendment #2
to House Bill..."

Speaker McPike: "Alright. Is there any discussion on Amendment
#2? Being none, the question is, 'Shall Amendment #2 be
adopted?' All in favor say 'aye', opposed 'no'. The

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'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative McGann and Black."

Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. Amendment #3 is just a taking out a provision that was agreed upon with the department during our committee hearings. And I'd ask for adoption of Amendment #3."

Speaker McPike: "Any discussion? There being none, the question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill...or going back to Education, we skipped over House Bill 4180. Read the Bill, Mr. Clerk"

Clerk O'Brien: "House Bill 4180, a Bill for an Act in regard to scholarship athletics. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Shaw."

Speaker McPike: "Representative Shaw."

Shaw: "We want to withdraw number...#1."

Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Shaw."

Speaker McPike: "Representative Shaw."

Shaw: "Withdraw Amendment #2."

Speaker McPike: "The Gentleman withdraws the Amendment. Further Amendments?"

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Clerk O'Brien: "Floor Amendment #3, offered by Representative Shaw."

Speaker McPike: "Representative Shaw."

Shaw: "Withdraw Amendment #3."

Speaker McPike: "The Gentleman withdraws the Amendment. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Shaw."

Speaker McPike: "Representative Shaw."

Shaw: "Amendment #4 replaces the original language in the Bill, it removes everything after the enactment clause of 4180. And what 4180, what the Amendment does, is it would create an incentive scholarship for low income students. It would be administrated by the Students Assistant Commission. What this, well...and I ask for the adoption of Amendment #4."

Speaker McPike: "And on the Amendment, Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker McPike: "Yes."

Didrickson: "Representative Shaw, this Amendment that you're offering here, was this one that we heard in Higher Education Committee?"

Shaw: "Beg your pardon."

Didrickson: "Was that a yes?"

Shaw: "No. What did you, what was the question?"

Didrickson: "The question was, was this Amendment what we heard in Higher Education in the form of the Bill called the Taylor Plan?"

Shaw: "This is, yes. Yes."

Didrickson: "Is the language essentially the same as what you brought in to Higher Education?"

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Shaw: "Essentially. But there's been some major changes in it."

Didrickson: "For example?"

Shaw: "We removed the 50 percent and put a two point five average rather than the 50 percent. ISAC is the administrative agency, so we've made major changes in it."

Didrickson: "Okay. Wasn't it Mr. Taylor who brought this plan here from Louisiana as a star, shining example of what we could do for the State of Illinois in terms of offering scholarship assistance to needy students in the State of Illinois?"

Shaw: "Mr. Taylor didn't bring it. I originally saw it on 60 Minutes."

Didrickson: "I think Mr. Taylor and his T.V. cameras and entourage came into Higher Education and touted this program. Which in Louisiana I think they, what, what was the full amount of appropriation that they spend on this assistance program in Louisiana?"

Shaw: "It's about, somewhere around a million dollars. Somewhere in that area."

Didrickson: "Somewhere around a million dollars. And do you recall the number that we use and spend in the State of Illinois for scholarship assistance?"

Shaw: "About a hundred and...all together it's around a 170 million."

Didrickson: "So, we have here a program that we're supposed to put in place in Illinois from Louisiana where they spend approximately a million dollars as compared to the 180 million dollars that we already spend in Illinois and I guess my question is, where is the leadership that they are going to bring us that we haven't been there prior to their program?"

Shaw: "Well, I really don't think, I really don't think that that is the issue in this program. I believe that the issue in

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this Amendment is the commission's regulations. They have written a lot of people out of the program by setting up the guideline same as the federal guideline. And what they are doing as a result of the commission's regulations modeling their guidelines after the fed's guidelines, what they are doing are causing at least 52 or 55 percent of the students that are now in the universities to lie on the application in order to get the map grant. And what we are attempting to do here, as a Legislative Body, is remove the bureaucratic rules out and we as a Legislative Body set the standards and that's what this Amendment does. But if you check with any university around this state in your own district and districts adjoining you anywhere in this state, any student that get a map grant, fifty percent of the student that get a map grants, have to lie on the application in order to receive the grant. And that's unfortunate and we should not be about the business in this Legislative Body to make our children lie."

Didrickson: "What is the approximate cost to the State of Illinois, if we include this program?"

Shaw: "Between one and four million dollars."

Didrickson: "How many additional students are we going to reach with this program?"

Shaw: "I believe that...I don't have the...an estimate on it, but from any, any of the universities, but some responsible sources has told me that this would reach somewhere around 70 percent of the people of this state."

Didrickson: "Other than Mr. Taylor from Louisiana, who has presidential aspirations, who supports this Amendment?"

Shaw: "Who supports this Amendment? I think a lot of people on the floor here supports it. But aside from that, I think I've heard from many people back in my district and certainly many of the people and educators that I've

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explained it to and high schools that I've gone to supports the Amendment."

Didrickson: "To the Amendment, Mr. Speaker. This had a full hearing with entourage and T.V. cameras in Higher Education and I think many of us felt that we have a program in existence in the State of Illinois that is far superior to any one that was being brought to us from Louisiana. We already spend 180 million dollars, could we increase that? You bet. Within the existing framework that we have. But clearly, the Taylor Plan from Louisiana, where they only spend approximately a million dollars in that state, compared to what we already do in this state at 180 million dollars is an unnecessary effort as well intentioned as it is by Representative Shaw. So I would suggest if it gets to a vote, a 'no' vote is the appropriate vote."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Satterthwaite: "Representative Shaw, under your Bill, if this were to become law, would the students who apply for this grant also apply for the Monetary Award Program Grant that is currently in place?"

Shaw: "Yeah, yes. They could apply for both of them. There's nothing...there's nothing in my Amendment that would prohibit them from doing that."

Satterthwaite: "There's no requirement for it...Okay, but there is also nothing that requires it, is that accurate?"

Shaw: "Nothing that re..."

Satterthwaite: "Well, I think under those circumstances and also the fact that you have now changed it to include tuition and fees, that the fiscal note that was provided for the Taylor Plann in committee, probably does not apply to this Amendment. Although that fiscal note indicated that it

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would have a cost of one to four million dollars. That was on the assumption that all of the students would first apply for the MAP program if they did not qualify for the MAP program but could qualify for all of the provisions under this Bill. Then the cost might be an addition one to four million dollars. If these students are not applying for MAP, it is going to increase the cost of this program substantially. It also is going to mean that if the money is moved into this program, rather than into the MAP program, a number of students who currently qualify for scholarships would no longer qualify. And we would find that we were in fact, decreasing access to higher education, rather than increasing access to higher education. I think it has some merit in terms of saying that if you meet all of these academic requirements, you should be given some guarantee of attending college, but we heard from Mr. Taylor himself that the financial conditions that are stipulated in this Bill are now being changed in Louisiana because they realized that you don't automatically give a scholarship to someone on the basis of the family income for that year without considering other assets that might be available. And so, as was brought out in committee, if a family has a hundred thousand dollars in assets but their income is still only 25 thousand dollars with one child, it probably is not good to say that that family deserves to have a scholarship for their child. And so I think, while this is a good program in Louisiana, it is not necessarily a good program in the State of Illinois because it will in fact provide a system that will be more confusing. People will need to qualify for the MAP program if they don't qualify for this, and while it's meant to simplify the process, it seems to me that it is going to significantly complicate the process. It may give false

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hope to people who think that they will get scholarships under this Act, who will not qualify. I think we should wait a few years, see what happens with Mr. Taylor's plan in Louisiana and the other states where he's proposing it, before we decide to impinge on a program that is currently working to give low income families access to higher education. I wish that I could be more positive about this, but I think at this time it's the wrong way to go and I would urge a 'no' vote on the Amendment."

Speaker McPike "Representative John Dunn."

Dunn: "Will the Sponsor yield for a question?"

Shaw: "Yes. Yes I will."

Dunn: "Is this Amendment the Taylor Plan?"

Shaw: "Beg your pardon?"

Dunn: "Is this the Taylor Plan, Floor Amendment #4?"

Shaw: "It's close, yes."

Dunn: "What's different?"

Shaw: "The two point five. And rather than to go through the Board of Higher Education, it goes to the Scholarship Commission."

Dunn: "You mean the entire plan goes to the State Scholarship Commission?"

Shaw: "Right."

Dunn: "And what else is different?"

Shaw: "That is basically, that is basically it in terms of the Taylor Plan."

Dunn: "And, in Higher Education Committee there was discussion that this plan has the potential to do two things. Number one, cost a lot more dollars to the taxpayers in the State of Illinois, and number two, set up a parallel system for determining eligibility in competition with the system we now use. Is that, is that still correct?"

Shaw: "No, no."

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Dunn: "Why do you think not?"

Shaw: "That's, that is not. Because what we're doing here is not primarily, we're talking about the same dollars, the same dollars in the, the only difference is..."

Dunn: "Well I understand that, but talking about different system to award the same dollars."

Shaw: "The only difference is if we...the only difference is instead of some bureaucratic person in some office writing the, the specks in terms of who qualifies for the program and the need factor, we as a Legislative Body would determine that and set forth that. That's all this plan does."

Dunn: "Well, in, what is wrong with the financial aid determinations which are made at the present time by the Illinois State Scholarship Commission?"

Shaw: "Because, it's set up based on the federal program and that's what I said earlier, you are makin' students lie in order to qualify for the program. Every, at two...over half of the students around this state today, if they receive a MAP grant, they have to lie about their family income. And that's just a problem, that's what the problem is with the present program."

Dunn: "Well, I don't know how far I want to pursue that last statement, but the...the, we have a federal program which has been in place for a long, long time and it may have shortcomings, the forms are difficult to fill out. I'm familiar with filling out the forms, they are difficult to fill out. But, I don't know that it is geared up or designed to deny people the help. The basis of the State Scholarship Awards are to first of all determine which college applicants are needy, and then if I understand things correctly, to provide statutory grant awards to them on a first come first serve basis, until the money runs

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out. And I, that's an equitable program as far as I'm concerned and you want, well you answered that one question, you want to replace that mechanism with a different mechanism. And then we had testimony in committee, I think, that I don't remember the exact numbers, but I think we're paying out, correct me if I'm wrong, about 180 million dollars a year now for state scholarship commission awards, is that about correct?"

Shaw: "That's right."

Dunn: "And wasn't there, and your Taylor Plan is to provide access to more people than we now have access for, isn't that?"

Shaw: "That's right."

Dunn: "And, and there was an estimate in committee that that will cost 40, 50, 60 million dollars, something in that ball park."

Shaw: "No. No, I don't recall that. No There was no testimony in committee..."

Dunn: "Well, how much more do you think your plan will cost over and above the 180 million we're spending now?"

Shaw: "The plan that, the estimate that was on the original Taylor Plan was one to four million dollars more. That's what the, that's what the estimate was."

Speaker McPike: "Representative Dunn, are you finished?"

Dunn: "Well, Mr. Speaker, Ladies and Gentlemen of the House. To the Amendment. I hope everyone understands, first of all, the...Mr. Taylor came to the, Patrick Taylor, from New Orleans came to the Higher Education Committee and prevented a, presented a very convincing argument. He seemed to imply that he was putting a lot of his own personal net worth into the Louisiana plan, but the testimony also seemed to indicate that he was not. All I heard that he ever bought were t shirts for college

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applicants with name of his program on them. He may have a good program, but we have a good program here. Louisiana Plan is supposed to supercede our plan, and if I recall correctly, Louisiana is spending something like five or six or seven, maybe eight million dollars a year, maybe as low as two million dollars a year, on college scholarship awards. And we are already spending 180 million dollars. This Amendment seeks to replace the Illinois State Scholarship Commission Program with an entirely different program, which is not consistent with the federal program, the financial aid form which is used nation wide for determining eligibility for need grant college awards. We have no, no reason that I can see, to switch horses in the middle of this stream. This program has been working. It probably is not perfect. No program is not perfect. But there's no reason to change programs now when we will be out of step with the federal government and all the rest of the nation, and replace the Scholarship Commission Program with one that is to be awarded differently which will require the creation of an entire new bureaucracy and which will, and which also will have a very serious, very serious, negative impact upon private colleges and universities. We must remember that, that they are this legislation affects only the public higher education universities. It does not affect community colleges, does not affect private universities and colleges. These people are recipients, at least the private colleges are recipients now under the Illinois State Scholarship Commission System of substantial awards. If you believe in diversity of education, in this state, you should be very cautious about doing anything which will, which will severely undercut the financial stability of our private colleges and universities. This Amendment would do that.

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This Amendment would replace the State Scholarship Commission. They've had some difficulties over the years but they do follow the federal system, use a federal form, and it's a good program. We shouldn't, we should not adopt this program at this time. There may be some measures to study. We should think about this a little more. We should defeat this Amendment, with all due respect to the Gentleman Sponsor. So I would ask for a Roll Call vote and 'no' votes on this Amendment."

Speaker McPike: "Representative Monroe Flinn. The Gentleman moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed say 'no'. The 'ayes' have it. The previous question is put. Representative Shaw to close."

Shaw: "Yea. Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I think that in all due respect to the previous speakers, I think that what they failed to tell you, is that we give out a hundred and around 170 million dollars in this state with no incentive built into the program. And the program that you have now before you, there's incentives built into this program. And we are, we would be callin up on the students not just based on need, we are saying that you have to perform in order to get this money. You have to stay out of trouble. You have to stay off of dope, drugs, to get this money. That is not what the existing program is about. What I would, I would like for you to think about is across this state we graduate, after paying 170 million dollars, we graduate less than a third of the people in the college system that we give money to. There's something wrong with that. And what we're doing here in this program, this is a good program, it need to be implemented and certainly I would ask for your 'aye' vote on this program."

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Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All those in favor vote 'aye', opposed vote 'no'. Representative Ropp to explain his vote."

Ropp: "Thank you, Mr. Speaker. In all due respects to the Sponsor, I would like to ask for a video of Mr. Taylor's presence. Second thing, I think this program is one that is certainly not needed because we're doing an exceptionally good job now. And the fact that when we're spending almost 200 million dollars to attempt to do this is just not in line. The program that is being offered is one that almost guarantees something for everybody and I certainly don't think at this time we're in a position to guarantee that. Not every student is in a position to go to college, even though they may qualify under this program and I urge a 'no' vote."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. Vote the Speaker 'aye', and Representative McPike 'aye'. And Giglio 'aye'. On this Amendment they're 37 'ayes' and 57...take the record Mr. Clerk. On this Amendment there are 38 'ayes' and 56 'nos' and the Amendment fails. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. House Bill 3565, Representative Currie. Out of the record. House Bill 3567, Representative Williams. Out of the record. House Bill 3587, Representative Didrickson. Out of the record. House Bill 3702, Representative Homer. Mr. Homer. House Bill...out of the record. House Bill 3755, Representative Levin. Out of the record. House Bill 4074, Representative Curran. Out of the record. On Second Reading under Special Order; Insurance. Appears House Bill 3683, Representative Leverenz. House Bill 3941, Representative Satterthwaite. Read the Bill, Mr. Clerk"

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Clerk Leone: "House Bill 3941, a Bill for an Act to amend the Health Maintenance Organization Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Out of the record. House Bill 4025, Representative Giorgi. House Bill 4025. Representative Giorgi, you wanta call the Bill? Read the Bill, Mr. Clerk"

Clerk Leone: "House Bill 4025, a Bill for an Act to amend the State Employee Group Insurance Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 4048, Representative Williams. Out of the record. Does anyone have a Bill on Third Reading under this Order of Call that they wish to return to Second Reading. Please notify the Chair. Representative Mautino. What Bill number?"

Mautino: "Thank you, Mr. Speaker. 3324, currently on Third. I move that...I request that it be returned to Second for the purposes of an Amendment that has been distributed."

Speaker McPike: "Are there any objections. Hearing none the Gentleman has leave. Representative McCracken. No, no objections. The Gentleman has leave. The Bill's on Second Reading. Are there any Amendments, Mr. Clerk?"

Clerk Leone: "House Bill 3324, has been read a second time previously. Floor Amendment #2 is being offered by Representative Mautino."

Speaker McPike: "Representative Mautino."

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Mautino: "Thank you, very much, Mr. Speaker. Ladies and Gentlemen of the House. Amendment #2 to House Bill 3324, does basically three things. This is the rural bond bank, and what it changes is that it establishes when the principal and the interest of it's bonds and notes must be reported. And we have provided that as soon as practically possible, instead of a date certain because the rural bond bank is in it's infancy. Number two, we've established the existing taxes under financial, under the financial institutions statute that is necessary for all of the bonding programs throughout the State of Illinois. It provides for the Home Rule County Retailers Occupational Tax and the Home Rule County Service Occupational Tax along with the other sections. It also caps out the bond authorization 100 million dollars. And I move for it's adoption. And I don't believe there's any opposition anywhere on the Bill. On the Amendment."

Speaker McPike: "On the Amendment, Representative McCracken."

McCracken: "Will you...you know, be changed from 50 to 100 million is very substancial. Who has requested this Amendment?"

Mautino: "Mr. Norton and the directors of the Rural Bond Bank and as I understand it, George Ryan."

McCracken: "Now, why do you amend certain sections to include the Home Rule Counties Retailers Act Occupation Tax and the Service Occupation Tax for Home Rule Counties?"

Mautino: "I understand that that is the language that is necessary for the pledge of funds by local governments."

McCracken: "Well, how does it work? Does the Rural Bond Bank get these funds from the these various taxes that are listed in the Bill and Amendment? Is that how it works?"

Mautino: "Yes, Sir. Yes, Sir."

McCracken: "And those are already dedicated?"

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Mautino: "Yes, Sir."

McCracken: "Are these completely new tax res...or tax sources?"

Mautino: "No, they are not. They are the existing tax sources on, as I understand it, on bond authorization and pledging of funds by the State of Illinois."

McCracken: "Well, why do we have these new taxes referenced in your Amendment?"

Mautino: "Because they were left out of the original Bill, as I understand it, and it was later brought to their attention that the Home Rural Provisions, the Home Rural County Retailers Occupational Tax was not included but they are included by this Amendment."

McCracken: "Now there's only one Home Rural County in this state and that's Cook County."

Mautino: "Yes, Sir. They were originally out of the Bill, now they're in it."

McCracken: "And they agree to that?"

Mautino: "As I understand it, yes, Sir."

McCracken: "Okay. Thank you."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Is there anyone else that has a Bill on this Order? Who wants it brought back to Second? Or on the previous Order, Human Services. Does anyone have a Bill on Third that they wish to bring back to Second? Representative Lou Jones."

Lou Jones: "Thank you, Mr. Speaker. It's House Bill 3483, Amendment #..."

Speaker McPike: "Alright. The Lady asks leave to return House Bill 3483 to Second Reading. Hearing no objections, is

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someone objecting? Representative Regan are you objecting to moving this back to Second. Representative Curran? Okay. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk Leone: "House Bill 3483 has been read a second time previously. Floor Amendment #1 is being offered by Representative Lou Jones."

Speaker McPike: "Representative Jones."

Lou Jones: "Thank you, Mr. Speaker, Members of the House. This Amendment deletes everything after the enacting clause. It amends the AFDC article of the Public Aid Code with regard to the speed that benefits are made available to newly released ex-offender, custodial parents and their children. This Amendment that's agreed upon between myself and the department, and with this Amendment on, they will remove their objection."

Speaker McPike: "Alright. Any discussion? Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Who did you talk to at the Department of Public Aid about this Amendment?"

Lou Jones: "What is that representatives name?"

McCracken "Lou?"

Lou Jones: "I'm trying to think of her name, Representative."

McCracken: "Is it the lobbyist, the standard lobbyist or something?"

Lou Jones: "No, no, no it's not. It's the person..."

McCracken: "Is it the director?"

Lou Jones: "No it's not."

McCracken: "Alright, why don't you put it on, and we'll check in the meantime."

Speaker McPike: "Alright, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further

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Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Does anyone else have a Bill on this Order? Representative Regan."

Regan: "Yes, Mr. Speaker. House Bill 2647, I'd like to bring back to Second Order."

Speaker McPike: "House Bill 2647, any objections to the Gentlemen bringing this to Second? Hearing none, the Gentleman has leave. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk Leone: "House Bill 2647 has been read a Second time previously. Floor Amendment #2 is being offered by Representative Regan."

Speaker McPike: "Representative Regan."

Regan: "Thank you, Mr. Speaker and Members of the House. Amendment #2 simply makes it perfectly clear what the intent of the Bill is to do. By adding in an additional paragraph that said only those current prospective employees who have no possible contact with children. That's what I wanted to make clear, that's the purpose of Amendment #2. I urge it's passage."

Speaker McPike: "Any discussion? Being none, the question is, 'Shall Amendment #2 be adopted. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Representative Regan."

Regan: "I believe that Amendment #3 was, but maybe it's not printed and distributed yet huh?"

Clerk Leone: "I'm sorry. That was my error."

Speaker McPike "That was the Clerk's error. There is another Amendment. The Bill will be returned to Second Reading. Mr. Clerk."

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Clerk Leone: "Floor Amendment #3 is being offered by Representative Regan and Parke."

Speaker McPike: "Representative Regan."

Regan: "Mr. Speaker and Members of the House. Amendment #3 is designed to affect the situation where there is very little slots for day-care. There seems to be a shortage where people can take their children with care. Since 85 percent of children are watched by someone in their home, and they're only allowed three children, plus their own, I thought that if they got child care development associate credentials which is a course at a junior college, that we could extend that to four children, opening up many many slots for people to watch children. And I would urge its adoption."

Speaker McPike: "Any discussion? The question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike; "Third Reading. Alright, the Bill is...that Bill is now on Third Reading. Under the next Special Order is Transportation. Second Readings. Representative Curran."

Curran: "Mr. Speaker you offered if anybody else had..."

Speaker McPike: "Yes. Do you have a Bill?"

Curran: "4074, an uncontested Amendment..."

Speaker McPike: "4074, on which Order?"

Curran: "Children."

Speaker McPike: "No, we're not on that Order."

Curran: "Thank you."

Speaker McPike: "I asked for Human Services. And Insurance. Representative Regan."

Regan: "Mr. Speaker, I also have House Bill 3358 that I'd like to bring back for an Amendment, please."

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Speaker McPike: "3358. Alright. Mr. Clerk. Are there any objections to the Gentleman returning this to Second Reading? There being none the Gentleman has leave and House Bill 3358 is on Second Reading. Are there any Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Regan."

Speaker McPike: "Representative Regan."

Regan: "Mr. Speaker, Members of the House. Amendment #2 was requested by Father Smith from Merryville. It says unless a child 18 years of age is in the last year of high school education or vocational training it's...to please some of the opponants of the Bill and I urge it's passage."

Speaker McPike: "The Gentleman moves the adoption of Amendment #2. Is there any discussion? Hearing none, the question is, 'Shall Amendment#2 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. Any other requests on Human Services? Or on Insurance? Alright, now we're on Second Reading of Transportation. Appears House Bill 2867, Representative Saltsman. Out of the record. House Bill 3043, Representative Santiago. Out of the record. House Bill 3903, Representative Bugielski. 3903. Out of the record. House Bill 3915, Representative Goforth. Out of the record. House Bill 4172, Representative Hicks. Out of the record. Alright, does anybody have a Bill on Transportation, Third Reading, that they wish to return to Second Reading? The next Order is Economic Development, Second Readings. First three Bills are Representative Wyvetter Younge's Bills. Do you wish any one of these Bills heard? Representative, that would be House Bill

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1560, 2533, 2535. House Bill 2533, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2533, a Bill for an Act to amend the East Saint Louis Area Development Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Any fiscal notes?"

Clerk Leone: "There is no request for a fiscal note."

