

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Speaker McPike: "The House will come to order. The House will come to order. The Chaplain for today is Pastor Darreyl Young of the West Englewood United Methodist Church in Chicago. Pastor Young is the guest of Representative Flowers. The guests in the balcony may wish to rise and join us for the invocation."

Pastor Young: "I would like to add that I'm also the guest of Representative Manny Hoffman. Shall we bow our heads? Oh, gracious and loving God we come thanking You for yet another day. We come thanking you, God, for the opportunity to do Your work in Your State. We ask now, Lord, that Your Holy Spirit come down and touch. We ask, Lord, that Your Holy Spirit come down and help us to do the work that You would have us prepare. Lord, we thank You for bringing us together. We thank You, God, for bringing us out of our beds, for giving us strong bodies, strong minds, and now, Lord, we ask that Your Spirit would give us a spirit of harmony, spirit of peace, grace, mercy and love, and we ask that Your Spirit will dwell in the midst of us and everything that we do, everything we say will be done according to Your will. In the precious and loving name of Jesus we pray. Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance by Representative Hartke."

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

Speaker McPike: "Roll Call for Attendance. Representative Matijevich."

Matijevich: "Mr. Speaker, on this side of the aisle, Monroe Flinn is excused due to his injuries."

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Speaker McPike: "Representative Ropp."

Ropp: "Mr. Speaker, if I might have the indulgence of the House for a..."

Speaker McPike: "Wait, wait, excuse me, excuse me. Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representative Barnes and McAuliffe are excused due to absence. They are resting at home. I might also point out that Representative McAuliffe is recovering nicely, and we expect to have him hopefully back by May 1st. So, I hope he'll join us."

Speaker McPike: "Mr. Clerk, take the Roll. 115 Members answering the Roll Call. A quorum is present. Representative Flowers in the Chair."

Flowers: "Excuse me, everyone. May I please have your undivided attention? At this opportun...I would like to take this opportunity to introduce to you again, Reverend Young. But before I bring on Reverend Young, I would like to thank Representative Hoffman for bringing Reverend Young to my attention as to what she's trying to do in regards to Mrs. Amanda Berry Smith who was a woman that was...She made a great contribution in regards to children when she found her way out of slavery. So at this particular time I would like to take this opportunity to bring on the Clerk to read the Resolution and then after that we're gonna have Representative Hoffman to give you more information on Rep...Mrs. Young."

Clerk O'Brien: "House Resolution 358, offered by Representative Flowers and Manny Hoffman."

HOUSE RESOLUTION

WHEREAS, Seventy-six years after her death, the unmarked grave

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

of Amanda Berry Smith, African-American evangelist and missionary, will finally receive its headstone; and

WHEREAS, The Commission on the Status and Role of Women, Northern Illinois Conference of the United Methodist Church, was the host at the dedication of the headstone on March 30th at 11 a.m. in the Washington Memory Gardens Cemetery, at 701 Ridge Road, in Homewood; and

WHEREAS, Amanda Smith, born into slavery in 1837, lost two husbands and four children before becoming a minister in 1869; and

WHEREAS, In 1878, Mrs. Smith went as a preacher to England and India and worked with Methodist missionaries in Liberia; and

WHEREAS, Returning to the United States in 1890, Amanda Smith settled in Harvey and established a home for black orphans that existed for 20 years; and

WHEREAS, After retiring in 1912, Mrs. Smith moved to Florida, where she died three years later; and

WHEREAS, Pastor Darreyl Young of West Englewood United Methodist Church in Chicago discovered that Amanda Berry Smith's grave lacked a headstone and initiated a fundraising campaign to purchase one; and

WHEREAS, The Commission on the Status and Role of Women of the United Methodist Church supported the fund-raising campaign; and

WHEREAS, Women and men in the State of Illinois can be proud of Amanda Berry Smith, who was a trail blazer and a champion of women and children; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we join in honoring the memory of Amanda Berry Smith; that we commend

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

those who worked to establish a headstone for this great woman; and that we express our pride in the accomplishments of this daughter of Illinois; and be it further

RESOLVED, That a suitable copy of this preamble and resolution be presented to Reverend Darreyl Young.