Speaker McPike: "Third Reading. House Bill 2535. Read the Bill, Mr. Clerk"

Clerk Leone: "House Bill 2535, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. Amendments #1 and 2 were adopted previously."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2876, Representative LeFlore. Mr. LeFlore. Yes, Representative McCracken."

McCracken: "Has there been a fiscal note filed on 2535? You just considered that on Second."

Speaker McPike: "Mr. Clerk."

Clerk Leone: "There is a fiscal note filed on House Bill 2535, both on the original Bill and on the Bill as amended."

McCracken: "Okay."

Speaker McPike: "Alright. Is Mr. LeFlore here? On the Order of Economic Development, Third Reading. Does anyone wish to return their Bill back to Second for an Amendment? Transportation, Third Reading. Is Representative Klemm, on House Bill 3099. The Gentleman asks leave to bring that back to Second Reading. Any objections? Being none the Bill's returned to Second Reading. Are there any Amendments, Mr. Clerk?"

Clerk Leone: "House Bill 3099, on the Order of Second Reading."

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Floor Amendment #1 is being offered by Representative Klemm."

Klemm: "Thank you, Mr. Speaker. Amendment #1 clarifies the concurrence...that we wanted with the cities and counties, and I do move it's adoption."

Speaker McPike: "Yea, Representative Klemm, I don't know if they heard it over here. Was that just a technical Amendment?"

Klemm: "It was an Amendment to clarify the, well, technical Amendment to clarify the Home Rule, on the counties and municipalities."

Speaker McPike: "Representative Young."

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

Speaker McPike: "Yes."

Young, A.: "Does this preempt Home Rule?"

Klemm: "I didn't hear you."

Young, A.: "Does this Amendment preempt Home Rule?"

Klemm: "Yes, it does."

Young, A.: "So this will require 71 votes on Third Reading?"

Klemm: "I don't believe so."

Speaker McPike: "Representative Young, anything further?"

Young, A.: "I'm still waiting for the Parliamentarian."

Klemm: "Well, we could, I probably, we could debate what it needs on Third Reading at Third Reading. Right now..."

Young, A.: "Nothing further."

Klemm: "You know. Give you time to look it over."

Speaker McPike: "Alright. Is there any further discussion on this? Being none the question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Third Reading. Alright the next Order is...and that Bill was returned to Third Reading, House Bill 3099. The next Order is State Government Administration. Representative Matijevich. Read the Bill, Mr. Clerk. 3197."

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Clerk Leone: "House Bill 3197, a Bill for an Act to amend the Waukegan Civic Center Law. Second Reading of the Bill."

Speaker McPike: "Representative Matijevich, there is a fiscal note requested as amended that has not been filed. Alright the fiscal note has been filed on 3197 as amended, so Mr. Clerk are there any Amendments?"

Clerk Leone: "House Bill 3197, a Bill for an Act to amend the Waukegan Civic Center Law. Second Reading of the Bill. Amendments #1, 3, 4 and 5 were adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendment?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Representative Matijevich. Third Reading."

Matijevich: "Oh, is it filed?"

Speaker McPike: "Yes, it was just filed. Third Reading. Alright, House Bill 3623, Representative Currie. Alright. There's a fiscal note request here. House Bill 3777, Representative Currie. House Bill 4050, Representative Currie. House Bill 4196, Representative Cullerton. Alright, now State Government Administration. Third Reading. Does anyone have a Bill on this Order they would like to return to Second Reading? No. Representative Bowman, on House Bill 4148, on this Order of Business. Does anyone object if we go to that Bill? Hearing no objections, we'll hear House Bill 4148, Representative Bowman. Read the Bill, Mr. Clerk"

Clerk Leone: "House Bill 4148, a Bill for an Act to amend the School Code."

Speaker McPike: "Representative Bowman, there's an Amendment filed to this. Are you aware of that?"

Bowman: "It's on Third Reading."

Speaker McPike: "I know. I just asked you if you were aware of

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it."

Bowman: "No, I wasn't."

Speaker McPike: "Alright. Did you want...wish to bring this Bill back to Second Reading?"

Bowman: "Let me...could we take it out of the record while I look at the Amendment?"

Speaker McPike: "Yes."

Bowman: "Thank you."

Speaker McPike: "The Bill's out of the record. Representative Bowman. Just call the Bill then. Mr. Clerk, read the Bill. The Bill's on Third Reading."

Clerk Leone: "House Bill 4148, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that I've spoken to virtually every Member of the House, individually about. It affects only my district. Doesn't cost any money and eliminates several elected positions that in my opinion are completely redundant. Not only in my opinion, Ladies and Gentlemen, but in the opinion of virtually every citizen of Evanston. I've never seen such bi-partism support for a piece of legislation in my life. This particular legislation eliminates the office of elected school trustee. At the township level in the township of Evanston alone. The township trustees were eliminated by a legislation in 1962 outside of Cook County. The City of Chicago does not have such offices. School boards are perfectly capable of handling their own money. Especially in the City of Evanston where we have a cash flow of 80 million dollars a year, and our business managers are highly trained professionals. I think this legislation is...time has come and I urge an 'aye' vote."

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Speaker McPike: "And on the Bill, Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I can understand what my colleague on my side of the aisle is trying to do. However, this Bill and similar Bills, to eliminate these township and school treasurers have been around here for the past five or six years. I agree with him. I think some school boards and some of the school districts are capable of doing what they want. However, we're talking about a precedent here that we're trying to eliminate an office and a government that was created over a hundred years ago. The people in these districts, even though they are just in Cook County, created these school trustees and these...and they elect, nominate the school treasurer by either referendum or some form of government. What they're asking us to do, is take away something that they did by their right by voting. I don't think it's proper. I don't think it's fair. I think if the people want to eliminate this position and these offices they should go to a referendum. The people took it upon themselves to eliminate one third of our House almost ten years ago. That's the way they should have went, by the Ballot box. This was an agency of government a form of government that was created by the people through the ballot box, and I think that's the way they should be eliminated. I would suggest that the Sponsor take his case back to the people. Put a referendum on the ballot, let the people decide to eliminate the township treasurer and the school trustees and then everything would be fine. Don't come here and ask us to do something that we have no business doing. I would ask for a 'no' vote."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Would the Sponsor yield for a question? please?"

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Speaker McPike: "Yes."

Cowlishaw: "Representative Bowman. I think this is an excellent proposal. I think that perhaps the only objection, valid objection that could be raised to it, that it doesn't go far enough. It takes care of one school district and leaves the rest in the unenviable position from which you are trying to extract, the Evanston school district. I think that it would be a very good idea for us to support this measure but my question is, if we're able to achieve this very worthy goal for the Evanston schools, would you be willing Representative Bowman, subsequently, to support a proposal to enable all schools to have an optional use of township school treasurers, rather than their being required to use those offices with no choice of their own?"

Speaker McPike: "Representative Bowman."

Bowman: "Well, thank you for the question Representative Cowlishaw. It gives me the opportunity to advise the House this is my last Bill. Because I'm leaving the General Assembly and someone else will have to take up that fight."

Speaker McPike: "Any further questions...any further discussion? Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Gentlemen's Bill. The ballots right now are so cluttered with so many elected offices, especially in the Cook County area, that it makes it relatively impossible for a voter to be knowledgeable on the people who he or she is voting for. To know the differences between the candidates, to know what they stand for because we have so many, many elected offices. I applaud this opportunity to unclutter to a small degree a very lengthy ballot and I think this Bill is a very good idea."

Speaker McPike: "The question is, 'Shall House Bill 4148 pass?'"

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All those in favor vote 'aye', opposed vote 'no'.
Representative Matijevich, do you wish to explain your
vote?"

Matijevich: "Well, only that I want to say good luck to Woody. I
wish I could support his Bills more in the future but God
bless him, he's been a very responsible Legislator. This
is his last Bill, and I'm happy to vote 'aye' for Woody
Bowman."

Speaker McPike: "Representative McCracken to explain his vote."

McCracken: "We don't have to get maudlin over this. It's just
Representative Bowman's last Bill of the week. I'm sure
he'll be back with more legislation in the very near
future."

Speaker McPike: "Have all voted? Representative Kubik."

Kubik: "Thank you, Mr. Speaker, and I...in explanation of my
vote, I think that this is an excellent piece of
legislation. An interesting epitaph to Representative
Bowman's legislative career, that he is actually cr...he
eliminated government by doing this rather than creating
government. So it's a fine epitaph, a great Bill and I
heartily support it."

Speaker McPike: "Have all voted who wish? Clerk will take the
record. On this Bill there are 108 'ayes', 5 'nos' and 1
voting 'present'. House Bill 4148, having received the
Constitutional Majority is hereby declared passed. Now,
returning to a previous Order of Business, Representative
Matijevich has asked leave under Education to return House
Bill 3085 to Second Reading for an Amendment. Is there any
objection? Hearing none, leave is granted. The Bill's on
Second Reading. Mr. Clerk, are there any Amendments?"

Clerk Leone: "House Bill 3085, Floor Amendment #1 is being
offered by Representative Mautino."

Speaker McPike: "Representative Mautino. Amendment #1."

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Mautino: "Thank you very much, Mr. Speaker and Members of the House. Amendment #1 retains what was embodied in 3085 in it's original form and this Amendment #1 provides that we also establish a committee that is composed of three Members appointed by the school board from the representatives of commercial manufacturing and industrial sectors of the community to evaluate..."

Speaker McPike: "Representative McCracken for what reason do you rise?"

McCracken: "We have not seen the Amendment. I don't know if it's been printed and distributed."

Speaker McPike: "Is this Amendment out? Lee, has this been, no, this Amendment is not distributed."

McCracken: "We can come back to it, but I..."

Mautino: "Okay. Sorry."

Speaker McPike: "Alright. We'll come back to this when the Amendment's distributed. So leave the Bill on Second Reading. Alright the next Order is Criminal Law. Second Readings. The first Bill is House bill 2399, Representative Homer. Out of the record. House Bill 2957, Representative Cullerton. Read...yea. House Bill 3144, Representative Krska. Out of the record. House Bill 3923, Representative Williams. Read the Bill, Mr. Clerk 3523."

Clerk Leone: "House Bill 3523, a Bill for an Act to amend the Code of Criminal Procedures. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Petka and Wennlund."

Speaker McPike: "Representative Petka."

Petka: "Thank you, very much, Mr. Speaker, Members of the House. Floor Amendment #1 is the embodiment of the piece of legislation which was cosponsored by myself along with

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Representative Anthony Young three years ago. Which was filing House Bill 433 which went out of committee last year with a 10...10 'yes' vote, 4 'no' vote account. Unfortunate because of the crush of business last of May, it was not called in the House. What this Amendment does basically is to set in motion a United States Supreme Court case Batson versus Kentucky which held that the exclusion of blacks from a jury for purely racial reasons. Is not permitted under the Constitution of the United States. In a recent case in the State of New York, three white defendants were accused of the murder of a young black man. And in that case the defense attorneys for the white defendants sought to exclude every black that walked into the courtroom. The case was appealed to the New York State...the equivalent of the New York Supreme Court. And in that case, the New York State Supreme Court held that the ruling of Batson versus Kentucky, applies not only to the prosecution, but also applies to the defense as well. I think that the...what the United States Supreme Court did in the Batson versus Kentucky, in 1985, in creating a constitutional right of a juror to serve is something that is desperately needed in this state to restore balance in the use of preemptory challenges in this state. Because of this disparity, we have the very very unfortunate situation in which black jurors are excused from sitting in judgement in cases where there are black victims and white defendants who are charged with the crimes against those black victims. An affirmative vote on this measure is a...is a vote to insure that there will be even-handed justice afforded to all people in this state. I urge the adoption of this Amendment and ask for a Role Call vote."

Speaker McPike: "On the Amendment, Representative Young."

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

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House. I rise in opposition to this Amendment. As the Sponsor of the Amendment stated, we were joint Sponsors of a similar Bill last Session. However, the reason it was not called because as the Chief Sponsor I chose not to call it. The problem with this Amendment is it gives a right that the courts have held belongs to the defense to both the defense and the prosecution. Because of that, I did not call the Bill, the defense bar objects to this Bill. The State Appellate Defendant objects to this Bill. This Bill did not have the votes to get out of committee. The Bill...the underlying Bill itself is not one that promotes equity but puts unfair advantage against the defendant. The other reason I object to the Bill is very simply that the Sponsor of the actual Bill, House Bill 3523, doesn't want this Amendment. So I would think that on a Bill like this, that has this ramifications, that it should be argued on the Sponsor of this Amendments own Bill, and we should not allow him to force it on the Bill of a Sponsor who objects to an Amendment. And I'd ask everybody on this side to vote 'no'."

Speaker McPike: "Alright, the question is, Representative Petka, do you wish to close?"

Petka; "Well, I do, Mr. Speaker."

Speaker McPike: "I'm sorry. Representative Williams has his light on. Mr. Williams."

Williams: "Thank you. As the Sponsor of the Bill, I rise in opposition to this particular Amendment. This Amendment and it's supposed simplicity, is quite complicated, it is quite controversial in that it actually shifts basic rights that have constitutionally based towards the defendant, creating rights for the prosecutor which they don't have. At this time there's certain cases that are still pending that will have an affect on this Powers versus Ohio. And

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until such time as that has been decided this should not go forward. I would hope that if the Sponsor of this Amendment wishes to do this, he would again proceed through the regular process dealing with the Criminal Justice Committee, present it, and present it when it hits the Floor. I just, at this time, have to stand in opposition to this, and I would hope that we would defeat this hostile Amendment to what is basically a relatively simple Bill."

Speaker McPike: "Representative McCracken."

McCracken: "This Bill recognizes that the improper issues by which any party to a trial choses to exercise it's preemptory challenges can not be tolerated. Right now it's a one way street. Now there are obviously good reasons for the proposition that a black who feels agrieved can challenge. No one's disputing that. We're not trying to take that away. But there are situations where the opposite should also be subject to challenge. That's all. That's all the Bill does. It doesn't take anything away from a defendant. It only gives the victim, it gives the prosecution a chance to challenge preemptories exercised by a defendant. That's all it does. It doesn't take anything away from current rights of defendants. It is fully in accord with the Supreme Court Rulings on point. It seeks merely to extend that to it's logical conclusion. And that is fairness for both sides to a law suit. To a criminal trial."

Speaker McPike: "Representative Petka to close."

Petka: "Well, thank you again, Mr. Speaker and Members of the House. The previous speaker who have stood in opposition to this Amendment have stated that there is another process for possibly getting this form of legislation through. I would simply like to repeat once again to the Members of the House, that this Bill twice was in committee, twice

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came out of committee, and because of the crush of business that is in the House, that the Bill was simply not called for a vote. The first time it was reported out of committee in 1987, it came out unanimously, in 1989, when it was reported out of committee, as House Bill 483, it came out with 10 affirmative and 4 negative. What I, what I find very very difficult to understand at this point in time Ladies and Gentlemen is simply this. What we are dealing with here is with a...with a basic confrontation. A confrontation between a Minority Member's right to serve as a juror, and a defendant's right to have a jury of his or her peers. Now what the Supreme Court of the land has said. In Batson versus Kentucky, and in the Fifth Circuit Court of Appeals out of the State of Louisiana, and the Supreme Court of the State of New York has said that in situations like this...that, that, it is incumbent upon defendants to simply explain their use of challenges when they are excluding blacks and other minority and other identifiable racial groups, simply on the basis of them belonging to that racial group. Right now prosecutors and states attorneys throughout the nation are required to do that. And being a former prosecutor I never had any objection and I think it's a good idea. But I do think that there is situations and the example that I used in the Howard Beatch situations where three white defendants systematically engaged in the exclusion of blacks in a case that I personally tried in Will County which involved two white punks from Georgia who took out a black man that they had found in a truck stop, stripped him of all his clothes and shot him 12 times. The defense attorney, in court on...in that situation, as the blacks were walking in the jury room, simply said I don't want these people and excluded them. I think that's wrong. I think that this is

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a type of legislation which will correct that and once again I urge an 'aye' vote."

Speaker McPike: "Alright. The Gentleman has moved for the passage of House Bill 3523. All those in favor...oh, I'm sorry. Amendment. The Gentleman has moved the adoption of Amendment #1 to House Bill 3523. All those in favor vote 'aye', opposed vote 'no'. Representative Homer to explain his vote."

Homer: "Thank you, Mr. Speaker. The Gentleman...Representative Petka offers an Amendment that he says will remove discriminatory practices from selection of jurors. He says he's doing that on behalf of minority interests. And yet the Minority Representatives here are opposed to his Amendment. So I would think before we adopt a proposal designed to help minority interests prevent against discrimination on jury selection that it should be a concept that should be suitable and supported by those who represent the minority community in this state. And so I would think that we would want to oppose this idea and the proper vote is a 'no' vote."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, I support the underlying Bill and the Sponsor himself doesn't agree with this Amendment and the Sponsor's been said by Representative Homer is a Minority and I would think Minorities best know what's good for Minorities. So I would urge the Membership to support the Sponsor of the Bill in defeating what in his mind, in my mind would be a hostile Amendment. So I would urge the Members to vote 'no' on the Amendment."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 51 'ayes' and 58 'nos'. The Amendment fails. Further Amendments?"

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Clerk Leone: "Floor Amendment #2 offered by Representative Williams."

Speaker McPike: "Representative Williams."

Williams: "Thank you, very much, Mr. Speaker. Amendment #2 basically is being offered at the request of the Appellate Defenders office, which presently now has jurisdiction over two types of cases. I think that what they are trying to do is eliminate their responsibilities that deals with misdemeanor cases. There's over, I think it something like, they didn't give me the exact numbers, but it's something like two, I think it's ten thousand actual backed up cases in felony alone. And that if they aren't allowed to deal with the felony cases of that backlog with misdemeanor cases on the appellate defender level, they just never be able to handle their case load. And herefore their asking for some help because we've not really increased their funding and the reality of it all is that we're just no gon...that we're not gonna get anywhere unless we in terms of reducing the back log, handling serious cases that are on appeal, without having to reduce this particular case load by removing the misdemeanors from their jurisdiction. I ask for a favorable vote to Amendment #2."

Speaker McPike: "Alright. And on the Amendment, Representative Petka."

Petka: "Thank you again, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker McPike: "Yes."

Petka: "Representative, I believe it was last year when we sponsored an additional appropriation to the State Appellate Defender Program in connection with funding for more outside assistance. How does this proposed funding differ from what we sent out last year from the House?"

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Williams: "This is not a funding Bill. This is principally a deal with jurisdiction of the department."

Petka: "So this really has nothing to do with funding. This simply defines the type of cases that can be held."

Petka: "Correct. It says that the State Appellate Defender shall represent indigent persons on appeal in felony criminal cases. They say, what it removed, the language other than misdemeanor cases not involved in the sins of imprisonment. Basically, there were misdemeanor cases that they just can't handle on appeal. You know the work load of that office."

Williams: "Okay. I understand. Thank you so much."

Speaker McPike: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think I can shed some light on this and I won't take too long. This was somewhat my idea, last year when a court case came down telling the Appellate Defender that they had to be appointed a misdemeanor cases where jail sentence could be imposed. In most of those instances the Public Defenders office can handle the appeal. The Appellate Defenders office should be reserved for felony cases. Given the budget constraints that they've worked under the past five years and I've been one of their cosponsors of their budget Bill, they have not had the additional personnel. Again this year, we've cut them back one more time. They don't have the personnel. The additional money that went out last year was related only to death penalty cases and really was for those death penalty cases on postconviction proceedings that the Appellate Defender couldn't handle. They couldn't handle because of a conflict of interest. For those reasons, this is a good Amendment, and I support it and ask you all to join in."

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Speaker McPike: "Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Hultgren: "Representative, you've discussed change that appears on the first page of the Amendment but it would appear the change on the...to provide training and assistance to, I'm assuming, private attorneys who are representing indigents in collateral proceedings. Is that also requested by the appellate defender as the change that you described momentarily."

Williams: "This is their...this is their Amendment."

Hultgren: "...support their involvement in...the appeals to the Supreme Court and so forth but I wonder rather we ought to be authorizing them either using their own staff or by training private attorneys to get involved in the collateral procedure. But, let's let the Amendment go on and we can talk about it before it gets to Third Reading. Thank you."

Williams: "Ah...excuse me. The collateral proceedings, we've just heard word, they're really...ah...were talking about the post conviction proceeding, which would normally come under their jurisdiction anyway."

Hultgren: "These are the appeals as of right?"

Williams: "Correct."

Hultgren: "Thank you."

Speaker McPike: "Representative Cullerton."

Cullerton: "Well, Mr. Speaker, I'm going to vote for them. But I don't think we need this. Because, I think, by the time we're through with this Session there won't be any more misdemeanors for anybody to get convicted on. So, I don't know, who's ever going to get convicted of a misdemeanor. I think the Class IV Felony is kind of like the bottom line right now and we're thinking about maybe doing an 'x' or

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'z' or 'y' pretty soon. But no new prisons! We don't need any new prisons."

Speaker McPike: "Representative Black."

Black: "Thank you, very much, Mr. Speaker. Just in response to the previous Speaker, I have an Amendment I hope he'll support today. It takes a Class IV Felony and moves it to a class A misdemeanor. I'll look forward to his support on that."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments. You want this left on...further Amendments."

Clerk Leone: "Floor Amendment #3 offered by Representative Williams."

Speaker McPike: "The Gentleman withdraws Amendment #3. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Alright, returning to the previous Order of Business, we had House Bill 3613, that's under State Government Administration, Second Readings. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3613, a Bill for an Act to amend the Home Ownership Made Easy Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Fiscal note been filed?"

Clerk Leone: "Fiscal note is on file."

Speaker McPike: "Alright, Third Reading. Yes, and then on Economic Development, Second Reading, House Bill 1560. Has the fiscal note on this been filed now?"

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Clerk Leone: "Fiscal note has been filed on House Bill 1560."

Speaker McPike: "Third Reading. Alright, Mr. Clerk, House Bill 1560 read it...I'm sorry. Yes, House Bill 1560 read it a second time."

Clerk Leone: "House Bill 1560, a Bill for an Act to establish the Illinois Infrastructure Bank. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "And the fiscal note is filed on this Bill?"

Clerk Leone: "The fiscal note is on file."

Speaker McPike: "Third Reading. House Bill 3610, Representative Homer. Mr. Homer. House Bill 3611, Representative Homer. House Bill 3838, Representative Stern. There is a fiscal note requested nothing filed. House Bill 3843, Representative McCracken. Read the Bill, Mr. Clerk. Mr. Homer, did you want your Bills called? We just passed by a couple of them. Proceed, Mr. Clerk."

Clerk Leone: "House Bill 3843, a Bill for an Act concerning jury demands. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative McCracken."

Speaker McPike: "Representative McCracken."

McCracken: "Last year the...General Assembly passed into law a Bill designed to conform...circuit clerk rates for the two largest counties in the state. So, that they were identical. Apparently there was some oversight in that law and Amendment #2 lists those other changes necessary, so that only the two largest counties in the state...may charge the fees as indicated. In addition, there is authorization for the creation of an information retrieval

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system very similar to legislation already or law already in effect relative to a record storage system. I move the adoption of Amendment #2."