Flowers: "The question is, 'Shall this Resolution be adopted?'

All those in favor say 'aye', opposed 'nay'. 'Ayes' have it. Okay. On that I would like to introduce to you Representative Manny Hoffman."

Hoffman: "Thank you. Reverend Darreyl M. Young of the West Englewood United Methodist Church is here with us today, and Pastor Young is here to receive this Resolution that pays tribute to her in helping to locate and honor Amanda Berry Smith, an African American, Evangelical missionary from Chicago area, who for 76 years was buried in an unmarked grave in the southern suburbs. She went about finding out about this woman, discovering where the grave was, and then a marker was put on the grave. I met her at the dedication. Amanda Berry Smith was a former Harvey resident and born into slavery in 1837. She settled in Harvey, and she did missionary work in the United States, in England, in India, in Liberia, and finally established a home for black orphans in Harvey, Illinois. She died in Florida in 1912, and her body was put into an unmarked grave, and just recently Reverend Young, doing some research, found out where the grave was located. We thank Reverend Young for bringing to the attention of all the people of Illinois the work of this outstanding and dedicated woman. I'd like to present Reverend Young."

Reverend Young: "On behalf of the Commission for the Status of  
Role of Women of the United Methodist Church, we would like

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

to thank the State Legislature for honoring the memory of a famous black woman, a black woman who was world famous in the 1800's, a black woman who had only three months of formal education, a black woman whose occupation was as a washer woman, and yet she answered God's call and traveled all around the world. She met with royalty. She was a missionary in India. She was a missionary in Africa with Bishops, and as too often happens with black women, their memories are erased from history, and yet God allowed us to uncover the grave and the memory of this world-famous woman who achieved heights that no woman was able to achieve in her time. We'd like to thank the State Legislature, and we hope that we will continue to lift up the memory of Amanda Berry Smith and other women of note: black, white, Asian, all ethnic types, women who have made all manner of achievements and accomplishments, and yet we don't know of them. We thank you once again."

Speaker McPike: "Representative McPike in the chair. Representative Ropp."

Ropp: "Thank you, Mr. Speaker. For the purpose of introducing some people who are in the gallery to your rear I'd like to introduce Amvet National Commander, Vaughn Brown; the Illinois State Commander, Raymond Lampkin; the Amvet National Auxiliary President, Anita Cornwell; the Amvet State Auxiliary President, Ann Trainer. Would they kindly stand and we'll give them a nice House welcome? Thank you, Mr. Speaker."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, I'd ask leave of the House to waive the posting notices on House Bill 908, to have it heard in Higher Education later today."

Speaker McPike: "This has been cleared with the Minority spokesman?"

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Satterthwaite: "Yes, it has been."

Speaker McPike: "It's been cleared on both sides of the aisle. Any objections? Hearing none, the Attendance Roll Call is used, and the posting requirements are waived. Representative Curran."

Curran: "Thank you, Mr. Speaker. I move to suspend the appropriate posting requirements on House Bill 510. It's been worked out with both sides of the aisle. It's Representative Hartke's Bill."

Speaker McPike: "Any objections? Hearing none, the Attendance Roll Call is used, and the Motion carries. General Resolutions."

Clerk O'Brien: "House Resolution 369, offered by Representative Anthony Young."

Speaker McPike: "Committee on Assignment. Committee Reports."

Clerk O'Brien: "Representative Matijevich, Chairman of the Committee on Rules, met on April 24, 1991, and reported back the following Committee Resolution and recommended it 'be adopted'. House Resolution 370, offered by the Committee on Rules."

Speaker McPike: "Speaker's Table. Representative Wolf."

Wolf: "Thank you, Mr. Speaker. I move to suspend the posting requirements in order that House Bills 1527 and 1529 can be heard for subject matter only in Pensions Committee Thursday afternoon."

Speaker McPike: "And the Minority is in agreement? Any objections? Hearing none, the Attendance Roll Call is used and the Motion carries. Representative DeLeo."

DeLeo: "Thank you, Speaker. I ask a point a personal privilege."