Speaker McPike: "Any discussion? Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I rise to reluctantly oppose the Gentleman's Amendment. I just want to bring to the attention of everyone what it does cost someone now to have access to the courts in Cook County. And this Amendment would extend the same fee schedule to some other counties. Today if you wanted to go into court and file a case. It would cost you a minimum of \$168 in those counties. I understand the counties and certainly the circuit clerks need to increase revenue. However, I believe there comes a point at which the average person simply can't afford to have access to the courts anymore. In addition, the retrieval fee and it is permissive, the county board may vote on it. But it does apply to the entire state. Right now there's a court automation fee that counties may use for this same purpose. There's also a \$5, it's called County Fund, that is collected in almost every case and it goes into the...to the general fund of the county to finance the court system. So, I understand the counties asking for these additional fees, but I did want to point out to the Body, the existing fees that are now being charged for these same...reasons. And, also to point out what the filing fees actually are now in Cook County and this would extend those to the other two counties. So...if that's what you want them to be then I would vote for this Amendment. But, I'm beginning to have some problem with giving people access to the courts. Thank you."

Speaker McPike: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have some reluctance here and I've talked to

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Representative McCracken about it. But, let me first clarify some things as I understand them. That is that we did pass the increased fees for DuPage County. I know that, because I have occasion every now and then to get a license and go into DuPage County to see if I can practice law. And they do charge a higher fee in DuPage County than they do in the counties in which I generally practice law. This Bill is Representative...Amendment as Representative McCracken has said...conforms some things. However, it...it...the current situation is the higher fees exist in Cook and DuPage Counties now. My concern is that the higher fees go to other counties and that we always be cognizant, as Representative Hasara said, of the cost of litigation. Particularly, small claims type litigation where people want to file a case themselves. But you also bar people from their opportunity, their right to a day in court. But I...I am also concerned with the second part of the Amendment on the court retrieval fee. Even though I have a concern for that, I reluctantly am going to support it because that information is something which those of us who practice law find we need to go back to. Sometimes we need to go back to a 1923 probate record. It takes money to maintain that record and they need some ability, the counties need some ability to offset that fee. So, as reluctant as I am about it, I have agreed to support it and do stand in support of it."

Speaker McPike: "Representative Olson."

Olson, M.: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Representative McCracken's proposed fee schedule. This all ties in comfortably with what we have attempted to do here on occasion, including this year, to move a Constitutional Amendment to do a way with jury demands in fine only cases.

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Our metropolitan counties are swamped with activity and because many people knowing of the opportunity to have a case vacated or not tried filed jury demands to encourage state's attorneys to unload the case. So, Representative McCracken has a very good point rep...relative to our two largest counties. It won't be long that Lake and ah...Will and some of the others, if they're not already in the same situation, will be there. I would move for affirmative action on Amendment #2."

Speaker McPike: "Representative McCracken to close."

McCracken: "Thank you, Mr. Speaker. This is a user fee and we're in the 20th Century and some of these fees are necessary in order to provide the services that the public needs and the court system needs. I move its adoption."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments."

Clerk Leone: "Floor Amendment #3 offered by Representative Cullerton."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #3 would bring the...Cook County in conformity with DuPage with regard to collection of...certain costs in traffic offenses. Move for its adoption."

Speaker McPike: "Is there any discussion on the Amendment? Being none, the question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Representative Homer. Representative Homer here? Do you wish to call any of

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these five Bills? Mr. Homer. All? Okay. Out of the record. Representative Santiago. House Bill 4129. Out of the record. House Bill 4149. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4149, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Wennlund."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment, which was prepared and then filed before the Riverside accident, increases the penalties for falsifying a Driver's License Renewal Application when, because of health reasons, a licensed driver would be subject to loss of consciousness because of diabetes or other health factors. And they repeatedly lie on their Driver's License Renewal Application? This will hopefully, send a message to those drivers in Illinois who renew...renew their driver's licenses, to truthfully report to the Secretary of State, that they are subject to loss of consciousness. Which could result in...in death as in the Riverside case when three young children were killed on a ball diamond. I ask for your support. It increases the penalty from a Class IV to a Class III felony. I ask for your adoption of the Amendment, please."

Speaker McPike: "Is there any discussion of the Amendment? Hearing no discussion of the Amendment. The question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments."

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Clerk Leone: "Floor Amendment #3 offered by Representative Santiago."

Speaker McPike: "Representative Santiago."

Santiago: "Mr...Speaker...Amendment #3 is an Agreed Amendment. The language was...worked out in committee with the...Illinois State Bar Association and the...ACLU...the Amendment...what we're trying to do is...ah...insert the wording 'other than an offense punishable as a Class C misdemeanor a petty offense or a business offense after offense.' This is an Agreed Amendment."

Speaker McPike: "Any discussion? Question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Alright, returning to Education, the...ah...Bill that was taken out of the record a few minutes ago, on Third Reading, was House Bill 3085 and it has been returned to Second Reading. Mr. Clerk, are there any Amendments?"

Clerk Leone: "House Bill 3085, which remains on Second, Floor Amendment #1 is being offered by Representative Mautino."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is the Amendment I started to present a while ago and I appreciate the Speaker coming back to it. Basically it sets, it provides everything that's in the Bill to be retained. The Amendment adds to that a provision that requires all school boards, except Chicago, maintaining Grades 9 thru 12 establish a Secondary School Evaluation Committee to review, analyze, and evaluate the performance of high school programs. The Committee is composed of three members appointed by the school board from

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representatives of the commercial, manufacturing, and industrial sectors of the community. Those members shall serve for staggered three year terms beginning January 1 of '91 and shall serve without compensation or reimbursement for their expenses. However, the school board shall make school facilities, equipment, supplies available to the Committee in the exercise of their responsibilities. There will be...this Committee will be responsible for reviewing, analyzing, evaluating and critiquing the performance of high schools within the district and making recommendations for the improvement of such schools. And, I move for the adoption."

Speaker McPike: "Is there any discussion of the Amendment? Being none, the question is, 'Shall Amendment #1 be adopted?' All...I'm sorry, Representative Younge."

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

Speaker McPike: "Yes."

Younge, W.: "To which schools would this apply?"

Speaker McPike: "Representative Mautino."

Mautino: "Illinois has a 112 high school districts, 427 unit districts...therefore there'll be...426, excuse me. That will be a total of 538 school districts will be required to establish this evaluation committee."

Younge, W.: "The...is the purpose of your Amendment to involve the private sector in the evaluation of the public schools?"

Mautino: "Yes, ma'am."

Younge, W.: "What...what would be their authority in reference to what they...concluded as recommendations?"

Mautino: "It is just to present them and to evaluate them. In some cases, they are already provided through the news media as it pertains to the report card. And, they will be assessing the performance of the district in that

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accountability fashion. And it would include the performances...and the indexes...indexes that...were included in the school report card, the annual school budget and budgeting process, the priority goals and the student learning objectives, as well as others. It's pri...it's the private sector having involvement in how the schools are being...are providing the education to the students that will be working in those areas, once they get out of school."

Younger, W.: "Tell us again, who will be on this Committee?"

Mautino: "The Committee is comp...will be composed of three members appointed by the individual school boards, the 536 that I mentioned, from representatives of the commercial, manufacturing, industrial sectors of those communities."

Younger, W.: "And, so this would be a committee...represented totally from the business community?"

Mautino: "The local community, yes ma'am."

Younger, W.: "And the purpose of it is to have the business community evaluate the school system?"

Mautino: "Yes."

Younger, W.: "And...what will they do? Make recommendations to the school board?"

Mautino: "They will have an annual report to the public and the school board, yes. They are also...mandated to have at least one annual public meeting, at which time the annual report assessing the districts performances will be presented."

Younger, W.: "Thank you, Mr. Speaker."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker McPike: "Third Reading. In the same Order of Business is House Bill 3299. Representative Hartke requests that this be returned to Second Reading for purposes of an Amendment. Hearing no objections, the Gentleman has leave. House Bill 3299, Mr. Clerk are there any Amendments?"

Clerk O'Brien: "Floor Amendment #3 offered by Representative Mautino."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you, very much, Mr. Speaker, Ladies and Gentlemen of the House. This is the companion ed...education involvement by the industrial and commercial...private sector into the evaluation process of the educational system with a view and focus towards cooperative education, vocational education and the role of the community in our schools. This establishes within the State Board of Higher Education, as well as, the state...excuse me, the State Board of Education the Business Education Partnership Commission. This Commission and evaluation team will be those individuals who will be appointed by the...the Governor with the advice and consent of the Senate to evaluate the...National Assessment Educational Process data and other state indicators called for by the council of the chief school officers and provide for the 1990 plans for state comparisons. This Amendment is basically what was provided in Conference Committee Report #2 as corrected to House Bill 2030. We provide for the accountability...section within the State Board of Education, as well as...establishing the unit that should be headed by an assistant superintendent selected by the associate superintendent selected by the State Superintendent of Education, after consultation with the Business Education Partnership Commission. We are establishing from those individuals to serve on the

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Commission...individuals from manufacturing, from service and commerce, from the private sector employees, representatives of the education associations, vocational handicapped or special education, three representatives of educational labor unions...three representatives of the local school boards, three representatives of parent-teacher organizations and three representatives of local school administration. The State Superintendent of Education, Executive Director of Higher Education shall serve as non-voting members. They will not receive any compensation...and the Commission is authorized...okay, expenses of the Commission shall be paid from appropriations made to the State Board of Education for that...purposes. This Amendment also requires that the state board of education adopt regulations and criteria whereby the state can recognize and reward superior teachers, administrators and schools. In developing award criteria, priority shall be given the school districts which have a high proportion of economically disadvantaged students, authorizes the state board to make grants up to \$5,000 per teacher, administrator or project and up to a \$100,000 per district or school. This provides that the monies to fund such rewards shall come from grants, gifts and donations, and other private sources directed for this program. I move for its adoption."

Speaker McPike: "And on the question is Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just call your attention to the fact that this is a very comprehensive Amendment. This Amendment is, in effect...perhaps there are a couple of minor changes but, basically, this Amendment is the same thing as the Conference Committee Report on House Bill 2030. Among the

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things that this Amendment proposes to do is to create a Department of Public Accountability, to create a Business Education Partnership Commission, and to set forth nine goals for public school districts throughout Illinois. I simply want everyone who is going to have an opportunity to vote on this Amendment to be aware of the fact that this is the equivalent of that Conference Committee Report. And it is a very substantial Amendment. Thank you."

Speaker McPike: "Representative Younge."

Younge, W.: "Mr. Speaker, will the Sponsor yield? Would you...you said that this Amendment is essentially 2030? What was House Bill 2030?"

Mautino: "House Bill 2030 was the legislation that established the Business Education Partnership Act and accountability...that was...originally introduced last Session and it provided for input by the individuals who would be hiring the graduates of our educational system. It also involved the advisory position to the school boards as it pertains to the type of classes, the qualifications and the students who would...and the programs provided by those schools to match up with the jobs in the private sector that would be coming forth. That's basically what 2030 did, it set up the office of...Department of Accountability to respond to the private sector where the jobs are."

Younge, W.: "Would this Amendment basically turnover a great deal of the evaluation of the school, public schools' sector to private industry? Is that the bottom line of what this Amendment will do or what 2030 is?"

Mautino: "They only provide reports and recommendations based upon the factors involved with the accountability. And, that is all that they do."

Younge, W.: "Does it...create special spending by the State Board

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of Education to accommodate the committees that would set up...would you go over again exactly what committees and positions are set up in the State Board of Education?"

Mautino: "The funding for those exceptional teachers and the programs provided by the schools, 5,000 for the teacher and up to a maximum of 100,000 for the school district that has the innovative program that is considered and nominated for the recipien...as recipients of this money. The money comes from the private sector. Industry and commerce is putting up the money to provide to that teacher or teachers that do the best job and also to the school district. That's where the money is coming from, the private sector."

Younge, W.: "Is there a provision in this legislation having to do with the test scores? Having to do with the evaluation of the schools based on the test scores?"

Mautino: "Yes, to a degree there is."

Younge, W.: "Would you explain that, please?"

Mautino: "It's in the Department of Public Accountability Section where the Department shall be responsible for the recognition and supervision activities for all public school districts in the state and for monitoring the progress of all school districts toward achieving student learning objectives. That's the section you're addressing and questioning and the answer is 'yes'."

Younge, W.: "Mr. Speaker, I'd like a Roll Call vote on...on this Amendment. This is basically House Bill 2030 which...to a great degree turns public education over to the evaluation and monitoring of private business interests. And, I think, that it strikes right at the heart of public education as an institution. And, I think, that if there are problems with public education those problems ought to be resolved within the frame of reference of public education. And, I'd like a Roll Call vote on...on this

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Amendment. It is basically House Bill 2030 and it would begin to erode the...the structure of the public education...schools by turning the evaluation over to...private business enterprise. And, and I don't think that is what...what...what we want to do. And I'll ask for a Roll Call vote on this House Bill 2030 which is basically what...what this is. And you'll remember that from last year, which strikes at...to the heart of public education."

Speaker McPike: "Representative Anthony Young."

Young, A.: "Sponsor yield for a question?"

Speaker McPike: "Yes."

Young, A.: "Does this Bill apply to the Chicago School System?"

Mautino: "The Department of Public Accountability does not apply."

Young, A.: "I'm sorry, I didn't hear that."

Mautino: "The Department of Accountability does not apply as long as the...let me read it to you. Specifically, on page 11 'The provisions of this Section shall not apply to a school district which is subject to the jurisdiction and authority of a School Finance Authority whose powers and duties under Article 34(a) include approving the school board's annual budget, etc.'

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield for a question?"

Speaker McPike: "Yes."

Satterthwaite: "Dick, can you explain to me exactly how the State Board of Education would relate to this new department. I assume that the State Board of Education still has some authority since it's a department of...of State Board of Education."

Mautino: "To be honest with you...Superintendent Leininger, in the meeting two days ago, has already established this and Members of the committee. That in the Accountability

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Section it is not called the Department of Accountability it is called a...it is called the Department of Accountability. We're putting in statute basically what has already been established by the Superintendent."

Satterthwaite: "But it would still be subject to...rules and reg's that would be promulgated by the State Board of Education?"

Mautino: "That's exactly correct."

Satterthwaite: "And so the State Board does have control over whatever procedures would be used by this Department of Accountability to initiate changes within school programs?"

Mautino: "Correct."

Satterthwaite: "Thank you."

Speaker McPike: "Representative Mc...Davis."

Davis: "Will the Sponsor yield?"

Speaker McPike: "Yes, he will."

Davis: "Representative Mautino, I've probably missed this. It's kind of noisy in the building here. I was wondering, did you mention Chicago?"

Mautino: "I'm sorry, Representative. Your question?"

Davis: "Let him answer. Thank you. I tried to teach you all that. Chicago is not included?"

Mautino: "That is correct."

Davis: "Could you tell me why?"

Mautino: "Because you have a School Finance Authority and you're the only school district in the state that has that. And you already have the same oversight that we are asking for for the rest of the state."

Davis: "I've listened to...you answer some other questions. And, I fail to understand how the State Board of Education will be relating to this Body. And I fail to understand why it's needed. Are we saying that the State Board of Education is incapable of assessing?"

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Mautino: "If a school is not up to those standards that are already established by the State Board of Education. They would receive assistance from the private sector in providing those upgrades and...and...assistance from the State Board, as well, for improving those programs of which they may be deficient by virtue of establishing which, by the way, has already been established in the department...in the Superintendent of Education's Office as of this date. We are..."

Davis: "So they...they would be responsible for setting policy for school districts..."

Mautino: "No."

Davis: "...over and above policy that was established and set by the State Board of Education?"

Mautino: "No, I don't believe that's a correct statement."

Davis: "You said they would be responsible for assisting to bring...that...for...to...to assist those schools who fail to meet the required standards of the State Board. Is that correct?"

Mautino: "Let me...let me read the Section and point out to you, on page 10 starting with line 29. 'If no progress is evident and if recommendations for corrective action adopted by the school district and approved by the State Board of Education are not satisfactorily implemented by the school district within 12 months after the corrective action plan is approved. The State Superintendent of Education shall so notify the State Board of Education and the Business Education Partnership Committee. That is basically the response to your question."

Davis: "Well, Representative, I kind of think that...I just don't feel that this is truly a democratic process to...that will be positive for a public school system. I don't think we'll have equitable and fair education across the State of

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Illinois if downstate schools would have this Special Assembled Business body. Chicago will have the School Finance Authority. There is something inequitable about that."

Mautino: "Let me point out to you the Business Education portion of the Bill is not...does not exempt the City of Chicago or the Chicago School District. They can be a part'n parcel of the program and the 5,000 for the teacher and the 100,000 for the school district from the private sector. The portion that Chicago is excluded from is the Department of Accountability which you already have established through your...what do you call it...School Finance Authority. You already have it in place. That's why it's not in the Bill for Chicago. You have the private sector who evaluates over and above the school board which is the Finance Authority."

Davis: "The Finance Authority, in the City of Chicago, is responsible for making certain that Chicago lives within its budget and the School Finance Authority is also responsible for approving certain school plans that would also go with staying within that budget. But they have absolutely nothing to do with...assessing achievement, Mautino. They absolutely don't."

Speaker McPike: "Anything further? Representative Davis."

Davis: "Well, to the Bill. I would just say..."

Speaker McPike: "To the Amendment."

Davis: "I would...I would really hesitate to turn public education over to the private sector."

Speaker McPike: "Representative McCracken on the Amendment."

McCracken: "Thank you. I...I rise in support of this Amendment. And, I want to tell everybody on this side of the aisle, why. This does not increase taxes gives...or give authority for increased raising of local taxes. That is

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absolutely not an issue in this matter. This is a proposal by the business community to bring accountability to public education. It is supported by the...and, in fact, offered by the Illinois Manufacturers Association. It is...their much heralded, very well received Amendment to bring accountability to public education. That is precisely what this Amendment is about. To the extent it includes the City of Chicago, because it makes reference to local school councils which are unique to Chicago, it doesn't do them any harm. We're talking about accountability here, Ladies and Gentlemen. We're talking about responsibility. We're talking about a measure of performance which our schools have to live up to. And it is a measure of performance, with...which with I think no one can disagree. The standards set forth in it are practical, they are achievable and, in fact, this is a good piece of legislation. And, I thank the Sponsor for bringing it to our attention. I rise in support of this Amendment."

Speaker McPike: "Representative Mautino to close."

Mautino: "Thank you, very much. I think that the previous Speaker, Representative McCracken very eloquently established for the record exactly what we're trying to adopt here. To those individuals who had a problem with 2030, please be advised that this is not the same 2030 that went out of this House. We have met with the Manufacturers Association, the State Board of Education, the School Board Association. The individuals involved taken out almost every objection...we have addressed almost every objection that they have presented. The issue is accountability and providing for downstate school systems in conjunction with the Chicago systems on the question of implementing programs and projects. So that those individuals graduating from the schools will have the type of

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educational direction that will accompany their request and their opportunities for jobs. And if we provide for this additional accountability and oversight in the money to come from the private sector to reward those teachers and those programs that are beneficial. I think it's a move in the right direction. It's not taking any authority away from the school councils or the school boards. It's providing additional support for them. And I ask for your positive response to House Bill 3299 in total."

Speaker McPike: "Question is, 'Shall Amendment #3 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 89 'ayes', 13 'nos'. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Special Call, State and Local Government, Second Readings. House Bill 970, Representative Black. Mr. Black. Out of the record. House Bill 1649, Representative Wyvetter Youngee. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1649, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Is there a fiscal note filed?"

Clerk O'Brien: "Fiscal note is filed."

Speaker McPike: "Third Reading. House Bill 2539...38, 2538 Representative Youngee. No. Out of the record. House Bill 3000, Representative Matijevich. Is fiscal note filed on this?"

Clerk O'Brien: "Fiscal note has not been filed."

Speaker McPike: "Out of the record. And House Bill 3148. Out of the record. House Bill 3261, Representative Hicks. Out of the Record. House Bill 3367, Representative Leverenz. Out

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of the record. House Bill 3589, Representative Wojcik.
Representative? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3589, a Bill for an Act in relation to
State Finance Act. Second Reading of the Bill. No
Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative
Parcells."

Speaker McPike: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker. This is the Bill that has
erroneously...or the Amendment...that has erroneously
thought to be partisan. When, in fact, it came out of the
Legislative Audit Commission as a good thing to do with the
State Treasurer's Office. And it simply says that the
Treasurer will put all money in..."

Speaker McPike: "Just a minute, Representative."

Parcells: "Beg your pardon?"

Speaker McPike: "Just a minute, Representative. Representative
Cullerton, for what reason do you rise?"

Cullerton: "Ah...last night I believe the Amendment was ruled not
germane. It didn't get any more germane today. So, I
would question the germaness."

McCracken: "They took it out of the record after the 1st one was
ruled not germane."

Speaker McPike: "Well, you're correct. This Amendment was ruled
nongermane yesterday, and the Bill was then taken out of
the record. So we're not even on this...we shouldn't even
be on this Amendment. Rep...Mr. Clerk, are there further
Amendments? Representative McCracken."

McCracken: "We don't want to embarrass Treasurer Cosentino with
this Amendment that's not our point. But it is a fair
point of discussion and nobody has let us have a forum..."

Speaker McPike: "Well, Representative..."

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McCracken: "You know, it's the Auditor General who came up with these conclusions..."

Speaker McPike: "Representative McCracken."

McCracken: "...not us."

Speaker McPike: "Alright, we're on, are there further Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative Piel."

Speaker McPike: "Representative Piel. Representative Cullerton."

Cullerton: "I would question the germaness on this Amendment."

Speaker McPike: "Mr. Clerk, could we have the Amendment."

Cullerton: "The same title, the same substance as the last one."

Speaker McPike: "The Amendment is nongermane. Representative Piel."

Piel: "Question of the Chair, Mr. Speaker. I was just curious why my Amendment wasn't germane. I can understand possibly Representative Parcells' but this is definitely germane. Could I ask the Chair what their reason for the nongermaness is?"

Speaker McPike: "Yes, for the iden..."

Piel: "Besides that the...you know, obviously you don't like the Amendment..."

Speaker McPike: "Yes...yes, I can."

Piel: "Could you...would you mind telling me?"

Speaker McPike: "Yes...yes, I will. It is nongermane for the identical reason that Representative Parcells' was nongermane."

Piel: "They're dealing with completely different...you know, subject areas."

Speaker McPike: "For the same reason they're nongermane. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Novak on House

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Bill 3699. I don't know Representative. House Bill 3699,
Mr. Clerk."

Clerk O'Brien: "House Bill 3699, a Bill for an Act to amend an
Act in relation to training for county treasurers. Second
Reading of the Bill. No Committee Amendments."

Speaker McPike: "Are there any...Floor Amendments?"

Clerk O'Brien: "Floor Amendments."

Clerk O'Brien: "Floor Amendment #1 offered by Representative
McCracken and Novak."

Speaker McPike: "Rep...Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I offer Amendment #1 which
would raise the stipend for county treasurers from \$3500 to
\$5000 annually. There has been...a stipend in effect for
some number of years of \$3500 but has not been funded or
otherwise appropriated and...for that reason...this modest
of increase is sought to...catch up where the original
stipend has not done so. I move its adoption."

Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?'
All in favor say 'aye', opposed 'no'. The 'ayes' have it.
The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. On House Bill 3699 the request
for a fiscal note by Representative McCracken has been
withdrawn. Therefore the Bill will be on Third Reading.
House Bill 3811, Representative Currie. Out of the record.
House Bill 3872, Rep...Representative Matijevich. Out of
the record. House Bill 3993, Representative Cullerton.
Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3993, a Bill for an Act to amend the
Illinois Municipal Code. This Bill's been read a second
time previously. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative

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Cullerton."

Speaker McPike: "Representative Cullerton...on the Amendment."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The...Amendment deals with...ah...cable television. And...I would just briefly like to...give a little background on what we passed a number of years ago, called the Cable Access Bill, it was basically a tenants' right...Bill. Which allowed a tenant to be able to...ah...order cable television and the property owner could not forbid...the cable company from installing the service. But it also provided, of course, payment of just compensation by the cable franchisee to the owner. And the cable company could also...would also indemnify the owner of such building if there was any damage cost. Now what the Amendment does...deals with residential buildings where request for services been received and provides for four or more occupants of a residential building request the cable service. The cable television company may install the cable throughout the building. So that if other tenants subsequently request the service, it will not be necessary to engage in additional construction activities with respect to that building. The purpose is to ensure that cable television installations in multiple units of residential buildings are performed in an orderly manner. And you avoid the cost of running numerous coaxial cable lines to a single building. It also is designed to...give the owners of these buildings...a say in where these lines should run. So, if you have a building that contains 12 units or more, the owners shall be provided design plans from the cable company and an opportunity to propose alternative plans for the installation of...cable television facilities. So, when these facilities are installed in large apartment buildings, the construction is

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often...substantial. The owner of the building should be given an opportunity to participate in the process of determining how the installation should proceed. And, at the same time, the cable company should be able to proceed promptly under a design in a construction plan which is economically feasible. So, I think it's a well balanced Amendment. And I would appreciate adopting the Amendment."

Speaker McPike: "Any discussion? Question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative Levin."

Speaker McPike: "Representative Levin. Mr. Levin, on Amendment #2."

Levin: "Mr. Speaker...Amendment #2...simply modifies the Amendment that we've just adopted by excluding from the time provisions of Amendment #1, Condominium Associations."

Speaker McPike: "Any discussion? Question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed...Representative McCracken, on the Amendment."

McCracken: "We haven't...we haven't seen it. Has it been printed and distributed?"

Speaker McPike: "Lee, is it out? No, it has not been distributed."

McCracken: "Can we come back to it? I...I...you know, I don't want to hold it up. But...we would like to see it."

Speaker McPike: "Representative Cullerton."

Cullerton: "Well, I'll leave the Bill on Second Reading when it's printed we can discuss it."

Speaker McPike: "Alright, take it out of the record. Special Order are Children, Second Reading. Before we do that is there anyone who has a Bill on Third Reading, under State

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and Local Government, that they wish to return to Second Reading for Amendments? Alright, Children then. Yes, Representative McNamara. 3024. Mr. McNamara, is that what you want?"

McNamara: "Yes, thank you."

Speaker McPike: "Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. I was wondering if we could go back and pick up 970, although it's on State and Local, Second, for an Amendment? Or have you already passed that by?"

Speaker McPike: "No, we can go back. Let me finish this Bill first."

Black: "Thank you, very much."

Speaker McPike: "The...request is to return this to Second Reading for purposes of an Amendment. Are there any objections? Hearing none, the Gentleman has leave. House Bill 3024, Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative McNamara."

McNamara: "Thank you, Mr. Speaker. Amendment #1 deals with some of the negotiations that have been continuing on with the bond companies. There was a question in the Bill as far as whether or not bonds would be secure. It is...replete with...quite a bit of technical language and also clarification language to ensure that the bond companies and the bond integrity is...is...withheld or is...is...continued on into the Bill. I urge for the adoption of the Amendment."

Speaker McPike: "And on the Amendment, Representative McCracken."

McCracken: "Thank you. I want to thank the Sponsor of the Amendment for giving us an advanced look at this. I...I can't tell you John that we're for the Bill but we

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certainly know what the Amendment does. Is it largely technical in nature?"

Speaker McPike: "Representative McCracken...McNamara."

McNamara: "There are many...there are many technical things in it. But what it does do is it changes in reality the whole Bill, in as much as, it makes the board that is going to be governing the financial aspects more like a receiver board. Where they have to interface with debtors first and it also gives the right, in some areas, the right for anybody that is due money from the municipality to have court action into it, before the court interference or...intervening in the action, was one of the main things they were concerned about. They wish to have a debtor be able to go back to a court in order to decide whether or not that would be a good action for them."

McCracken: "Okay. Tell me I'm...I'm not familiar with this. This authorizes the local government to file for bankruptcy. Is that something they already have a right to do or is this new authority?"

McNamara: "No, it...it...it allows the authority that is created by this to...file for bankruptc...a recommend a filing for bankruptcy. In other words, it is a financial authority that is built withi...in order to govern the financial aspects of the town. If as an absolute last resort, that financial authority they are the ones that would recommend that the...bankruptcy proceeding. It does not allow the village or town itself."

McCracken: "Okay. Thank you."

Speaker McPike: "Any further discussion? Being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker McPike: "Third Reading. Returning to...Second Reading, on this same order is House Bill 970. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 970, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Black."

Speaker McPike: "Mr. Black."

Black: "Thank you, very much, Mr. Speaker. Amendment #1 attempts to address some of the concerns that the cable industry had with the Bill. I think we have addressed some of their concerns, I certainly won't purport to you that we've addressed all of them. The Amendment simply requires the municipality that is considering owning or operating a cable T.V. franchise to first hold a public meeting before making a decision to do so. And the Amendment goes on further to say some of the things that need to be addressed at the public meeting. I think that it's a good Amendment. It's good public policy. I'd ask favorable consideration of Amendment #1."

Speaker McPike: "And on the Amendment, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker. I guess, really on the Bill, it was my understanding that when this Bill came out of committee it was to be an Agreed Bill, Representative. Is it still your intentions to work to that...end?"

Black: "Well, all I can tell you...Representative that I talked with the representative of the industry yesterday, and he said he would not oppose the Bill. This Amendment, I think, probably addresses 60 percent of their concerns. I...I would be less than truthful if I told you it addressed all of them."

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Hannig: "Okay. Well, thank you, I appreciate that clarification."

Black: "Thank you."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes...Representative Black, I...I also just...I just had a Bill dealing with cable...issues that mainly designed...to address the concern of multiple residents...you know, in the bigger cities. Now, could...could you tell me. I'm somewhat familiar with some of the issues. Can you tell me if this deals with an issue where a...cable company is operating in an unincorporated area and then there's an annexation of that area by a municipality. Is that what this is designed to address?"

Black: "No. No. This...this...the underlying Bill simply addresses a...a...silent...you know, the Illinois Statutes don't address the issue of whether a municipality can own and operate a cable T.V. system. The federal...federal law says they can. The state statute's silent. All this underlying Bill does is say that if they want to they can operate it."

Cullerton: "The underlying Bill says that other cities can do what Chicago does."

Black: "Basically, that's correct."

Cullerton: "Okay. Now, what does the Amendment do?"

Black: "The Amendment requires a public hearing be held and that notice be given not only to the current franchise holder but to the public as well. And that that the hearing will focus on the potential tax impact if there is to be one. In other words, the municipality will have to answer how they're going to finance and operate this system."

Cullerton: "Alright, I understand that. Now, in the case of Chicago, they started their...their cable system from scratch there were no cable systems operating. You're

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talking about a situation where a municipality would be authorized to operate a cable system where there's one operating there already. Now, how...how does your Amendment deal with that?"

Black: "It...it does not. Because it is my understanding that what you would incur then would be just simply an over billed situation. And, I think that's one of the reasons for the...public hearing. If that community wants to construct, own or operate, assuming that they could not buy the existing franchise and in some cases the company would not want to sell, that they were going to have to answer these questions of how they're going to do what Chicago's already done. And, that could well be the residents of that community will not...will not favor what the municipality might want to do. Cause you could be in an over billed situation. We'd have two systems."

Cullerton: "Okay, I'll tell you what, let's put the Amendment on and you're not going to call it on Third Reading today. I hope."

Black: "No."

Cullerton: "Alright. And, we'll see if we have a problem...next week."

Black: "Thank you."

Speaker McPike: "Is there any opposition to this Amendment? Question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. And on the same order is House Bill 3398, Representative Novak asks leave to return this to Second Reading. Any objections? Hearing none, leave is granted. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Amendment #1 offered by Representative Novak."

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Speaker McPike: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 3398 answers some concerns with organized labor concerning the substance of the Bill as it relates to Collective Bargaining Acts. And I ask for its adoption."

Speaker McPike: "And on the Amendment, Representative McCracken. No. No questions. No discussion? The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Next Order of Business is Children, Second Reading. Representative Trotter. House Bill 3708, Representative Preston. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3708, a Bill for an Act to license child care workers. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "There is a fiscal note request. It has not been filed. Stays on Second Reading. House Bill 3771, Representative Breslin. Representative Preston. Preston. Preston."

Preston: "Mr. Speaker, could we...go to House Bill 3581...where Representative Trotter is the Sponsor, Im hyphenated Cosponsor and could we move that with the...Representative Trotter would like that."

Speaker McPike: "Are there any objections on the hyphenated...yes Representative, there's also a fiscal note request on that Bill which has not been filed...on 3581."

Preston: "It was filed."

Speaker McPike: "Alright, it is filed. House Bill 3581. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "House Bill 3581, a Bill for an Act to amend an Act concerning family preservation services. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative Trotter."

Speaker McPike: "Representative Preston, are you hyphenated on this also?"

Preston: "No. But I'd be glad to handle it for Representative Trotter."

Speaker McPike: "Does the Gentleman have leave to handle the Amendment for Representative Trotter? He has leave. Proceed, Sir."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 simply changes the Bill to make it permissive rather than mandatory. It changes in three plac...four places in the Bill the word 'shall' to 'may'. And..."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Is the fiscal note filed?"

Clerk O'Brien: "Fiscal note is filed."

Speaker McPike: "Third Reading. House Bill 3771, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "37 what?"

Speaker McPike: "71."

Clerk O'Brien: "House Bill 3771, a Bill for an Act to amend the

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State Agency Employees Child Care Service Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Fiscal note's not filed."

Speaker McPike: "Fiscal note is not filed, Representative Breslin. It stays on Second Reading. On Children, Third Reading, are there any requests on this Order to bring the a back? Representative Currie, House Bill 1268, asks leave to return it to Second Reading. No objections. Leave is granted. Mr. Clerk, are there any Amendments to House Bill 1268?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative Currie."

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

Speaker McPike: "Representative Currie."

Currie: "...and Members of the House. The...the Amendment...makes some technical clarifications in errors that were in the Bill as it was originally drafted. So, And happy...be happy to answer your questions. I'd appreciate your support for Amendment #2."

Speaker McPike: "There any discussion on this, Representative McCracken."

McCracken: "Thank you. Just to confirm that point, you changed...'documentation' from 'notarized documentation' and specified the mailing requirements for the results. Was this all in the original Bill?"

Currie: "Appar...according to the Department of Public Aid the way we drafted the proposal initially didn't do so kind of properly, in terms of the way things happened in court hearings. So the Amendment does make changes in the

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procedures that were established by Amendment 1. But I think that the point of the changes were to...clarify and make sure that the procedures that we were adopting were the right ones."

McCracken: "Alright. Well, we'll address it on Third Reading. Thank you."

Speaker McPike: "Question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Next Order is Environment, Second Reading. There's House...Yes, Representative Preston."

Preston: "I'm sorry, Mr. Speaker. House Bill 3577 which is on the Order of Children...I'd like to..."

Speaker McPike: "Do you like to bring that back to Second Reading?"

Preston: "Yes, Sir."

Speaker McPike: "The Gentleman asks leave to return that to Second Reading? No objections. Leave is granted. House Bill 3577. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Preston."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 is the Amendment that I had committed to yesterday during the debate on this Bill. Which makes this Bill, that authorizes the Governor to appoint an advocacy agency for children, to be permissive rather than mandatory. The Bill was erroneously drafted to be mandatory saying that 'the Governor shall' and this changes the wording to 'the Governor may'."

Speaker McPike: "Question is, 'Shall the Amendment be adopted?'"

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All in favor say 'aye', opposed 'no'. The 'ayes' have it.
The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Environment, Second Reading, there's House Bill 3183. Out of the record. House Bill 3238, Representative Edley. Out of the record. House Bill 3283, Representative Giglio. House Bill 3283, Mr. Clerk, read the Bill. 3283."

Clerk O'Brien: "House Bill 3283, a Bill for an Act to amend the Asbestos Abatement Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Giglio."

Speaker McPike: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 just says that it wants to encourage and assist and regulate the local education agency, to develop implementation of the pilot experimental studies, which may result in more cost effective response to the asbestos program. What we're trying to do is just to make sure that the state doesn't put any extra burden on our local school districts. And go over and above what the Federal Government mandates, to this asbestos program which is cost local school districts so much money that, that's why a lot of them are so short on revenue. And I would ask for your support."

Speaker McPike: "Question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3507, Representative Kulas. House Bill 3649, Representative Hartke. House Bill

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3846, Representative Kulas. Does anyone have a Bill on this Order on Third Reading that needs an Amendment? Under Public Utilities, Second Reading. House Bill 4171, Representative Hicks. Civil Law, Second Reading. House Bill 3025, Representative Homer. Mr. Homer, you want this Bill called? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3025, a Bill for an Act to amend an Act to revise the law in relation to clerks of courts. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

O'Brien: "Floor Amendment #1 offered by Representative Homer."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. Amendment #1, let me first say that the Bill provides for a stipend or a supplemental payment, to circuit clerks' offices that have prisons in them, in their counties, in order to assist the clerk in hiring an additional staff person. To handle all of the paper work that comes into a circuit clerks' office. By virtue of having a prison in a county where you have several indigents many of whom take advantage of filing a name change petition, divorce cases and file as a pauper to waive the filing fees, this has created a substantial burden on the clerks. And the Bill had a payment schedule to clerks depending on the size of the prison, and it was felt that was going to be difficult to administer. And that Amendment #1, which is offered by the Office of Administrative Courts, would simply say that there would be a flat \$10,000 award to these counties, for the purpose of allowing the circuit clerk to hire a staff person to assist in handling paper work that comes into the clerk's office by virtue of having a correctional center in that county. I would answer any questions. I think it's noncontroversial and would urge adoption of the Amendment."

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Speaker McPike: "Question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments."

Clerk O'Brien: "Floor Amendment #2 offered by Representative Homer and DeJaegher."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. This Amendment would clarify that portion of the statute that has to do with reimbursement to county state's attorneys that have universities, state universities located within the county. And the Bill provides that a state universi...or the Amendment provides that a state university shall include those programs, those cooperative programs where you have a community college and a state university that offer a baccalaureate degree curriculum commonly known as the two plus two degree program. So that it would clarify that for purpose of defining state university in terms of which county state's attorneys will be entitled to reimbursement. It shall include those counties that have a two plus two university/community college cooperative program. I would answer questions and urge adoption. And, Speaker, this should be on the board. It should be Amendment #2. The board should be changed."

Speaker McPike: "Alright. Proceed."

Homer: "I move adoption."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you. Will the Sponsor yield? I just have a question now...this Amendment would include the universities...is it...is it completely unrelated to the institutional question? You know, the...ah...prison question?"

Homer: "No. It's...it's the same...it's the same issue...the main Bill, Representative McCracken, deals with

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reimbursements to circuit clerks that have prisons in their county. This Amendment has to do with reimbursements to state's attorneys that have universities in their county. I mean, it's the same basic concept, it just pertains to universities instead of prisons. And the theory is the same on both though, that those counties that have either state universities or state prisons. That their county...that the county services are magnified in terms of both the circuit clerks effort and the state's attorney's effort to handle the increase in volume to their offices. Now, we've allowed reimbursements, to state's attorneys for a long time, this is just a clarifying definitional change."

McCracken: "Okay. Thank you."

Speaker McPike: "Representative Countryman."

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

Speaker McPike: "Yes."

Countryman: "Now, currently I happen to represent one of the counties that has some reimbursement coming under the current program. Will this expand the counties that get the reimbursement?"

Homer: "Right. Now, let me say, I'm offering this really...Representative DeJaegher had approached me. In Rock Island County they have Blackhawk Community College and they have a cooperative program with Western Illinois University. It's a two plus two program and their state's attorney has applied for reimbursement and the state board says, 'Well, as we read the statute that would not meet the definition of state universities. So, this simply clarifies that language and says that, 'yes, that is also a state university where you have a two plus two program.' So, we're not taking anything away from the current reimbursement. We're simply adding the two plus two

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counties to them."

Countryman: "Well, I understand that except some of us have sat here and watched state's attorneys salaries raise and not get more reimbursement. And, I come from a county that probably has 50,000 people and 25,000 university students in it. And I think that that was the design on the implement of...of the...And they were really non-residential, nontaxpaying type students. They weren't paying real estate taxes and so forth to fund county government. And that's...this was all passed years before I ever got here but that was the purpose of it. And, now what you're asking is to add kind of residential universities, residential programs into it and it takes away from the impaction nature by this Amendment. Wouldn't you say that that's the case?"

Homer: "Well, you know it so...the...the...I...I...recognize your rationale on that argument. You know, I would just simply say that the...the financial impact was so minimal (a), and (b) none of this goes to the state's attorney this goes to the state's attorney's office to let them hire..."

Countryman: "To fund his assistance."

Homer: "...to help hire an assistant to help with the case load. So, But I acknowledge your assertion."

Countryman: "Well, I mean, I have a concern because I've seen things as I've been here over the years. That we start here and we end up some other place. And we end up reimbursing every county in the state. You know, if that's the case then that's a policy judgement we have to make. But the fact is, I think, under the current law in...in my county we get two assistants at \$15,000 a year. Well, you can't hire an assistant at \$15,000 a year. When the law was passed you could hire an assistants for \$15,000 a year. And it was designed to put a couple more assistants in the

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court room, so that we could operate with more efficiency. You know, I...I just get concerned that we all of a sudden we go to a little bit greater program that's residential in nature gets away from it. That we really are going to drain out the monies in reserve that we have, to raise it in those counties such as McDonough County where we have Western and Dekalb County where we have Northern and down in Carbondale and so forth. Where we send a great number of students for nine months of the year to..to...to live. And, we don't have the county funds to pay the assistant state's attorneys. And, I think, this Amendment takes away from that and for that reason I'd have to oppose it."

Speaker McPike: "Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker, Ladies in the General Assembly. Tom, I do appreciate your assistance in providing me with this Amendment. I think what we ought to become knowledgeable to the fact is that Rock Island County will never have a major university. In the past two years agreements have been made with Western to implement the two by two program which basically makes a degree possible for the residents of Rock Island County. This has made a tremendous influx, it's been a well received program. People are responding to it. And in place of having a major university, all we can do is basically extend, or expand, what we presently have. For this reason I asked Mr. Homer, to make this Amendment available to us. And, hopefully, you will give serious consideration for the adoption of the Amendment."

Speaker McPike: "Representative Hultgren."

Hultgren: "Thank you, Mr. Chairman. I rise on a point of personal privilege. Representative DeJaegher just indicated that Rock Island County will never have a major university. As a graduate of Augustana, I would suggest

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that they already have a major university."

Speaker McPike: "Mr. Homer to close."

Homer: "Thank you, Mr. Speaker. This...this Bill has very minimal impact. It would simply provide to the few counties that have the two plus two degree program. The opportunity to have the state's attorney of that county receive, for purposes of supplementing an assistant state's attorney's salary, the same benefits that are now provided to county state's attorneys that have a full fledged state university. I think it's a fair Bill and one that ought to be supported. I urge adoption of the Amendment."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The fiscal note is filed. Third Reading. Representative Balanoff."

Balanoff: "Yes...yes, Mr. Speaker. Earlier today on a Motion to take House Bill 4013 from the table, by the Attendance Roll Call, had I been here I would have voted 'no'. And I would like the record to so reflect."

Speaker McPike: "The record will so reflect. House Bill 3108, Representative John Dunn. Representative Dunn, you want the Bill heard? Out of the record. House Bill 3163, Representative Black. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3163, a Bill for an Act to amend the Cemetery Care Act. Second Reading of the Bill. Amendment #1 was adopted in committee.?"

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative Black."

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Speaker McPike: "Representative Black."

Black: "Thank you, very much, Mr. Speaker. Amendment #2 addresses some concerns expressed in Judiciary Committee by Chairman Homer also Representative Petka. This is the one I hope Representative Cullerton can help me on because the Amendment reduces the punishment for intentionally destroying, mutilating or injuring any object in the cemetery from a Class IV Felony to a Class A misdemeanor. It also states that the person must knowingly enter and remain in a closed cemetery to be guilty of a Class C misdemeanor. I would ask your favorable consideration for Amendment #2."

Speaker McPike: "Any discussion? Representative Cullerton."

Cullerton: "What is the current law with regards to desecration of, destruction of property in a cemetery?"

Black: "I believe this Amendment takes it back to current law. Class C misdemeanor."

Cullerton: "Class what?"

Black: "Class C misdemeanor. I'm sorry, Class A misdemeanor. We might bump it from a C to an A. Is that what you're getting at?"

Cullerton: "Okay and you had...so, the Amendment does not lower a penalty?"

Black: "No, no, the Amendment's taking it from a Class IV Felony which was the original Bill."

Cullerton: "So, you basically want to get...you want...you want to get credit for threatening to increase the penalty and then withdrawing it and saying that you're actually reducing it?"

Black: "Well, when you're on this side of the aisle you look for credit wherever you can find it."

Cullerton: "Now, what is the purpose of the Bill?"

Black: "The purpose of the Bill is to address a situation that

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happened in my district and I think others. Where it would seem that the vandalism of a cemetery, in fact, one cemetery in my district was totally destroyed. And, also we had an incident late last June where graves were actually dug up, bodies removed from the casket, etc. We think it addresses some of the problems that were brought to us by law enforcement officials and the Cemetery Association might make it a little easier to prosecute in...in the event that would happen again anywhere in the state."

Cullerton: "Well, there was an incident, I think, that occurred. Let me ask you...I can ask you this, do you know how ethnic...I think there's a statute that we passed recently dealing with the destruction of property, criminal damage to property, when the motivation is based on certain ethnic hate crimes. I think...I'm trying to recall where this occurred. Some...something happened yesterday where a cemetery was desecrated. Was that in France? Where a cemetery was desecrated and they deterred (sic - disinterred) a body. It was a Jewish Cemetery. And, I'm wondering whether or not we have, if you know, don't we have a...enhanced penalty for criminal damage to property? I know we do for intimidation, right? And, I wondered if we have one for criminal damage, do you know?"

Black: "I really don't know, Representative."

Cullerton: "Well, in this...in this case I might actually be more in favor of your Class IV Felony than...'Cause, you know, we have to send messages around here. You may recall that that's what Representative Weller was trying to do yesterday was send a message. And..."

Black: "I got that message, yes."

Cullerton: "I see. Well, then if you're not changing the penalty what are you doing to make it easier to prosecute people?"

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Black: "Well, I think we're rearranging a little language and we're also on the possible ease of prosecution. It's the phrase now that, 'A person who knowingly enters or knowingly remains in a cemetery after the posted closing hours.'"

Cullerton: "Okay. Thank you, very much."

Speaker McPike: "Representative Levin."

Levin: "Would the...would the Gentleman yield?"

Speaker McPike: "Yes."

Levin: "Okay. Representative Cullerton is absolutely correct. Several years ago, former Representative Telser and myself sponsored the Ethnic Intimidation Law which was since amended but which is still on the books. And part of that law is intended...was intended to cover exactly the kind of situation that you're talking about. We had had a rash of desecration of religious cemeteries on the north side of Chicago. And the Ethnic Intimidation Law was intended to enhance penalties for the desecration of any kind of religious situations, be it a church or a cemetery. So, I don't know if you've taken a look at that or if you're even aware of that in offering these Amendments. And, I guess, the question is, how does this fit in with the current law and why can't you use the Ethnic Intimidation Law?"

Black: "Representative I don't think this would interfere, impede or otherwise do anything to the statute that you're referring to. This simply amends the Cemetery Act. I think it's a little different section. And we certainly have no intention to reduce the penalty that you're talking about any way, shape or form."

Speaker McPike: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker. Will the Gentleman yield?
Representative Black..."

Black: "Yes, Sir."

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Countryman: "I talked to you in committee about walking in the cemetery during daylight and that the fact that the daylight hours change substantially over the course of the year. So, that in June it might be daylight as late as 8:30 or 9:00 o'clock in the evening, but, obviously, not around Halloween or those closed times of the year. And you indicated to me you thought you could amend this to have the offense take place during dark hours. And you haven't done that. Is that correct?"

Black: "No. We think that the language on the pla...replaces page 3, line 13, by changing 'enters or is found and knowingly enters or knowingly remains'. We would hope that that addresses your concern."

Countryman: "Well, wouldn't you enter some cemetery you know you walked into?"

Black: "Well, I...I don't know. I think that's why we have the judicial system, Representative."

Countryman: "Well, you know, I don't think you really addressed the issue. I think you can make criminals out of a lot of us when we go to visit a cemetery. We want to go visit our deceased relatives or do some genealogical work or jog in the...jogging, you know. You can get Representative Cullerton he likes to jog a lot. He could jog through the cemetery and get arrested."

Black: "Well, Representative the underlying Bill clearly..."

Speaker Cullerton: "Excuse me, Representative. Representative Cullerton...Excuse me, Representative Black..."

Black: "Yeah, thank you very much..."

Speaker Cullerton: "Representative Black...Representative Black."

Black: "...states you have to be in there after posting hours."

Speaker Cullerton: "Representative Black, Representative Cullerton in the Chair."

Black: "Well, thank you very much, Representative."

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Speaker Cullerton: "Proceed. Proceed."

Countryman: "Well, after posted hours they could post those hours from noon to 2:00 p.m. Couldn't they?"

Black: "Well, that would be up to the cemetery. I don't know that we could address the matter of posting hours over here."

Countryman: "But the people who visit the cemeteries are generally people who want to visit the grave sites. I mean, why...why should they have restrictive hours other than daylight and dark?"

Black: "Well, I...I don't...We're not addressing when they're closed or when they're opened. I'm just saying if the hours are posted by action of the board..."

Countryman: "It's...it's not a crime now to go into a cemetery. Is that correct during daylight hours?"

Black: "That's...that's correct...that's correct and that's why you can't prosecute them."

Countryman: "You're saying...you're saying now that you...by your Bill...if...if...your Bill with this Amendment that it would become a crime to go in...if were posted hours against posted hours but still daylight. Is that correct?"

Black: "Well, I don't think it's any different than the Trespass Statute. If the hours are clearly posted and it is a public property. Yes! What are you doing in there?"

Countryman: "Well, why can't you charge them under the Trespass Statute. Why do you need this?"

Black: "We're just amending the Cemetery Act as requested by the Cemetery Association. We thought we had addressed your concerns and that addressed by other Members of the committee. And we hope we've done that."

Countryman: "But wasn't my concern daylight?"

Black: "As I recall, yeah, I think it was."

Countryman: "And you didn't address that, did you?"

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Black: "Well, LRB thinks we addressed it. That's what Amendment #2 is."

Countryman: "Well...I...Mr. Speaker, to the Bill. I don't think it addresses the concerns we raised in the committee. And we'll have to deal with that in Third Reading. Thank you."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Kubik."

Kubik: "Question of the Sponsor."

Speaker Cullerton: "Indicates he'll yield."

Kubik: "Representative Black, I understand your Amendment correctly. You're going to limit people from being in cemeteries between...between dark and dusk, it is"

Black: "That's the way I understand it."

Kubik: "That's the way you...well let me ask you a question. I live up in a town called Forest Park and you know, I live in a building right across the street from the cemetery, I happen to be a jogger. Now, if I get up before the sunrise and jog in the cemetery will I be in violation of the law?"

Black: "No. Not unless the state closing hours has something to do sunrise and sunset. Whatever hours are posted that that cemetery is closed, you have no right nor business to be in that cemetery. So posted hours..."

Kubik: "If I run through that cemetery, I would be in violation of law."

Black: "I would assume that the owners of the cemetery could currently charge you under trespass if they wanted to do so."

Kubik: "Well they currently don't have a rule that prohibits you from being in there, do they, under current law?"

Black: "Not a specific rule. Not a specific rule, you're correct. That's why the Cemetery Association wanted this Bill entered, or presented. I think you're missing the point. This is not public property, you have no basic

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right under law to be in there period except under hours of operation as posted by the Association."

Kubik: "So, you're saying that a cemetery is not...is not public or even semi-public...semi-public place."

Black: "I assume...I assume that some are and if they are, this Bill does not address that. It addresses those cemeteries that are privately owned, operated by a association and have clearly posted hours of operation."

Kubik: "Okay, no further questions."

Speaker Cullerton: "Representative Black, you might want to close on this Amendment."

Black: "Would be grateful to do so. Just simply would say that Amendment #2 was an attempt to address concerns that were expressed in the Judiciary Committee. We thought we had done that, LBR had thought we had done that, we haven't, I apologize. But I still ask favorable consideration for Amendment #2."

Speaker Cullerton: "The Gentleman has moved for passage of Amendment #2 to House Bill 3163. All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Mr. Clerk, please take...have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. Representative Nelson Rice wishes to vote 'aye'. On this Amendment there's 97 'yes', 12 'no', none 'present'. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. Representative John Dunn, House Bill 3256. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 3256, a Bill for an Act to amend an Act concerning claims against decedents estates. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Cullerton: "Third Reading.

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Representative...Representative Dunn. Representative John Dunn, there was a request for a fiscal note on this Bill but I believe Representative McCracken is the one that filed it. And he indicates...he wishes to withdraw it. So we'll move that Bill to Third Reading. Representative Shirley Jones, 3482. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 3482, a Bill for an Act to amend the Vital Records Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Any Motions filed?"

Clerk O'Brien: "Motion to table Amendment #1 by Representative Shirley Jones."

Speaker Cullerton: "Representative Jones on a Motion to table Amendment #1. Shirley Jones."

Jones, S.: "I've got Amendment #2."

Speaker Cullerton: "Well, first you want to move to table Amendment #1."

Jones, S.: "Table #1."

Speaker Cullerton: "The Lady moves to table Amendment #1. Is there any discussion? There being none. The Question is, 'Shall Amendment #1 be tabled?' All in favor say 'aye', opposed say 'no'. The opinion of the Chair the 'ayes' have it and Amendment #1 is tabled. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Shirley Jones."

Speaker Cullerton: "Representative Jones."

Jones, S.: "Mr. Speaker, Amendment #2 is to be offered on the Second Reading, the effective date to July the 1st, 1991 per the Department of Public Health suggestion. The department has indicated that with the delayed effective date their position is now negative...neutral."

Speaker Cullerton: "The Lady has moved for the adoption of Amendment #2 to House Bill 3482 and on that is there any

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discussion? There being none. The question is, 'Shall Amendment #2 pass?' All in favor say, 'aye', all opposed 'no'. In the opinion of the Chair, the 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. Representative Kubik, House Bill 3674. Representative Kubik. Out of the record. Representative Homer, House Bill 3766, it's on the Order of Civil Law, Second Reading. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3766, a Bill for an Act to amend an Act to revise the law in relationship to clerks to the court. Second Reading of the Bill. There are no Committee Amendments."

Speaker Cullerton: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 offered by Representative Homer."

Speaker Cullerton: "Representative Homer."

Homer: "Thank you, Mr. Speaker. This Floor Amendment 1, is a Amendment requested by the Attorney General's Office. It amends the...the fee statute for circuit clerks to provide that the attorney...filings by the Attorney General shall be except from the payment of filing...payment of local court fees. The same now is the case for State's Attorneys. So apparently...currently around the state some circuit clerks are waiving the fees, others...indicate that they don't have authority to waive the fee. This Amendment just simply...explicitly provides that Attorney General filings will also be exempt from filing fees. And I would urge its adoption."

Speaker Cullerton: "The Gentleman has moved for adoption of Amendment #1 to House Bill 3766. On that, is there any discussion? There being none. The question is, 'Shall

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Amendment #1 pass?' All in favor say 'aye', all opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, Amendment #1 is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Cullerton: "Third Reading. Representative Homer, you're on a roll. We're going to go to Revenue, Second Reading. Representative Homer, House Bill 2872. Mr. Clerk why don't you read this Bill."

Clerk Leone: "House Bill 2872, a Bill for an Act in relationship to the transfer of funds by taxpayers. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Any Motions with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Homer on House Bill 3152. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3152, a Bill for an Act to amend the Retailers Occupation Tax Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Homer, House Bill 3153. Mr. Clerk."

Clerk Leone: "House Bill 3153, a Bill for an Act to amend an Act in relationship to state service use. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Any Motions with respect to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Bowman. Representative Bowman, 4042. On the Order of Civil Law, Third Reading, is there anyone who wishes to bring a Bill

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back from Third Reading to Second Reading for the purposes of an Amendment? We're trying to get these Bills in order, all the Amendments done today so we can proceed to Third Readings next week. So if you have any Bills on Civil Law, Third Reading that you wish to bring back to Second Reading for Amendment let me know. Representative Currie would you care to handle Representative Bowman's Bill, to 4042 on Second Reading. Mr. Clerk, could you please read the Bill."

Clerk Leone: "House Bill 4042, a Bill for an Act in relation to information on the federal earned income tax credit. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Any Motion with regards to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Bernard Pedersen."

Speaker Cullerton: "Representative Bernard Pedersen. Is that...Representative. Representative Currie."

Currie: "I question the germaneness of the Amendment."

Speaker Cullerton: "I'll ask the Parliamentarian to look at it. While we're doing that, Representative...is your name pronounced Peterson or Pedersen?"

Pedersen, B.: "That's Pedersen, Mr. Speaker."

Speaker Cullerton: "Pedersen, is that pronounced the same way that the other...Representative from Lake?"

Pedersen, B.: "Yes, we're a team."

Speaker Cullerton: "The same pronunciation but different spelling."

Pedersen, B.: "Yes, Sir."

Speaker Cullerton: "Okay, I'll correct that in the future."

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

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House."

Speaker Cullerton: "Representative if you could just wait for a ruling, you might save yourself some time if declared not to be germane. Representative McCracken, for what purpose do you arise?"

McCracken: "Just asking you to do the right thing."

Speaker Cullerton: "Okay. Well, the Parliamentarian has ruled that the Amendment is not germane. Representative McCracken."

McCracken: "As the Parliamentarian well knows, this is horizontally germane. This deals with income taxes just as the Bill deals with income taxes. Our Bills have been held in Rules this year, they have been killed in committees, we've been forced to change Sponsorship. This is the only means left for getting this form to listen to our points of view. You stretch it when you say that this is not germane, I assume based on the fact that the underlying Bill creates a new Act and the Amendment amends a current Act. That is a cheap excuse for avoiding a discussion of an important issue."

Speaker Cullerton: "Are there any further Amendments, Mr. Clerk?"

Clerk Leone: "There are no further Amendments."

Speaker Cullerton: "Third Reading. On the Order of Pension, Second Reading. All the Bill on this Order are Representative Wolf's Bills. Mr. Clerk, please read House Bill 3228."

Clerk Leone: "On page 7 of the Calendar. House Bill 3228, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 3229, Representative Wolf. I'm sorry, Mr. Clerk, please read the Bill."

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Clerk Leone: "House Bill 3229, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 3327, Representative Wolf. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3327, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 3505, Representative Wolf. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3505, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 3692, Representative Wolf. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3692, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "There has been a request for a fiscal note on this Bill, Representative Wolf. Is it a fiscal note or a pension impact note?"

Clerk Leone: "A pension impact note is on file, there is also a request for a fiscal note."

Speaker McPike: "The Bill will remain on...Representative Wolf, a pension impact note has been filed. There's a request for a fiscal impact note and for us to move the the Bill to Third Reading we would have to comply with that or we would have to move that it does not copy, and prevail on that Motion. So...we can leave the Bill on Second Reading. Next Order of Business will be Banking, Second Reading. Representative Cowlshaw, House Bill 1679. Out of the record. Representative Morrow, House Bill 3510. Representative Morrow. Out of the record. House Bill

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3554, Representative Turner. Out of the record. House Bill 4208, Representative Davis. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 4208, a Bill for an Act to amend an Act in relationship to public assistance benefits. Second Reading of the Bill. There are no Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is be offered by Representative Davis."

Speaker Cullerton: "Representative Davis on Amendment #1."

Davis: "Thank you, Mr. Speaker. Amendment #1 is filed at the request of Public Aid. We've added this Amendment...it will require that a public aid recipient immediately call and report a stolen or lost check and public aid will then cancel the payment on that check. And...we urge acceptance of Amendment #1."

Speaker Cullerton: "Please move for Amendment #1 to House Bill 4208. On that is there any discussion? The Gentleman from Cook, Representative Piel."

Piel: "Just for one bit of clarification, Mr. Speaker. It's a...the Department of Public Aid is supposed to...they're supposed to report to the Department of Public Aid in reference to their card, their check cashing card in the loss or thief of a card not the check."

Davis: "If that is already the procedure then they will certainly do that. Are you..."

Piel: "I'm saying, that's what the Amendment...that's what the Amendment does. It's the lost of the card not the check. Just for clarification."

Davis: "Amendment #1 says that the payee..."

Piel: "I was just...I was just clarifying a comment. I've got no problems with the Amendment at all."

Davis: "Fine. Thank you."

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Speaker Cullerton: "Further discussion? Representative Anthony Young."

Young, A.: "Thank you, Mr. Speaker. What happens if they don't report it?"

Speaker Cullerton: "She indicates she will yield for a question. Representative Davis."

Davis: "If they don't...if they do not report that their check has been lost or stolen?"

Young, A.: "Right. Yeah, are we..."

Davis: "Then obviously then no one could put a stop payment on that check. For example, if you lost your check and no one reported it lost or stolen, nothing would happen."

Young, A.: "So, what happens right now?"

Davis: "I really don't know."

Young, A.: "No, I'm just trying to find out...it would seem normally, if you lose a check you'll report to them that you lost the check."

Davis: "I really don't know Representative, what happens if a welfare recipient loses his or her check at this point. I have no idea."

Speaker Cullerton: "The Lady moves for the adoption of Amendment #1 to House Bill 4208. All in favor say 'aye', all opposed say 'no'. In the opinion of the Chair the 'ayes' have it the Amendment is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #2 offered by Representative Davis."

Speaker Cullerton: "Representative Davis, Amendment #2."

Davis: "Amendment #2 is also filed at the request of the Department of Public Aid and this Amendment requires a proper identification for the recipient to cash the check at the bank. This protects the financial institution as well as public aid by requiring three pieces of identification for check cashing. One photo identification

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and it's in the form of a public aid card, a driver's license or a state identification...piece of ID. We filed this at the request of the Department of Public Aid in order to make this Bill...acceptable to them."

Speaker Cullerton: "The Lady has moved for the adoption of #2 to House Bill 4208. Is there any discussion? The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker...just to expound a little bit on this Amendment. Basically what this Amendment does, it requires a bank or a savings and loan in other word, it's saying they must cash a check with certain proper identification. Well, I think different banks, savings and loans, credit unions have other stipulations to check cashing procedures and in a lot of the cases it is that the person has an account with their institution. The way this Amendment is drafted, it basically...if you'll bear with me, it requires that a bank, savings and loan must accept a public aid check upon presentation of either identification card issued by the Department of Public Aid or a valid driver's license or valid Illinois identification card in addition to two other forms. In other words, they could show a State of Illinois identification card with two credit cards, with the name on which all three of them could have been stolen and the bank has to cash this check. I think you are taking completely away from the bank the authority to...you know, refuse to cash a check. I mean it does not say that the customer...the person has to be a customer of the bank, it just basically states that they have to cash. I don't think that we should be stipulating here that a bank or a savings and loan or credit union has to cash an instrument for a non customer. And I would ask the Lady to withdraw Amendment #2 and if she still wants it, to re-word it that

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the person would have to be at least a customer of that institution."

Speaker Cullerton: "Representative Davis, it has been requested that you withdraw your Amendment. Do you wish to withdraw it?"

Davis: "No, Sir. No, Mr. Chairman, I do not wish to for the simple reason the banks have absolutely not said one word of objection to this Amendment. The Banks have not said one word in objection to this. At the present...no, no. Excuse me."

Speaker Cullerton: "Representative Piel."

Piel: "Mr. Speaker...Mr. Speaker, she can cover that in her closing arguments if she wants to but I do know that the banks have just recently received this...this Amendment and they are definitely not in favor of the Amendment at the present time. And I'm saying that this might be able to clarify some problems that she has and, you know, I'm speaking on the Amendment I'm not addressing questions and so what I would suggest if she has any other comments in reference to that regard she could cover that in her closing arguments."

Speaker Cullerton: "Further discussion? The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm not sure if the Lady's Amendment is precisely drawn or not but this Amendment certainly gets at a very important problem in my opinion. Would the Lady yield for a question? How much does it cost in your area to cash a...public aid check?"

Davis: "Sometimes it costs four or five dollars to cash a check for maybe three or four hundred dollars. And I'm glad you asked that question, Representative. The banks are at no risk. Currently, many banks already cash these checks

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without the customer having an account there. The department is...also in agreement with this Bill."

Leitch: "Alright, I think that's right. I know in our area people are forced to cash their checks at currency exchanges which not only collect, in my opinion an absorbent amount of money from the person who is getting this check cashed, but in addition, they are...they will get money from the Department of Public Aid to contract for spending or providing the service of cashing these checks. I think this is a rip-off. I think the banking industry itself in Illinois should pay a lot of attention to this Amendment. I think if...CRA means anything...to the banking industry and to its responsibility to...to the public, that this is a marvelous place for the banks to...make a contribution to society and not be very inflexible on this issue. This is a very important subject and one that...I think needs considerably more attention on the part of the banking community. And I think it's a good Amendment."

Speaker Cullerton: "Any further discussion? The Lady from Cook, Representative Davis to close, if you wish."

Davis: "Well, thank you, Mr. Chairman. I'd just like to let the Body know that the banks are at no risk. That...this legislation is in order to bring all the banks into the opportunity to be able to cash public aid recipients' checks. The...Department of Public Aid worked with me on drafting these Amendments. The banks, some of them were already working with Peg Breslin, in order to get this kind of legislation passed. Currently, welfare recipients spend a large, large amount of money at currency exchanges to get their checks cashed and if some of them recognize the saving that they themselves could...occur, for example, those dollars, four and five dollars to cash one check

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could certainly be used to help pay gas bills, light bills, telephone bills, children's clothing. And we just feel that with the banks accepting and agreeing to this Bill...we see no problem with it and we urge an acceptance of Floor Amendment #2."

Speaker Cullerton: "There has been a request for a Roll Call on this question. The question is, 'Shall Floor Amendment #2 be adopted to House Bill 4208?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there's 60 voting 'yes', 50 voting 'no', 1 voting 'present' and Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Cullerton: "Third Reading. Are there any Bills on Banking, Third Reading that anyone wishes to bring back for...purposes of an Amendment. Representative Anthony Young, Levin or Piel? Any Amendments required? Representative Stern on Elections, do you need to bring...Representative Stern on the Order of Elections, Third Reading. Do you need to bring back any of those for Amendments? No. Okay. Mr. Clerk, House Bill 3623. The Bill is on Second Reading, there was a request for a fiscal note. Has that been complied with?"

Clerk Leone: "House Bill 3623 on the Order of Second Reading. A fiscal note has been filed."

Speaker Cullerton: "Third Reading. Mr. Clerk, have you read the Bill a Second Time? Perhaps we should read the Bill."

Clerk Leone: "House Bill 3623, a Bill for an Act to amend an Act concerning comparable worth. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. On the Order of Labor, Second Reading. Representative Lang. Representative Wolf, for

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what purpose do you rise?"

Wolf: "Mr. Speaker, House Bill 3692 under Pensions, could you tell me, that Bill was read for a second time?"

Speaker Cullerton: "Yes, it was read for a second time."

Wolf: "Thank you."

Speaker Cullerton: "There is a request for a fiscal note. On the Order of Labor, Representative Lang. 3114, out of the record. Representative Cullerton, 3220 out of the record. Representative Wyvetter Younger. Second Reading, Labor, House Bill 3788. Do you wish the Bill read? Out of the record. Representative Currie, House Bill 3894. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3894, a Bill for an Act to create the Supported Employees Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Martinez, 3987. Out of the record. Representative Matijevich, House Bill 4101. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 4101, a Bill for an Act to amend certain Acts in relationship to collective bargaining. Second Reading of the Bill. There are no Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Hoffman."

Speaker Cullerton: "Representative Hoffman, Amendment #1. Representative McCracken, do you wish to handle that for Representative Hoffman? Representative Matijevich."

Matijevich: "I have discussed this with Representative Hoffman today and I'll accept the Amendment. So, we'll take the

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Amendment."

McCracken: "I move the adoption."

Matijevich: "Move it's adoption."

Speaker Cullerton: "Okay. Well if anybody is curious what it does...you'll have to read it yourself. All in favor of Amendment #1, say 'aye', all opposed say 'no'. The opinion of the Chair the 'ayes' have it. Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Cullerton: "Third Reading. On the Order of Professional Regulations, Second Reading. House Bill 2074, Representative Kubik. Representative Kubik. We're on the Order of Professional Regulation. Out of the record. House Bill 2929, Representative Novak. Representative Novak. We're on the Order of Professional Regulation, Second Reading, House Bill 2929. Representative Novak, there has been a request for...a number of...notes with regard to that. No personal notes, I think state debt impact notes and fiscal notes, and they have not been complied with so it will remain on Second Reading. Representative Ryder. Representative Ryder, 3449. Representative McCracken are you going to handle that for Representative Ryder?"

McCracken: "Yes, I ask leave to do so."

Speaker Cullerton: "Mr. Clerk, please read the Bill. House Bill 3449. Please read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3449, a Bill for an Act to amend the Illinois Professional Land Surveyor Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 3524, Representative Parke. Is the Gentleman in the chamber? Is Representative Parke in the chamber? Remove him. Representative Lang, House Bill 3836. Mr. Clerk, please

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read the Bill."

Clerk Leone: "House Bill 3836, a Bill for an Act to license and regulate aerobic instructors. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Are there any Motions with regard to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 offered by Representative Lang."

Speaker Cullerton: "Representative Lang on Amendment #2, to the Aerobic Instructor Hiring Act."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is partly a technical Amendment and partly a Amendment that comes by agreement with the physical fitness...lobby. We basically drop the requirement that these instructors be able to CPR, that's basically what the Amendment does. I ask its adoption."

Speaker Cullerton: "Is there any discussion? Representative McCracken."

McCracken: "I...talked to Representative Lang about this and this Amendment in effect...does not require certification or regulation by the state. You do set forth some qualifications an aerobic instructor should have?"

Lang: "That's correct, Amendment #1 actually deleted the certification requirement by the state. This doesn't involve state action at all."

McCracken: "Now, have you talked to someone in the industry to set-up these standards or how do you arrive at those?"

Lang: "I have...this is agreed language between the industry and myself."

McCracken: "Okay. Thank you."

Speaker Cullerton: "The Gentleman moves for the adoption of Amendment #2 to House Bill 3836. Any further discussion?"

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There being none, the question is, 'Shall Amendment #2 pass?' All in favor say 'aye', all opposed say 'no'. In the opinion of the Chair the 'ayes' have it, Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Cullerton: "Third Reading. Representative Davis, House Bill 4185. Representative Davis. Out of the record. Ladies and Gentlemen, we're going to go back to where we left off on Third Readings. We're going to start with Criminal Law, Third Reading. The first Bill on that Order is House Bill 2685. Representative Homer this appears to be a Committee Bill, 2685. Are you ready to proceed with that, Sir? Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 2685, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Cullerton: "Representative Homer."

Homer: "Thank you, Mr. Speaker. This...this is a House Judiciary II Committee Bill that I'm simply handling on behalf of the committee. And the Bill establishes a...impact incarceration program for the Department of Corrections. It's a subject that's been debated for some time and in fact there's been negotiations...since last fall and particular that have been fruitful and have led to what I believe is essentially an agreement with respect to the provisions that ought to be in a impact incarceration program. It's modeled primary after the State of Michigan program that has been very successful, it has been up and running, I believe, for about eighteen months. The purpose of it is to take certain eligible youthful offenders, to, defined, as anyone under the age of thirty years, but over the age of sixteen who has been sentenced by the court to the Department of Corrections for the first time. And if in fact the judge after...after giving a sentence to that

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defendant of five years or less, also recommends that the defendant be considered for the impact incarceration program. And if the Department of Corrections concurs after determining physical and mental...capabilities or qualifications of the person...and determines whether they believe the person would be suitable for the rigors of a...of a boot camp impact incarceration program. Then the Department of Corrections could put the person into a impact incarceration program which would be very similar to a boot camp or basic training military program where the individual subjected to a regiment of discipline and physical strenuous exercise and also educational opportunities including drug counseling if in fact there's a drug problem. Then upon satisfactory completion of the program which is designed to last...one hundred...a minimum of one hundred twenty to a maximum of one hundred eighty days as established by the Department of Corrections. After the satisfactory completion of that program, the Department of Corrections would report back to the sentencing judge that the person has in fact completed the program satisfactorily. And the inmate would then be eligible for immediate mandatory supervised release and the...it would be considered that he had served his time...for credit for time served in the basic training program. The idea is to instill a sense of discipline, a sense for respect for the rule of law that is so important in trying to rehabilitate a useful offender who has ended up in the penitentiary system, so that hopefully once that individual is released, back into society they will elect the law abiding life, a productive life as opposed to ending up back into the prison again and living a life of crime. The early reports on these programs in other states is encouraging...certainly there have been situations where

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it has not worked in every case, but is something worthy of our attention, and I believe that we ought to adopt the concept. And I would answer questions but I would urge you to support House Bill 2685."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 2685. Is there any discussion? The Gentleman from Lee, Representative Myron Olson."

Olson, M.: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this initiative coming out of Judiciary II, it's an extremely good idea. As Representative Homer has indicated, it has been successfully implemented other places. It will take some pressure off of our facilities as we now know them. And this together with what is being proposed as far as an additional ninety day good times is concerned will free up a number of beds and perhaps direct these prisoners away from the recidivism issue which bothered us for years. Please vote 'yes' for this Bill."

Speaker Cullerton: "Further discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As a Minority Spokesman on the committee and this is a committee Bill, I rise in support of the Bill. I've had the opportunity to travel to Michigan and view the...impact incarceration program that they operate there. It's an excellent program and what we're finding or what they were finding and the things they related to us were, the people were lacking discipline in their lives. They were also lacking the knowledge that they could do something successfully. Although we were there in a day in which they had an intake for prisoners, they said the best day to come back was graduation day. People had a self

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esteem, a desire to go out in society and do well. Yes, their program had people who failed, to returned to the penitentiary for whatever reason, but the success rate and the rehabilitation that came out of this program was a remarkable success. They explained to us and showed and shared with us letters that they had received from people whose lives have been back on track as result of their program. I think this is an innovative approach and I think we as a Legislative Body should move forward and adopt this Bill. We worked hard in committee, we've looked at it hard and serious to come up with what we think are the appropriate safe-guards. There's a fine line any time you put people in this sort of a program. We have to put some trust in some of the people who are running our departments here. But I think we put the safe-guards there, I think it's...it's a good Bill and we in Illinois need to move forward, go ahead and pass this Bill. I urge your favorable support."

Speaker Cullerton: "Further discussion? Representative...from McLean, Representative Ropp."

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

Speaker Cullerton: "He indicates he will."

Ropp: "Representative, did you say that there was some form of education or vocational training in here or is this just the boot camp program?"

Homer: "Representative Ropp, I know from discussions with the Department of Corrections that it is contemplated that the education would be integral part of the boot camp program, I'm looking through the Bill to see if it is specifically referenced in the Bill and I...I can't put my finger on it. I do know, though, that will be a focal point of the operations as contemplated by Corrections."

Ropp: "Okay, to the Bill. I certainly support this having

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introduced a Bill that did about the same thing. As many of us appreciate the fact that the time you can have the biggest impact on people who have committed crimes...is in that first time opportunity that they become incarcerated by the state. This provides that opportunity to help straighten out their lives, a lot of them to mature a little, to redirect...redirect their thinking about themselves and as had been indicated...in those states that the program has been working, we have seen the recidivism drastically reduced. It's a good solid program. It may not be the total answer but it certainly is a step in the right direction in attempting to reduce the...added need for prison space in the State of Illinois. I strongly support this Bill."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Williams."

Williams: "Will the Sponsor yield?"

Speaker Cullerton: "He indicates he will."

Williams: "Okay. As I have mentioned before I have some concerns about the legislation, not its intent but both how it's enacted and how it is administered. First thing that I wanted to know is, are there any safe-guards to prevent this from becoming a net widening as opposed to...the situation where individuals who might otherwise find themselves on probation are now sentenced to a term within the Department of Corrections for the purpose of getting them to go through the boot camp."

Homer: "I believe that the Bill as drafted does address that concern and Representative Williams is concerned as I understand it, is that we didn't just...have a program which would result in people who otherwise would have been sentenced to probation now being sentenced to this program because that would certainly do nothing to help elevate the

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prison crowding problem. But the way the Bill is designed, it says that the court will go ahead and sentence someone as in a normal case but it could only make a recommendation that someone sentenced to prison receive the boot camp program and then it would be up to the Department of Corrections to select from the list of those recommended for entry into the program. So, the Bill is designed with all the safe-guards to insure that the only eligible list of people for the program are people who are sentenced to the penitentiary and they will not be people who otherwise who would have gotten probation."

Williams: "Does the...as kind of follow up on this on what Representative Ropp had just asked...my questions relate to the education training, drug treatment, things of that nature. Is it possible for this legislation at some point if not now, to insure that there are safe-guards within the Bill to insure that...one of the things that this is supposed to do is get a person who does not have dicipline in his life, who does not have certain other trainings, hopefully to avoid the penitentiary. There's a real concern though if they are giving just what I would call, rigorous military type physical training that if they don't have an education. If they have a drug problem, if they have other things that basically says that when they go back to the streets, we haven't given them the real ability to cope with the outside world that in spite of this disicipline you need a little bit more. And my question is, does it now have, or is it possible before this thing goes all the way through to the Governor, that we can include some specific requirements for educational training and other sorts of drug treatment and things of that nature."

Speaker Cullerton: "Is that a question, Representative?"

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Williams: "Yeah. That was a question, do you have..."

Speaker Cullerton: "Why don't you ask, Representative Homer that question."

Williams: "Right, good enough..."

Speaker Cullerton: "Representative Homer to...to respond."

Williams: "Can we add an educational or make sure within the educational componet that we, that it is sufficient to help elevate the problems that the individual face when they hit the world again. We give them discipline but if they don't have the proper education, if they don't have proper treatment, if they don't have other things that basically we've given them...a short ended sentence but we don't give them any tools to make it in the world."

Homer: "Well, I know Representative Williams the Bill is not explicit on that. I'm standing next to...representatives from the Department of Corrections, they've heard what you said and I think this matter will certainly be...the dialogue will continue as the Bill goes into the Senate and perhaps they can consider adding some specific...legislation with regard to that issue. I know that they do contemplate, however, having instruction in the program, but remember, this is a one hundred twenty to one hundred eighty day length program. So there's not an opportunity to get a college degree while you're attending boot camp. The days are filled with rigorous physical exercise and work, but yet, I agree that there ought to be an component that addresses the root of the problem that perhaps if it's drugs or whatever...or illiteracy, or whatever it was that led the individual to go astray, then clearly to rehabilitate them we ought to at least attempt to address by education and counseling those...those problems. And so I would urge them to consider in the Senate, maybe adding some language that specifically

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address that concern."

Williams: "Okay, one final concern and it deals with the monitoring aspect as it relates to monitoring the Department of Corrections as it relates to who gets into the program and who gets out. There are two things...and got to be very blunt about this particular question in monitoring aspects. Right now, I see that the Department of Corrections is made up approximately between sixty and seventy percent minority...in terms of the inmate population. One of my biggest concerns is that this will become a program for nice suburban kids and we still go in get their hundred...hundred eight...hundred twenty and hundred eighty days and back out on the street and it will end up with the population of the boot camps being seventy percent majority and thirty percent minority as opposed to the way the actual population of the Department of Corrections happens to be. And that's a major concern because a lot of the best intentioned programs come out of here serving certain populations and not serving others. And so I would also ask that there be some General Assembly monitoring mechanism within this legislation that will allow us to watch and review (a) the sentences that are being imposed so individuals that end up actually into the program. (b) I want to know to my race and ethnic background of the individual who gets in, because as I..."

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

Williams: "If the prison population is...is of the same...it should be somewhat similar in racial to the boot camp population. Just so that fairness will actually be in this program. Thank you."

Speaker Cullerton: "The Gentleman from Cook, Representative McNamara."

McNamara: "The Sponsor will yield for some questions?"

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Speaker Cullerton: "He indicates he will."

McNamara: "This...impact incarceration, I guess I have a...during your explanation you were saying that the health of the individual will be a determinate factor as to whether or not they will be eligible for this program, is that correct?"

Homer: "Yes, there is a provision that the department will make certain that the person is capable physically and mentally of substantiating the rigors of the program."

McNamara: "Okay. The incentive for a person going in there is their sentence commuted somewhat by the fact that they are going into this program?"

Homer: "Yes. Yes."

McNamara: "Second...thing that I'm wondering about, on the commutation of that sentence, is that done by the judge or by the Department of Corrections?"

Homer: "Well, both. First of all, it is limited only to inmates who have been sentence to serve less than...five years or less. So, for example if someones in for Class X, or murder they are automatically ineligible. Class X, the minimum sentence is six years so, the only...the field of eligible people are those who received a sentence of five years or less. By definition would be non-Class X, but the judge would have to make a recommendation then, that that person be considered. If the judge sentenced someone to four years but refused to make that recommandation then Corrections would be totally without authority to put that person into a program. So, it requires a sentence of five years or less, a judge recommendation and Corrections will select from that list...people who they feel would be...that should go into the program. So if they do go in the program though, then upon completion of boot camp, one hundred and twenty or one hundred and eighty days, they

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would get out of prison at that time on parole or mandatory supervised release. Would not be required to serve the balance of their prison sentence."

McNamara: "What I'm concerned with is, is the final determination of that then doesn't this give the Department of Corrections the ability then to in effect commute a sentence for an individual."

Homer: "Well, only...only to the extent that the judge who sentences the person, recommended that they do that."

McNamara: "Okay, so it has to be a judicial recommendation first before the Department of Corrections can either implement or non-implement?"

Homer: "That's correct."

McNamara: "Okay. And the...one other concern that I have is that if a person was sentence to five years we'll say, take two people who are sentenced for five years, one happens to be...a person that's perhaps thirty years of age, not in good health another one that is thirty years of age and in good health. The discrimination for the person that is in good health is definitely there because the person that is not in good health will not be allowed to go into the program, so therefore, he would have no chance to get out of jail early. Is that correct?"

Homer: "I think that's a valid point except I don't think there is any way to address it. Obviously if someone is physically incapable because of health or disability to participate in the boot camp program, then...you know, it would not be a program that would be available to them. I...you know, it's not a constitutional issue or a legal issue, those have been sustained but certainly that element is there."

McNamara: "That's one of the concerns that I have on this that it is something alternatively, should we say a person has lost

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a leg or whatever, is some how it's physically incapable of going through this program, sentence to the same sentence as another person, that person is really being discriminated against totally because they don't have, even though the circumstances might be exactly the same in both cases, they do not have the ability to opt out at a lower sentence so to speak. I feel that...although I'm in favor of the boot camp theory program as long as it isn't just physical education instruction, I'm in favor of the concept, I am concerned that that sets up a problem and I think it has to be addressed."

Speaker Cullerton: "Further discussion? The Gentleman from...okay, the Lady from St. Clair, Representative Younge."

Younge, W.: "Will the Sponsor yield?"

Speaker Cullerton: "He indicates he will."

Younge, W.: "What...thinking has the department done if this is approved as to where the boot camps would be located?"

Homer: "I think they've already picked a site, it's in Dixon Springs...is that near Vienna? I don't know the county but it's southern Illinois. You'd probably know better than I. What county is that? It's Dixon Springs, located near Vienna, it's now a work camp and they are going to convert it to a...a boot camp. Now this will be the first one, you know, there may be others if this is a successful operation. There be others later."

Younge, W.: "I have heard some comment to the effect that it would be incorrect or bad to locate any boot camp in a very, very isolated area, away from...environments where the people who are attending the boot camp grew up. And that they should not be located in very, very severely isolated areas."

Homer: "No, I have no argument with that, the problem,

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Representative Younge has been as I understand it, that the metropolitan areas have historically have turned thumbs down on the these. They don't want them and it's been the isolated areas that have come to the Corrections and asked to have these kind of facilities."

Younge, W.: "I...I think what has...the kind of facilities to which thumbs down has been turned are very, very high facilities where murders and things like that are, this is an entirely different matter, it seems to me, and there should be different considerations."

Homer: "It could be but one...one of the concerns about, you know, this these boot camps they allow no visitors during the time the inmate's in boot camp so one...one issue about being visited by their loved ones would not pertain cause they couldn't come an see them anyway. So, I'm not sure that it would matter a great deal to the inmate where they are...probably like that southern Illinois climate better."

Younge, W.: "Well, I'm attempting to raise a concern which I think the department ought to listen to."

Speaker Cullerton: "I think it's just one more person seeking recognition. That would be Representative Shaw. Gentleman from Cook, Representative Shaw."

Shaw: "...Thank you, Mr. Speaker. ...Will the Sponsor yield for couple of questions."

Speaker Cullerton: "Indicates he'll...will."

Shaw: "Representative Homer have you looked at the Bill coming over from the Senate with the educational...components in it and...Representative Col...I mean Senator Collins Bill?"

Homer: "Well, I was going to...Senator Collins asked me to pick her Bill up I...I put in a slip and...I think Representative Balanoff had already gotten the Bill which is fine. But...yes I'm aware of that I...she's got some...additional ideals that are certainly worthy of

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consideration."

Shaw: "Right, are you willing to kind of work with your Bill along that line and tighten this up in terms of...particular from the educational...in, where that these people just wouldn't be...these boot campers just wouldn't be idle. That they would have something to do at all times."

Homer: "Well, Representative Shaw. I think she's got an idea that you know is separate from boot camp. She wants to establish a center in the Cook County area for technical violators of parole and probation. Rather, than, say if a parole violation was non-reporting, she feels that instead of going into a prison...that they ought to have some sort of a half-way house or something, it has nothing to do with boot camp. But, I think she's got a worthy idea and...one that I'm willing to support."

Shaw: "Okay, in the other part, are you..."

Speaker Cullerton: "Representative Shaw."

Shaw: "Yeah, are you willing to...not only report, put language in here not only where you would report, where they would report back to the judge. The...success, but also back to the legislature."

Homer: "Yeah, I think that's a good point. And you know Representative Williams talked about potential abuses, in terms of...you know...fairness in selecting these people. And I think the way to handle that would be to ask or to require Corrections to report back to us as to who it is and...by race and county of sentence, and type of crime, and all social economical background, or whatever other factors we want. I think they should report to us, to let us know who it is, after a short period of time, that they have maybe after a year or whatever is reasonable so that we can look and see...if they are being fair. I support that

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ideal."

Shaw: "It sounds like it's going to be a great Bill, soon as you get that in there."

Speaker Cullerton: "Representative Homer, do you think find the need to close?"

Homer: "No."

Speaker Cullerton: "No. The question is, 'Shall House Bill 2685 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. 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 are 109 voting 'yes'. None voting 'no', 5 voting 'present'. And this Bill having received the required Constitutional Majority is hereby declared passed. Representative Johnson, House Bill 2823. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 2823, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Johnson."

Johnson: "Thank you, Mr. Speaker and Members of the House. This Bill simply conforms the criminal damage to property statute...to the theft statute and provides for upgraded penalties according to the degree of damage. This arose out of the damage to the...football field at the University of Illinois. I don't think there's any opposition either in committee or any stage along the way, and I'd ask for your support."

Speaker Cullerton: "The Gentleman, moves for the passage of House Bill 2823. On that is there any discussion? The Gentleman from Macon, Representative Dunn."

Dunn: "Will the Sponsor yield for a question?"

Speaker Cullerton: "He indicates he will."

Dunn: "I just grabbed the file I can't, tell quickly...does this

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mandate the...civil penalty in this Bill. Or is that discretionary with the judge."

Johnson: "Representative Dunn, I don't have the analysis here in front of me I can't answer that."

Dunn: "Well, I have the Bill now. I don't know if there were any Amendments. Where there any Amendments to the Bill?"

Johnson: "No."

Dunn: "Well, then the Bill does say on page 3 that where the damage to property exceeds ten thousand dollars, the court shall impose upon the offender a fine equal value of the damages to the property. And...I have no problem with authorizing...such a fine, but generally we...we provide some discretion in the sentencing authority. And...I wonder why this is, 'shall' instead of 'made'."

Johnson: "Well, I suppose the reason is because, if you go out and damage a...fifteen thousand dollar article through criminal conduct, somebody has to pay for it. If you have a choice between society or the offender. It seems to me the offender ought to have to pay what he has damaged, as a condition of sentencing."

Dunn: "I don't want to prolong this, but you and I both know that...prosecuting authority States Attorney's are very, very busy people. And...every time we tell the judges and the prosecutors that they must levy this penalty, to get a deposition if they, they will...they will undercut something else, so I think this will really affect plea bargaining...if there has to be let's say a civil penalty of fifteen thousand dollars...there may be a lot of cases reduced from felony charges to misdemeanor charges or some other reduction in the plea bargaining process to counter balances this. I...I know that will happen, that's why I think this Bill should be made discretionary at least in this regard. So I...I stand in opposition of the Bill in

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that regard. It may be a fine concept, but I think it needs a little more adjusting."

Speaker Cullerton: "Any further discussion? Being none Representative Johnson to close."

Johnson: "In essence, current law says, if you have criminal damage to property in excess of three hundred dollars, it's the same as if you...burn down a University building. This law, this Bill simply conforms the law for criminal damage to property to the law of theft. So that when you reach certain plateau levels, the offence ought to be greater. It's greater to damage a million dollar building and burn it down, than it is to...run your...razor across a car. Both are serious offenses but it ought be...ought be greater in one case than the other. So that's all the Bill does."

Speaker Cullerton: "Gentleman's question is, 'Shall House Bill 2823 pass?' All those in favor vote 'aye', those opposed vote 'no'. The voting's open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 97 voting 'yes', 4 voting 'no', 10 voting 'present'. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 2959, Representative Countryman. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 2959, a Bill for an Act to amend an Act concerning jurors. Third Reading of the Bill."

Speaker Cullerton: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. This Bill is to correct some detail items in some legislation we passed last year. And it's being done at the request of some of the Illinois judges and particularly at the request of Judge Rich Brummer. It...no this isn't

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my last Bill, I'm saving that for something much more important. This provides...as amended, the Bill provides the counties with or without jury commissions, except Cook county which does things all on their own up there...in essence can delete compilation of the jury lists by precinct, and alphabetically by precinct, it was some adequate language we needed to remove it also...provides that the Illinois courts do not have to issue rules...for the preparation of jury lists that is to be done by statute, since the courts have not done that, it also provides that jury lists may be compiled randomly by the computer. That is, we can use the computer to select those people, and it also says that the...list or the duplication of list, duplicate names on the list...are to be avoided whenever practically possible, but if they cannot be then duplicate names may be entered into the random selection program. It's pretty much technical Bill, I'll be happy to answer any question and...I ask for your support."

Speaker Cullerton: "Gentleman moves for the passage of House Bill 2959. On that is there any discussion? The Gentleman from Cook, Representative Young."

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

Speaker Cullerton: "He indicates he will."

Young, A.: "The section that deletes the requirement for a new jury list every two years. Does that apply to Cook county also?"

Countryman: "No, the Bill does not apply to Cook county in anyway whatsoever."

Young, A.: "Thank you."

Speaker Cullerton: "Further discussion? There being none, the question is, 'Shall House Bill 2959 pass?' All those in favor vote 'aye', those opposed vote 'no'. The Voting is open. This is final passage. Have all voted who wish?"

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Have all voted who wish? Mr. Clerk, please take the record. On this question there are 113 voting 'yes', none voting 'no', none voting 'present'. And House Bill 2959 having received the required Constitutional Majority is hereby declared pass. Representative Stange, House Bill 3142. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3142, a Bill for an Act relating to crime statistics reports. Third Reading of the Bill."

Speaker Cullerton: "Representative Stange."

Stange: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. House Bill 3142 creates the College and University Security Information Act. This Bill requires all public and private institutions of higher education, to report annual crime statistics to the department of State Police. This legislation was introduced as a result of...concern...constituents about making campuses more safer and secure. We've had several increases in crime. Parents today are concern what universities they want to send their kids to. It's also part of a nationwide movement to publicize a safety and security conditions on campuses of higher education. I would ask for your 'yes' vote."

Speaker Cullerton: "Gentleman's moved for the passage of House Bill 3142. On that is there any discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Will Sponsor yield?"

Speaker Cullerton: "He indicates he will."

Countryman: "Representative, how do you define on institution of higher educations. These things that have to happen on campus...where is on campus and off campus?"

Stange: "Could be on campus, this excludes the public community colleges by the way."

Countryman: "So I...happen to represent Northern, Representative

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Johnson represents areas around the University of Illinois but...certainly in the area I represent, we have a lot of areas off campus where students live, fraternity houses, apartment complexes and so forth. If crime occurs there does it have to be reported?"

Stange: "No, it has to be on campuses only. Outside campus would not have to."

Countryman: "So it has to be on the public property?"

Stange: "That's correct."

Countryman: "So, and who has to make the reporting?"

Stange: "The State...the school security have to give information to the State police, and once a year the State Police gives it back to the University. So upon request, per parents or per the students, they only get changes as to."

Countryman: "So, how many people is going to take in the...the security offices to compile these statistics every year."

Stange: "They currently do that right now, John."

Countryman: "Well, then why do we need the Bill."

Stange: "But they're not giving it to the State Police, and therefore we don't have."

Countryman: "Well, then the State police have requested them, and they haven't given it to them?"

Stange: "That's not necessary true."

Countryman: "That's not true? I mean if we're doing the statistics right now why do we have to have this Bill?"

Stange: "Okay, it's not compiled for the students or the parents at this time. We're trying to get the statistics compiled and an annual report so when a student comes to the University, they can get statistics on the number of rapes, the number of armed robberies and so forth. So far the students cannot get this, or the parents cannot get this."

Countryman: "You're saying the parents cannot get it."

Stange: "That's correct."

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Countryman: "Where are they going to have to publish these reports."

Stange: "The Universities will have to publish these reports."

Countryman: "They're going to have issue a news release with these reports?"

Stange: "Upon request, by the student or parent."

Countryman: "They really aren't going to reflect the accurateness of whether its safe in Dekalb, or whether it's safe in Champaign, Macomb or ..."

Stange: "The Municipalities are also included in these figures."

Countryman: "The municipalities are included? Well then we've got a mandate for municipal government too..."

Stange: "See what's happening right now, like the University of Illinois in Champaign. They feel that the number of accidents, the number of statistics on rapes and armed robbery aren't reported properly. And the problem is that the parents, are concerned, for example one of my constituent's daughter was murdered in the University last year."

Countryman: "Well, we're all concerned, I live in these communities, but what I'm asking you, is whether or not we're requiring the Dekalb Police Department, the Macomb Police Department, everybody else...add more statistic to..."

Stange: "Well, John..."

Countryman: "The statistical gobbledygook, we got floating around this state right now."

Stange: "Right now, they have information. But they're not giving it to the parents or students at this time."

Countryman: "We have a Freedom of Information Act. Can't they request of..."

Stange: "We're trying to make it easier for the parent and the students to get that information. Right now, they would

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have to get it from the school, to get it from the municipalities from the cities and whatever. We're trying to make it easier for the parents and the students to get this information."

Countryman: "Are you saying that these statistics are already compiled."

Stange: "At different..."

Countryman: "There's no new statistics that have to be compiled on. And what you're saying is somebody has to take the municipalities where the University is, and compile the statistic for that municipality along with on campus things. And publish it somewhere?"

Stange: "That's correct."

Countryman: "Is that what the Bill does?"

Stange: "That's right."

Countryman: "So, you're assuring me, that there are no new statistics that have to be compiled."

Stange: "That's correct."

Countryman: "And that there's nothing other than an compilation of existing statistical data."

Stange: "That's right."

Countryman: "And then that has to be sent to the State Police, and that's all the Bill does? Okay. Thank you."

Speaker Cullerton: "Futher discussion? The Lady from Cook. Further discussion, the Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker. Will the Sponsor yield for an question?"

Speaker Cullerton: "Representative Stange, will you yield for an question from Representative Dunn? Yes he indicates he will."

Dunn: "The first question is...how much is this program going to cost? And where is the Appropriation Bill or Amendment

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to...support the cost of this program? And out of whose budget will it come?"

Stange: "We're talking about fifty thousand dollars, John."

Dunn: "And whose estimate is that?"

Stange: "S.I.U.'s."

Dunn: "For the S.I.U. campus?"

Stange: "That's correct."

Dunn: "And what about all the other college and universities, public and private in the State of Illinois. How many times do you have to multiply fifty thousand?"

Stange: "Times the number of Universities there are, John."

Dunn: "Pardon me."

Stange: "Times the number of Universities."

Dunn: "So, if you multiply fifty thousand per campus, times the number of college and universities in this state, we have a significant sum of money, and where is the...where is the appropriation for the cost of this program?"

Stange: "We don't have the appropriations for it yet, John."

Dunn: "There is no appropriation floating around any place, this time to support this program. Is that correct?"

Stange: "Not at this time."

Dunn: "Where do you plan to get the money?"

Stange: "We'll, find it from...Representative Leverenz when he comes back on the floor."

Dunn: "Well, I think that's...that's important. Now there is an Amendment on the...two Amendments on the Bill, I guess. One is a sunset and the other I only have a analysis of, which indicates...that...you no longer have to report these crime rates to the current employees and students. What, what you publish a booklet? Is that what you do?"

Stange: "They're going to do that...originally when the Bill was introduced. Now, it's only upon request per the parent or the student."

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Dunn: "So, the statistics were gathered, and the booklet is available upon request? Is that what's being..."

Stange: "That's right."

Dunn: "And..."

Stange: "This way the University wouldn't have to send them out to all the students."

Dunn: "And...do we have...similar set of statistics...at McCormick Place the site of the proposed of McDome."

Stange: "I don't believe so John."

Dunn: "...Do we have a similar set of statistics...regarding the...relative degree of safety of the...polo grounds in Oak Brook."

Stange: "It might have that John. We're concerned about the students, John, John were talking about the safety of the students at the universities."

Dunn: "The question is, does polo grounds print a booklet on its own...in case I want to go watch a polo match I can find out how safe it is. Before I drive my car into Oak Brook."

Stange: "John, you can call me, and I will be more than happy to give that information."

Dunn: "What about Chicago Cubs in Rigley Field, do we have figures on how safe it is to go to Rigley Field?"

Stange: "You have to call John Cullerton for that."

Dunn: "Comiskey Park?"

Stange: "I'm sure we don't, no."

Dunn: "What about the capitol grounds here in Springfield, do we have...that's public facility. Do we have the statistics and figures available in booklet form, about how safe it is for...school children to come here...and get in the gallery of this...of this chamber, it might not be such a hot place to be."

Stange: "I'm not sure how safe this chamber is, John."

Dunn: "I'm not either, Do we have figures about..."

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Stange: "No, we don't."

Dunn: "And shouldn't we compile figures on...we want to protect our citizens shouldn't we be doing this every place, that's the point."

Stange: "It's a nationwide trend, that we want to make our universities safe, and this is just a beginning of the concerns of the citizen throughout the country getting statistics on how safe one university is."

Dunn: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House. Briefly to the Bill...this Bill imposes a burden, not only upon every public college and university in this state...but the private colleges, the independent college and universities as well. There is no underlyne appropriation...if this Bill passes...each school will have to dip into their own pocket to come up with the...figures and statistics...called for by this legislation. Crime on campus is a difficult matter, no one wants to do anything to aid or a...the commission of crimes on college campus around our state, as a matter of fact we all want to do everything we can to a eliminate them. But to publish this type of booklet, without funding and without a study about whether it really needs to be done or not. I heard no discussion about whether this...is...this would put a black eye in the minds of prospective students about certain universities or colleges and whether that black eye is warranted or not. It's one thing to treat crime seriously it's another to...to...black ball a college or university because of isolated incidents, which are not likely to be repeated. This Bill if anything ahead of it's time it shouldn't pass at this time. It certainly shouldn't pass until we find out from the administration whether there's room in the Governor's budget, to support the cost of this program. Both on behalf of the public colleges and

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universities, and the privates, I would urge a 'no' vote on this Bill at this time."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Levin. Further discussion? The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, Mr. Speaker...brief question of the Sponsor, please."

Speaker Cullerton: "Indicates he will yield."

Weaver: "Could you help me understand...after the Amendment, does this apply to privates as well as public?"

Stange: "That's right it does."

Weaver: "Does this apply to universities, contained within the City of Chicago."

Stange: "This does not, no."

Weaver: "No. Does this apply to two year institutions, universities such as Governor State and Sangamon State."

Stange: "Does not, no."

Weaver: "Only to four years...why are we concerned only with the the safety of four year institutions and not with two year institutions. And why are we not concerned with the safety of institutions in the City of Chicago."

Stange: "Good question. Because it's too hard to get the figures for the number of kids coming in and out of the...part-time students...more less these two years colleges...have part-time students more so than full-time students. And it would be more difficult to get this type of information."

Weaver: "What about the University of Illinois in Chicago."

Stange: "It would be excluded."

Weaver: "That would be effectively excluded from this Bill, right?"

Stange: "That's right."

Weaver: "Why would you want to do that?"

Stange: "The...Legislators in Chicago prefer that at this time,

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to exclude Chicago."

Weaver: "What is...does that mean if the Legislators downstate prefer that their's be excluded that you'll do that."

Stange: "No."

Weaver: "Well, thank you very much..."

Speaker Cullerton: "Further discussion? The Gentleman from Champaign, Representative Johnson. Representative Johnson."

Johnson: "Representative, what's the...what's the position of the department that the Department of State Police on this?"

Stange: "They were opposed in the beginning and I believe they're neutral at this time...this was recommended by the Illinois campus law enforcement administrators, on the various universities."

Johnson: "State Police was opposed, and now..."

Stange: "I believe it's neutral."

Johnson: "What did you do to remove their opposition?"

Stange: "Basically letting them tell us, how they want to report the figures to us."

Johnson: "Do what?"

Stange: "...Letting them tell us, how they want to us to report the figures to them."

Johnson: "What does...what does this legislation do with respect to either publicly owned or privately owned institutions off campus, in terms of their reporting. Cause frankly without that, the reporting mechanism would be...would be of no meaning."

Stange: "Okay, off campus, the cities in town would report their own statistics."

Johnson: "But, that's covered by the Bill."

Stange: "Right."

Johnson: "What impact would the information gathered have on the new area and 'court' law, where in institutions and

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landlords are being sued for not maintaining a safe environment for their tenants or for the general public. Surely these statistics would and could and responsibility should be used by anybody who gets hurt, as a result of...of...high crime area and improper safety measures from being taken. I presume this would be a whole new...a whole new availability of statistics in the civil court area."

Stange: "I don't believe that would have anything to do with this Bill at all."

Johnson: "Well, it has a whole lot indirectly with this Bill."

Stange: "Not really, the municipalities have that information already, John...Tim..."

Johnson: "I'll tell you why this would have to do with this Bill.

It's difficult historically to bring a cause of action against the landlord or an institution or otherwise for not 'maintaining a save environment' a reasonably safe environment. You caused all these institutions to have to make all these reportings available, you'd have a whole new area of the law created with respect third party liability...and...and...availability of those statistics to use in evidence when you're creating this new tort. I know, because I know Representative Stange, that this Bill is truly well intention, you're reaching out at a specific problem, and I think he really cares. And I think this Bill is a product of that concern. What I'm concerned about is this Bill reaching far beyond what any of us expect it's going to do here today. Or hope what it does here today, and that the universities, private institutions, police departments, the Department of State Police are going to come back to us well before the sunset date of 1994 and say you really should have studied this more. And you should have crafted this Bill to meet the realities that we have to face in terms of staffing, in

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terms of gathering of information, and otherwise. I really think, that with respect particularly to university communities...and for that matter I think that this would apply beyond that in an indirect sense, that its an issue, that we ought to spend the summer looking at, and see if we can come out with a product that does what Representative Stange wants to do, without creating a new layer of information gathering and bureaucracy and reportage requirements that we really never intended to do. So respectfully, I don't think I can vote against the Bill, but I certainly don't think at this point I want to put a green vote on it."

Speaker Cullerton: "Further discussion? The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I would rise in support of this proposal. When I look in the synopsis I see that it had hearing a indeed in the Higher Education Committee. It was approved there with thirteen 'yes' votes, and no,'no' votes, now I've sat on that committee in the past, and can tell you that the universities voices are heard there. And they do have a chance and they're very well represented and have an opportunity to state their case, so obviously they do not feel that this is a real problem for them. Actually, I think all the Bill is trying to do is take statistics that are already there, that already exist and put them together in a book, so that people who are wondering about the safety of a respective campus can look it up. Today if you want to know something about business you can look up in a business publication perhaps the Wall Street Journal and find all kind of statistics. If you're interested in sports we have the sporting news. If you want to know how good a school is academically, there are publications that

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tell you that information. Now all we're doing now is making available an additional publication, if you will, that would tell you the safety of these various institutions. If that's important to you, you can get that information you can look it over you can make your own decisions. But, I don't think that what we are asking any one to do is really that difficult, we're just putting it all together in one book for those people who care to read those numbers, and I think we should send this Bill out of here today and let it go over to the Senate and if it needs a few technical Amendments it can be addressed there. But it's a good Bill and we should vote 'yes'."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Levin."

Levin: "Would the Sponsor yield?"

Speaker Cullerton: "He indicates he will."

Levin: "Okay...a couple of months ago on channel 5 in Chicago...they did a series on unreported rape incidents...in some of the colleges and universities. Would...among the categories that you would cover...under legislation would that include rape?"

Stange: "Yes, it would be."

Levin: "Okay, likewise there's been a concern in terms of ethnic and racial incidents that occur on campus...where somebody is, there is vandalism or somebody is injured as a result of a racial or an ethnic incident. The person is attacked because of their race or religion. Would that also be included under this?"

Stange: "To my knowledge no. Nothing to do about the racial whatsoever in this legislation."

Levin: "Well, what about ethnic?"

Stange: "Nothing about ethnic."

Levin: "Do they currently keep statistic in terms of ethnic and

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racial...we have to have the Ethnic Intimidation law, that's on the book that says its a crime to commit an act of violence or vandalize a piece of property because of the ethnicity or race of the owner or person. Do the universities keep these statistics now?"

Stange: "No, not at all."

Levin: "I think it's something we need to work on, because...it's my understanding that in talking to the state police, and talking to the Jim Finley, that the Biased Crimes Reporting Act, that we passed a couple of years ago when is finally getting funding, indeed, covers the universities and requires...reporting of the ethnic and racial incidents as well. I hope you will agree to work with me and others on trying to clear up that particular problem in the Senate."

Stange: "Thank you, Representative."

Speaker Cullerton: "Representative Stange to close."

Stange: "Thank you, Mr. Speaker. This is a good Bill, this is a good safety Bill, its a good Bill helping the students at their universities today. I think we owe it to them, to give them some type of a factual statement of the number of incidents that do happen on campuses today. They have the information on various degrees from the town and cities and campuses now. It's just getting all these statistics put in one report. The cost isn't going to be that much whatsoever...it passed out of the Education Committee, thirteen to one. It flew out of the Senate seven to none, seven to one...It's a good Bill. And I would certainly ask for your 'aye' vote."

Speaker Cullerton: "The question is, "Shall House Bill 3142 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Stange, one minute to

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explain your vote."

Stange: "Postpone for consideration at this time." etfh;7 Speaker

Cullerton: "Mr. Clerk, please take the record. On this question the 'ayes' are 49, the 'nays' are 29. The Gentleman asked for Postpone Consideration. The Bill will be placed on Postponed Consideration. Representative McCracken, House Bill 3161. Representative McCracken's off the floor again, huh? House Bill 3167, Representative Harris. 3167, Representative Harris. Out of the record. House Bill 3527, Representative Parke. Representative Parke. House Bill 3527, we're on the Order of Third Reading, Criminall aw. Doesn't wish to have it called. Representative Stange, House Bill 3744. Representative Stange, Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3744, a Bill for an Act to amend certain Acts in relationship to visitation orders. Third Reading of the Bill."

Speaker Cullerton: "Representative Stange."

Stange: "Leave for an Amendment, bring it back to Second Reading."

Cullerton: "Gentleman asks leave to return, House Bill 3744 from the Order of Third Reading back to Second Reading. Gentleman have leave, leave is granted. Mr. Clerk, please read the Bill on Second Reading."

Clerk Leone: "House Bill 3744 on the Order of Second Reading. Amendment #3 is being offered by Representatives Lang and Stange."

Speaker Cullerton: "By Representative who? By Representative Lang and Stange?"

Clerk Leone: "That's correct."

Speaker Cullerton: "Representative Lang and Stange here? Representative Lang and Stange."

Lang: "That's correct Mr. Speaker. Its the Stange-Lang Bill and

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the Lang Stange Amendment."

Stange: "That's right. Amendment #3 is a clarification Amendment suggested by the coalition against domestic violence. And all it does is really clarify...the Bill, it doesn't change it at all. I would ask for its adoption."

Speaker Cullerton: "Gentleman has moved for the adoption of House...Floor Amendment #3. All in favor say 'aye', all opposed say 'no'. In the opinion of Chair the 'aye's have it. Amendment #3 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Cullerton: "Third Reading, Representative...Stange, asks leave to present House Bill 3744 on Third Reading. Is there leave? Leave is granted. Proceed...House Bill 3744."

Clerk Leone: "House Bill 3744, a Bill for an Act to amend certain Acts in relationship to visitation orders. Third Reading of the Bill."

Speaker Cullerton: "Representative Stange."

Stange: "Thank you, Speaker. This Bill is a lot easier than last Bill, a few minutes ago here. This Bill addresses a problem of custodial parents, interfering with the rights of non-custodial parents to see their children. Basically, this creates a weapon to prevent the custody to hold up the court battles. This Bill represents a practicle solution to the problem which seems to be primarily restricted to non-custodial fathers. The law currently will not allow a person to withhold the visitation rights for failure to pay support. But, it still happens on a regular basis. This Bill will probably clear up the court problems, I'm getting custodial, getting visitation rights to see your kids today'. I ask for your 'yes' vote."

Speaker Cullerton: "The Gentleman's moved for the passage of House Bill 3744. On that is there any discussion? The

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Gentleman from Macon, Representative Dunn."

Dunn: "Will the Sponsor yield for a question?"

Speaker Cullerton: "Representative Stange, There's been a request for you to yield for a question. Do you wish to yield for a question by Representative Dunn. How about Representative Dunn. Indicates he will yield for a question Representative Dunn."

Dunn: "What's the name of lobbyist on this Bill."

Stange: "The lobbyist is Jeff Strange."

Dunn: "So it's Strange-Strange-Lang Bill that we're dealing with here."

Stange: "That's correct."

Dunn: "And he's a fine man."

Stange: "Yes, right."

Dunn: "Does this...as amended does this Bill...have any criminal penalties in it?"

Stange: "None at all."

Dunn: "Okay, and...it contains...only then a contempt provision for...failure...for interfering with visitation."

Stange: "Contempt and a fine also."

Dunn: "Contempt and civil fine."

Stange: "Civil fine."

Dunn: "But not criminal."

Stange: "Not criminal."

Dunn: "Okay, thank you."

Speaker Cullerton: "Any further discussion? Gentleman from Cook...I'm sorry the Gentleman from Champaign, Representative Johnson."

Johnson: "I'm not going to waste time. It's a good Bill, nobody is going to stand up and oppose it, I won't waste time, this is a great Bill."

Speaker Cullerton: "Further discussion? Lady from Sangamon, Representative Hasara."

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

Speaker Cullerton: "He indicates he will."

Hasara: "Mr. Stange, my concern is with a custodial parent who may suspect abuse, would this Bill force a custodial parent who had some suspicion of abuse to turn the child over to the noncustodial parent, for visitation."

Stange: "Not, at all, nothing to do with that."

Hasara: "Explain to me then, what the Bill does that eliminates that possibility. Does not the Bill say, that a custodial parent may not stop the non-custodial parent from visiting the child?"

Stange: "It's only violation if the parents don't show just cause. We have an Amendment in there to prevent what you're asking, talking about. It's just basically for just cause only."

Hasara: "So if...a custodial parent suspected that the child was being abused, that parent would have to go into court and show just cause as to why the parent could not see the child."

Stange: "That's correct."

Hasara: "Okay, I understand what you are doing. But I do have some concerns about, about..."

Stange: "I appreciate that, we're going to have Representative Lang, not Strange but Lang, to...address that concern that you have."

Hasara: "Thank you."

Stange: "Mr. Lang."

Speaker Cullerton: "Representative Lang."

Lang: "Thank you, Mr. Speaker. This Bill is on Short Debate, but just to clarify this point. This Bill, starts from the premise that there's a visitation order for the non-custodial parent. And we start with the...with the assumption that that non-custodial parent's entitled to get

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his or her visitation. This Bill only kicks in if were, as it were, if the custodial parent fails on more than one occasion to provide visitation at the appropriate time and if a contempt order entered. Certainly, under those conditions if the noncustodial parent would ask the court for sanctions, the custodial parent would have the opportunity to come into court and say this is my reason, my child had an 102 fever, the non-custodial parent beats up on the child. These are the reasons that they could bring, so just cause to be required and other than that I think we all have a vested interest in making sure that non-custodial parents see their children. And that custodial parents don't prohibit them from enforcing court orders to do that."

Speaker Cullerton: "Any further discussion? There being none, Representative Stange or Lang to close. Representative Stange."

Stange: "Thank you, Mr. Speaker. Again, it's a very simple Bill, It's a Bill will help the parents with custodial problems on visitation rights. I ask for your 'yes' vote."

Speaker Cullerton: "The question is, 'Shall House Bill 3744 pass?' All those in favor vote 'aye', those opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 106 voting 'aye', 4 voting 'no', and 3 voting 'present'. House Bill 3744, having received the required Constitutional Majority is hereby declared passed. I would like to go back and pick up a few Bills that were on Second Reading that are now ready to move to Third. The Order of Transportation, Representative Bugielski, House Bill 3903. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3903, a Bill for an Act to amend the

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Illinois Vehicle Code, Second Reading of the Bill. There are no Committee or Floor Amendments.

Speaker Cullerton: "Third Reading. On the Order of Professional Regulation House Bill 4185, Representative Davis. Mr. Clerk, would you please read the Bill."

Clerk Leone: "House Bill 4185, a Bill for an Act to amend the Hospital Licensing Act, Second Reading of the Bill. There are no Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Davis."

Davis: "Speaker. Thank you, Mr. Speaker. The Amendment becomes the Bill and what it does is...it defines experimental as to similar to what the Hospital Licensing Act defines. It's an Amendment, that was...well the medical society worked with me very diligently, this Bill passed out of the House last year, and passed out of the Senate. The Governor vetoed it. And in the House we overrode the Governor's veto...this year we're making the Bill so that, with this Amendment, so it will hopefully be an agreed Bill the Medical Association is very satisfied with it and so are we."

Speaker Cullerton: "Please move the adoption of Amendment #1, House Bill 4185. Is there any discussion? There being none. The question is, 'Shall Amendment #1 pass?' All those in favor say 'aye', those opposed say 'no'. In the chair's opinion the 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Cullerton: "Third Reading. House Bill 2929, Representative Novak. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 2929, a Bill for an Act to amend the Fireworks Regulation Act. Second Reading of the Bill."

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There are no Committee Amendments."

Speaker Cullerton: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, is being offered by Representative Wennlund."

Speaker Cullerton: "Representative Wennlund. This is ...withdraw." The Gentleman withdraw Amendment #1. Any further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Wennlund."

Speaker Cullerton: "Gentleman, withdraws Amendment #2. Any further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative Wennlund."

Speaker Cullerton: "Gentleman, wishes to withdraw Amendment #3. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Cullerton: "Third Reading. Returning now to the Order of Criminal Law, Third Reading. Representative McCracken, 3161, we called this earlier and you were off the floor, one of your rare appearances off the floor, now you're back do you wish to have us call this Bill now? This would be House Bill 3161, Representative McCracken."

Clerk Leone: "House Bill 3161, a Bill for an Act to amend an Act concerning Public Contracts. Third Reading of the Bill."

Speaker Cullerton: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Currently...certain local governments let contracts pursue into what's commonly known as the Local Government Special Services Selection Act. We passed a Bid Rigging Act last year, and there's some confusion among the municipalities whether there governed by the letting of these contracts, or govern by the Bid Rigging or by this earlier statute I mentioned. This clarify that where contracts are governed by the

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earlier statute, the Bid Rigging Statute does not apply. And I move its passage."

Speaker Cullerton: "The Gentleman moves for the passage of House Bill 3161. On that is there any discussion? There being none, the question is, 'Shall House Bill 3161 pass?' All those in favor vote 'aye', those opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', none voting 'no', none voting 'present'. House Bill 3161, having received the Constitutional Majority is hereby declared passed. House Bill 3752, Representative Petka. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3752, a Bill for an Act to amend the code of criminal procedure. Third Reading of the Bill."

Speaker Cullerton: "Representative Petka."

Petka: "Thank you, very much, Mr. Speaker and Members of the House. House Bill 3752 is designed to correct abuse that we currently have under Illinois Law in connection with sentencing procedures and the death penalty, and post conviction procedures. The import of this Bill, is simply that a post conviction remedy will be cut off, as it applies to this section. We put in three years the person who has been sentenced to death, has not asserted his what violations of...constitution rights may have occurred at an earlier stage. We've had the death penalty in the State of Illinois since 1977. It is now 1990, and no one has been executed in this State. Now those who are organized to frustrate the will and mandate of the people of this State have been very, very successful. In large part because of an abuse of the post conviction remedies. What this will do, members of the jury, is to simply bring in a sense of firm justice and yet fairness."

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Speaker Cullerton: "Excuse me, Representative did you mean to say members of the jury?"

Petka: "Did I say members of the jury?"

Speaker Cullerton: "Yes."

Petka: "John, old habits never get broken. I'm sorry, well you are my peers correct, we're guilty. Members of the House, even my notes reflect that Mr. Speaker. If you just give me a second, for the red to from the back of my ears back down okay...very simply this, Members of the House, this will involve nothing more or nothing less, than bringing a sense of balance to the system that is currently out of wack. It will require that a person who has been convicted and sentenced to death, bring forth to the court of law, within three years whether not any substatate constitutional rights have been violated. What more really can we afford this person. The United States Supreme Court has held that there is no constitutional right, even to a post conviction proceeding. So this is merely a creature of the State, it seems to me that to have a death penalty statute in place since 1977, and to have the will of the majority frustrated by a well organized and determined minority simply smacks...of what the worse elements that we possibly could have in speaking about our criminal justice system. With the passage of this Amendment, What we will be saying is, it is time and yes the time is now, to limit this right that has been created by us, and which has been abused to the detriment of the people of the State of Illinois. And with that Mr. Spealer and Members of the House...I'm not asking you to find anybody guilty, I'm simply asking for the passage of this Bill. Thank you."

Speaker Cullerton: "Gentleman moves for the passage of House Bill 3752. On that is there any discussion? The Gentleman from Cook, Representative Anthony Young."

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

Speaker Cullerton: "He...he indicates he will."

Young, A.: "What is the time limit right now for post conviction, appeals and hearings Representative?"

Petka: "The post conviction...remedy right now is, Mr. Young, is ten years."

Young, A.: "And that's ten years for all crimes is it not?"

Petka: "That's correct."

Young, A.: "Burglary, Armed Robbery."

Petka: "That is correct."

Young, A.: "And this Bill would reduce that ten year period of time to three years? correct."

Petka: "That is correct."

Young, A.: "And only for the death penalty."

Petka: "That is correct, Sir."

Young, A.: "And in the death penalty in this State, there is an automatic appeal of the death penalty at the present time isn't there?"

Petka: "That is provided. Yes, Sir."

Young, A.: "Okay, and the post conviction statute, that you're about to change most of the time these matters don't even start until after the appeal process is over. Isn't that correct?"

Petka: "That...that's has been the case, yes."

Young, A.: "To the Bill, Mr. Speaker, Ladies and Gentlemen of the House. The Sponsor talks about bringing balances to the system, but this would in fact create, throw the system completely out of wack. We will allow ten years for post convictions appeals and remedies for every other crime, for every other sentence, except the death penalty where the appeal process takes longer than any of the rest. There's an automatic appeal of any death penalty sentence. Most of the time that process takes more than three years, which is

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one of the reasons why the whole statute calls for a ten period time in which to file these situations. So when you have the most severe penalty that we could bring, which of course is the death penalty, what this Bill would do would be limit the amount of time someone could have do discover new evidence and file an appeal. So the evidence of an appeal that could be brought in ten years for armed robbery or burglary or breaking and entering or for assault and battery you could still have ten years to bring a post conviction proceeding. But for the death penalty you'd only have three and it takes longer than that for the normal appeals that kick in automatically to work. This would greatly hinder the system, we just recently, this House, passed new post conviction center that has been fully funded to help to work on this very problem and what this Bill to do would be to undo the work that that center which was passed and funded by this Body had just begun. This is a horrible idea and it will bring the most serious limitation to the most serious penalty that we have to offer. The statute is ten years across the board, if we change it for anything the death penalty ought to be the last thing we shorten it for certainly not the first."

Speaker Cullerton: "Further discussion? Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. I don't know why the Gentlemen on the other side of the aisle jump to the defense of the criminals every time there's an issue before us, where we can...do something that people of Illinois actually want. Every district in the State of Illinois, there are people who complain continually about why is it that when somebody does...commits a heinous crime and they're found guilty, they're given the death penapenalty, why is it that time after time after paying sixteen to

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eighteen to twenty thousand dollars a year to feed and cloth and house these people...they continue even though they've been convicted by sound juries in a good system to be...to suffer the death penalty, we just continue...continually read about them, they make the front page, they file another lawsuit, eat up a lot of court time. And here we have a reasonable system where they're given the proper time and opportunity to present their appeal, this simply says look we, society has come to a conclusion that they forfeited their right to be among us, and let's get on and complete the sentencing. And yet the the Gentleman continues to oppose these ideas. It doesn't seem to make good sense to me to oppose such a fine idea as this. Thank you."

Speaker Cullerton: "Further discussion? Gentleman from Macon, Representative Dunn."

Dunn: "Not to prolong this, Mr. Speaker. But, when we're talking about impacting a death penalty cases as we are upon and important subject matter and it is significant to know that this legislation is opposed. This legislation is opposed by the Illinois State Bar Association, the Chicago Bar Association, Illinois Attorney for Criminal Justice, The Cook County Public Defender Office, the Office of the State Appellate Defender, Civil Liberties Union, and Amesty International. Some of you may not like those groups, but they are very serious minded people, thoughtful people, this is very serious legislation and...what it will do as has been pointed out earlier, is deny post conviction hearings in death cases...under circumstances where they would be available now. So this takes away a remedy for those who feel they have been improperly sentenced to have their life terminated. This denies them the right to do anything about that with regard with post conviction

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hearings after three years. A lot of times the appeal process and the death case takes much, much longer so this a Bill which we looked at very, very seriously and in the view of many of us around here should not be passed at this time. I urge 'no' vote."

Speaker Cullerton: "Gentleman from Cook, Representative Williams."

Williams: "Yes, you know one of the things about when you sentence someone to the death penalty, it's irreversible. Once in fact the penalty has been carried out, the individual is gone and we don't have the room to deal with our mistakes. There was a movie out called the Thin Blue Line. The young man in that movie who was sentenced to death, and far passed the three year limitation they later found out that he was not in fact the individual who had committed the crime. That would, in this instance had resulted in his death. All I'm saying here today is that there are a number of things we must consider. First of all, the direct appeal itself may last longer than three years, and therefore those dealing with the post conviction petitions may not have an opportunity to actually really file those petitions before the end of the direct appeal. But the real question is, if we make the mistake, if we don't give ourselves the time to honestly, and carefully review and give the individual a time to honestly and carefully appeal, we may end up being murders ourselves. Because no matter how we put it, if we kill an innocent man, with state authority or not, we killed an innocent man and we become the murders. Let's not let ourselves fall into this trap. This is a bad proposal. May be good intention I can't really say that but I think it's a bad proposal, and we should defeat this Bill at this time, we can't go back and undo the mistake that this Bill might

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do."

Speaker Cullerton: "Representative Petka, to close."

Petka: "Well, thank you again, Mr. Speaker and Members of the House. Especially to those who have stood up in what they consider to be loyal opposition to this Bill. I'm sorry that a guilt trip has to be laid on some of us, but I would simply point out to Members of the House, that what we are doing here is placing a limit. We are certainly not eliminating the...post conviction proceedings, and I might point out if we chose to do that, if we chose to do that, to reduce it from three to zero it would not offend the constitution. So in that sense, we are already giving these folks a break. A break in my opinion, they simply don't deserve. Now we're talking about, Ladies and Gentlemen, people who have abused the process. And I put my notes down, I had thought I would just simply avoid...going through the hall of shame that now exists on death row...in Stateville, and Menard. But...let's just tick off a couple that I'm most familiar with. In my neck of the woods, a fellow name John Whitehead, who killed a five year,old girl, back in 1985, abducted her, raped her, strangled her and drowned her. And now he's on a post conviction proceeding, six years after the fact that he discovered that somehow somewhere along the line, someone violated his constitutional rights. This is simply a charade, and we know it to be, a charade, nothing more, nothing less. If they simply had a constitutional right which they maintain has been violated, they certainly won't be able to...assert that within three years. Let's quit kidding ourselves, there has been a very effective gorilla war fair, that has been waged on the death penalty in this state. All this is going to do Ladies and Gentlemen, is simply to have these matters decided in an extraditious

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manner. It will cut both ways, if there is in fact a violation it will permit the defendant to be tried in a timely fashion, if there has not been a violation, then the state could proceed forward and carry out the mandate of not only the people of the state, but the jury and the judge who lawfully opposed the sentence. This is a Bill that is desperately needed in this state, it is a Bill that simply restores some sanity to...to the system. And believe it or not this is a type of legislation which may infact expedite the handling of appeals throughout the entire system. Ladies and Gentlemen, if you're ever going to do anything, which is going to restore the integrity of the process, which is going to restore public confidence in this system, this is the Bill, this is the time, and I ask my peers, Members of the General Assembly, and the House of Representative to please vote 'aye' on this measure."

Speaker Cullerton: "The question, is 'Shall House Bill 3752 pass?' All those in favor vote 'aye', those oppose vote 'no'. The voting is open. This is final passage. Representative Breslin, you have one minute to explain your vote."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I should tell you and I believe you do not know, that...there are many who...are opposed to this Bill that I think you should be concerned about. The State Bar Association, The Chicago Bar Association, and many others. And the reason that they are opposed, Ladies and Gentlemen, is because this won't help. It in fact will delay the process, as you know I often Sponsor the appropriation for the Appellate Defender Office. One of their big problems is handling these cases. They say all this does is make more paper work for them, it doesn't expedite anything, it's going to cost more in the appropriations process and doesn't help. Well, I respect

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the Sponsors intentions, it's not going to accomplish what he desires and all of the authorities on the issue agree with me. Thank you."

Speaker Cullerton: "Representative Young, I believe you spoke in debate, for what purpose do you rise?"

Young, A.: "Request of verification."

Speaker Cullerton: "Representative Stephens, you spoke in debate, for what purpose do you rise?"

Stephens: "Just to make a point that I have also been informed that death row is against this too."

Speaker Cullerton: "Sir, you know you are out of Order, because you spoke in debate. Mr. Clerk, please take the record. There are 72 voting 'yes', 32 voting 'no', and 12 voting 'present'. The Gentleman from Cook, Representative Young has asked for a verification. Representative Petka, asked for a pole of the absentees if they are any."

Clerk Leone: "Poll of those not voting, there are no Members who are not voting who aren't absent."

Speaker Cullerton: "Mr. Clerk, could you please Poll the Affirmative vote."

Clerk Leone: "Pole of the Affirmative. Ackerman. Barger. Barnes. Black. Brunsvold. Bugielski. Capparelli. Churchill. Countryman. Cowlshaw. Curran. Daniels. DeJaegher. Deuchler. Didrickson. Doederlein. Edley. Ewing. Virginia Frederick. Goforth. Granberg. Hallock. Hannig. Harris. Hartke. Hasara. Hensel. Hoffman. Homer. Hultgren. Johnson. Keane. Klemm. Krska. Kubik. Leitch. Martinez. McAuliffe. McCracken. McGann. McNamara. Munizzi. Noland. Novak. Bob Olson. Myron Olson. Parcels. Park. Bernard Pedersen. William Peterson. Petka. Phelps. Piel. Regan. Ropp. Ryder. Saltsman. Santiago. Sieben. Stange. Stephens. Tenhouse. Terzich. Wait. Weaver. Weller. Wennlund.

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Williamson. Wojcik. Wolf. Woolard. Zickus. No further."

Speaker Cullerton: "Representative Anthony Young, do you have any questions of the affirmative."

Young, A.: "Representative Terzich?"

Speaker Cullerton: "Representative Terzich, Gentleman's recorded as voting 'aye'. Is Gentleman in the chamber? Representative Terzich remove him. Any further questions?"

Young, A.: "Capparelli."

Speaker Cullerton: "Representative Capparelli, Gentleman's recorded as voting 'aye'. Representative Capparelli. Gentleman in the chamber? Remove him."

Young, A.: "Krska?"

Speaker Cullerton: "Representative Krska. Gentleman's recorded as voting 'aye'. Gentleman in the chamber? Representative Krska. Remove him."

Young, A.: "Bugielski?"

Speaker Cullerton: "Representative Bugielski is in the chamber?"

Young, A.: "Munizzi?"

Speaker Cullerton: "Representative Munizzi is recorded as voting 'aye'. Is the Lady in the chamber? Representative Munizzi. She is not in the chamber remove her."

Young, A.: "DeJaegher?"

Speaker Cullerton: "Representative DeJaegher. He's recorded as voting 'aye'. Is the Gentleman in the chamber? Representative DeJaegher. Remove him."

Young, A.: "Van Duyne?"

Speaker Cullerton: "Representative Van Duyne, is voting no."

Young, A.: "Representative Flinn?"

Speaker Cullerton: "How is the Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as voting 'no'."

Young, A.: "Santiago?"

Speaker Cullerton: "Gentleman's in the center aisle."

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Young, A.: "Harris?"

Speaker Cullerton: "Representative Harris. Gentleman's recorded as voting 'aye'. Is the Gentleman in the chamber? Representative Harris. Remove him."

Young, A.: "Representative Black?"

Speaker Cullerton: "Representative Black. The Gentleman's recorded as voting 'aye'. Is the Gentleman in the chamber? Remove him."

Young, A.: "Representative Hoffman?"

Speaker Cullerton: "Representative Mautino, wishes to be is recorded as voting 'aye'. Representative Hoffman. The Gentleman's recorded as voting 'aye'. Is the Gentleman in the chamber? Representative Hoffman. Remove him."

Young, A.: "Representative Brunsvold?"

Speaker Cullerton: "Representative Brunsvold. He's in the center aisle. Gentleman's is recorded as voting...'aye'."

Young, A.: "Representative Ewing?"

Speaker Cullerton: "Representative Ewing is recorded as voting 'aye'. Is the Gentleman in the chamber? Representative Ewing. Remove him."

Young, A.: "Representative Wojcik?"

Speaker Cullerton: "Representative Wojcik is...in the chamber?"

Young, A.: "Representative McAuliffe?"

Speaker Cullerton: "Representative Roger McAuliffe. The Gentleman is recorded as voting 'aye'. Is the Gentleman in the chamber? Remove him."

Young, A.: "Representative Keane?"

Speaker Cullerton: "Representative Keane is in the chamber?"

Young, A.: "Representative Hensel?"

Speaker Cullerton: "Representative Hensel, is in the chamber?"

Young, A.: "Representative Pullen...is not voting."

Speaker Cullerton: "Representative Ewing has returned to the chamber, please return him to the Roll Call. And he's

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voting 'aye'. Representative Black has returned to the chamber. Please record him as voting 'aye', return him to the Roll Call."

Young, A.: "Representative Myron Olson?"

Speaker Cullerton: "Representative Myron Olson is in the chamber?"

Young, A.: "Representative Zickus?"

Speaker Cullerton: "Representative Zickus, is in her seat." Any further question?"

Young, A.: "What does Representative Tenhouse look like? I don't know if he's here or not."

Speaker Cullerton: "Representative Tenhouse is in the rear of the chamber. He's waving both hands. Representative Tenhouse come on down."

Young, A.: "What about Representative Noland? Is he here too?"

Speaker Cullerton: "Oh, Representative Noland is over on the Democratic side of the aisle. Welcome to the Democratic side of the aisle, Representative Noland. Any further questions?"

Young, A.: "No further question."

Speaker Cullerton: "On this Bill there are 65 voting 'yes', 32 voting 'no', 11 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Representative Didrickson, on the Order of Education, House Joint Resolution 114. Mr. Clerk, please read the Bill...read the Resolution."

Clerk Leone: "House Joint Resolution 114, creates a special Joint Committee on early childhood intervention on the Speaker's Table."

Speaker Cullerton: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. House Joint Resolution 114 seeks to recapture a million dollars next year from the federal government to continue the work for the, to put

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together a Joint Commission on early childhood education with appointments from the...leadership in the General Assembly along with some public members and according to the Governor, also gets to the appoint a couple of members in the State Board of Education. To serve on this committee, which would then put together the recommendation from the...State Inter Agency council on early childhood education. with regards to zero to three special Ed. I move for its adoption."

Speaker Cullerton: "Representative Didrickson, could you please take this out of the record for a few minutes please? Mr. Clerk, could you please read the Senate Adjournment Resolution?"

Clerk O'Brien: "Senate Joint Resolution 171, resolved by the Senate of the 86th General Assembly of the State of Illinois. The House of Representatives concurring here in, that when the Senate adjourns on Thursday May 10, 1990 it stands adjourned until Tuesday May 15, 1990 at 12:00 o'clock noon. And when House of Representatives adjourn on Friday May 11, 1990 it stands adjourned until Monday May 14, 1990 at 4:00 o'clock p.m."

Speaker Cullerton: "Representative Matijevich, moves the adoption of the Senate Adjournment Resolution. All in favor say 'aye', all opposed say 'no'. In the opinion of the Chair the 'aye's have it. The Resolution is adopted. Representative Morrow, for what purpose do you rise?"

Morrow: "Resolution."

Speaker Cullerton: "House Resolution 1691, Representative Morrow. Mr. Clerk, please read the resolution."

Clerk O'Brien: "House Resolution 1691, whereas Jock Leslie Hardy was born in Chicago to Walter and Ozzie Hardy, and attended Luther South High School, and received his bachelor's degree from Loyolla University at Chicago, where he

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exhibited excellence in athletics as well as in academics, and whereas Jock Hardy in pursuit of a meaningful career, began working for Illinois House Speaker Micheal J. Madigan's Research and Appropriation Staff in March of 1987, and whereas after which he continued to work for the General Assembly as a research associate at the Illinois Citizen's Assembly, and whereas during his service in the General Assembly, Jock Hardy has established a good rapport with Democratic and Republic Members in both the House and the Senate, Jock Hardy has earned the encouragement, respect from many of us who had the opportunity to work with him in the General Assembly, And where as serving more than three years in Springfield, working for the State Legislature, Jock Hardy felt a strong need to return to Chicago to be with his family and friends, and will continue his professional career with the Department of Commerce and Community Affairs, and whereas Jock Hardy has established many friendships while living in Springfield, he has tried to led...lend a helping hand to those whom he has met when ever possible, the time has come for him to return home. Therefore be it resolved by the House of Representatives, the 86th General Assembly of the State of Illinois, that while we are certain that Jock will continue working hard, and will excel in his career, we in the General Assembly would like to congratulate him on his new position with DCCA, and although we will miss him. we bid him a fond fairwell and wish him the best of luck and success in his new career in Chicago. And be it further resolved a suitable copy of the preamble and resolution be present to Jock Leslie Hardy with our best wishes."

Speaker Cullerton: "Representative Morrow, on the Resolution."

Morrow: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. It's with gladness and sadness that I am proud to

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have sponsored House Resolution 1691. Jock Hardy is like a son to me. He grew up with one of my younger cousins back in the Southside of Chicago, and for those young men and young ladies in the House, this is Jock Hardy standing here. He's a fine example of what you can become if you work hard, stay out of trouble, and set goals, and just want to become someone who gives something back, not only to the City of Chicago, but to this entire state. We've heard reports where one out of every four Black young men in this Nation, are either in jail or they are in contact somehow with the jail system. And I am proud to say that Jock Hardy, has beaten the odds and I'm one of the other ones that have beaten the odds. Yeah, I want a Resolution in my honor too. But, Jock, good luck to you, we need someone like you in DCCA, it's not too often I can say very many kind things about DCCA, but I'm going to say some kind things because they have allowed you to come over there and work. And Mr. Speaker, with leave of the House I would like to ask that all Members be put on House Resolution 1691. Thank you."

Speaker Cullerton: "Gentleman, has asked for all Members of the House to be joined with Representative Morrow, in being cosponsors of House Resolution 1691. Gentleman has leave, the Gentleman moves for the adoption of House Resolution 1691. Does anyone stand in opposition? Yes, Representative Kubik. Gentleman from Cook."

Kubik: "Thank you, Mr. Speaker. Certainly, not in opposition. I had the opportunity to work with Jock, as the spokesman of the Urban Redevelopment Committee, he truly is one of our finest young men that we produced in the State of Illinois. On behalf of the Republican side of the aisle, we are very, very happy for you, and...we wish you the best. Best of Luck to you Jock."

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Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Turner."

Turner: "I too rise in support of this Resolution, as Charles said, Jock is a fine example for young Black males. And some of you may know we have a Resolution in the House dealing with the...problem that African American male's are confronted with today...we will deal with that at another time. But, I'm also going to miss Jock, because Jock is one of the guys, and it has nothing to do with his first name, who has spent sometime in the gym. And on Tuesday and Wednesday nights he has tutored me and I have tutored him and...of course it is indeed an honor and...he is going to be missed. And I know in DCCA he will do one hell of a job. And we just wish him well, And tell Jock, we will see you soon."

Speaker Cullerton: "Gentleman moves for the adoption of House Resolution 1691, All in favor say 'aye'. All opposed say 'no'. In the opinion of the Chair the 'ayes' have it. And House Resolution 1691 is adopted. Representative Didrickson, House Joint Resolution 114."

Didrickson: "Yes, Thank you, Mr. Speaker. This is the...Joint Resolution that we previously discussed...it does provide for a Special Joint Committee composed of eleven Members, with appointments from the four legislative Leaders and the Governor. Appointing to public members and the State Superintendent of Education, or his designee being an ex officio member. What we need to do is receive the fourth year funding...from the federal government which includes about three million dollars, to continue to put together the program from the zero to three special education...community in the State of Illinois. And that time table that we're placed under is October 1, 1990 for this comprehensive program. I move for its adoption."

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Speaker Cullerton: "Any discussion? Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Since we are on the Order of the Speaker's Table are we going to move to House...Joint Resolution 118 after this."

Speaker Cullerton: "We're not on the Order of Speaker's Table, were in the middle of an debate on House Joint Resolution 114, you wish to speak to that?"

Stephens: "Are we going to stay to this Order?"

Speaker Cullerton: "This is on the Order of Education. If you want to know what Order we're on. And it's the last item on the Order."

Stephens: "Well, if it's the last item, I guess we are going to be leaving after this one. So...I, we will do 118 some other time I suppose."

Speaker Cullerton: "So...Representative Didrickson, have you."

Didrickson: "I just urge its support and adoption."

Speaker Cullerton: "Alright, Lady asks leave of the Attendance Roll Call, to adopt House Joint Resolution 114. This leave is requested, leave is granted. House Joint Resolution 114 is adopted by the Attendance Roll Call. Agreed Resolutions."

Clerk O'Brien: "House Resolution 1700, offered by Representative Hartke, 1701 Rice, 1702 Kulas, 1703 Kubik, 1704 Wolf, 1705 Novak, 1706 Woolard, 1707 Hasara."

Speaker Cullerton: "Representative Matijevich."

Matijevich: "These are all congratulatory, I move the adoption of the Agreed Resolutions."

Speaker Cullerton: "Gentleman, moves adoption of Agreed Resolutions. All in favor say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it. Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Joint Resolution 132, offered by Representative Williams on, with respect to the memory of

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Michael J. Walsh."

Speaker Cullerton: "Representative Matijevich, moves the adoption of the Death Resolution. All in favor say 'aye'. all opposed say 'no'. In the opinion of the Chair the 'ayes' have it. Resolution's adopted. Ladies and Gentlemen we are prepared to adjourn in about four minutes. But we don't have anything to do between now and then, so, Representative McPike moves that we adjourn early. Four minutes early, and that the House stand adjourned until the hour of 4 p.m. on Monday, May 14. All in favor of adjourning say 'aye', all opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned, early."

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