Speaker McPike: "Yes, state your point."

DeLeo: "Thank you very much. We have a Member who's going to be turning 50 this Saturday, a Member that has spent 20 years in the General Assembly, two years in the Con-Con. He came

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

here as a, his seniority number's, number 5 here. At this time I'd like to join all Members, have all Members wish Representative Bill Laurino a happy 50th birthday. Mr. Speaker, we also have a celebrate...We have a cake here. We ask for all Members to stop by and enjoy a piece of birthday cake on Representative Laurino's 50th birthday."

Speaker McPike: "Representative White in the chair."

White: "Thank you. Thank you very much, Mr. Speaker. We have in the rear of the gallery some high achievers who will come forward now, and the Clerk will please read a Resolution honoring these fine young Ladies and Gentlemen."

Clerk O'Brien: "House Resolution 219, offered by..."

White: "Jack, could you wait, wait 'til they get down here? While they are moving forward, these young, young people competed throughout the State of Illinois in the area of, areas of art and music, sports, academics and civics, and these are our winners in a program that is sponsored by the Illinois State Lottery and the Jewel Food Store. Escorting this group of high-achievers is our new Director of the Lottery, Ms. Rogers, Ms. Desiree Rogers, the young lady in yellow. Mr. Clerk."

Clerk O'Brien: "House Resolution 219, offered by Representative White."

HOUSE RESOLUTION

WHEREAS, In honor of Black History Month, the Illinois State Lottery and Jewel Food Stores jointly sponsored a program to identify and honor deserving Young Black Achievers; and

WHEREAS, Nominations were solicited from the public as well as educators and community leaders, and a prestigious panel of judges selected 14 winners from grades 8 through 12, in four categories,

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Academics, Civics, Arts and Music, and Sports; and

WHEREAS, Nominees were required to have at least a 3.5 G.P.A. in academics for consideration in that category and a 3.0 G.P.A. in academics for consideration in the other three categories; and

WHEREAS, The winners for Academics Achievement are as follows: Muriel Jean-Jacques, an eighth grader at Percy Julian Junior High School in Oak Park; Kareem Daniel, a junior at Morgan Park Academy in Chicago; and Monica L. Booker, a senior at Hyde Park Career Academy in Chicago; and

WHEREAS, The winners for Civic Achievement are as follows: LaGreta Jones Chillers, an eight grader at Gwendolyn Brooks Junior High School in Harvey; Cedric Adam Isaac, a sophomore at Marion High School in Marion; Bonita A. Reynolds, a junior at Guilford High School in Rockford; and Renee Foster, a senior at Peoria Heights High School in Peoria Heights; and

WHEREAS, The winners for Arts and Music Achievement are as follows: Julian K. Webb, a freshman at Proviso East High School in Maywood; Jennifer Elise Turner, a junior at the University of Chicago Laboratory High School in Chicago; Paul Branton, a senior at Hillcrest High School in Country Club Hills; and Michael A. Penelton, a senior at Edwardsville Sr. High School in Edwardsville; and

WHEREAS, The winners for Sports Achievement are as follows: Hali Brooke Henderson, an eighth grader at Plum Grove Junior High School in Palatine; Kimberly Jackson, a sophomore at Edwardsville Sr. High School in Edwardsville; and William Paul Taylor, a senior at West Aurora High School in Aurora; and

WHEREAS, The 14 Illinois Young Black Achievers were honored during a press reception at the Eccentric Restaurant in Chicago followed by a tour of Harpo Studio and a photo-session with Oprah



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Winfrey, the adult-achiever role model for 1991; and

WHEREAS, In addition, the Illinois Young Black Achievers will be honored by the State legislature and tour the State Capitol Building; and

WHEREAS, At a time when the education system throughout this nation is under scrutiny and extreme criticism, it is an honor to recognize outstanding students in our State who renew our faith in our young citizens; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, That we congratulate the 1991 Illinois Young Black Achievers; that we commend their dedication and hard work; and that we extend our best wishes to them for continued success in the future; and be it further

RESOLVED, That suitable copies of this preamble and resolution be presented to each of the Illinois Young Black Achievers, as a token of our esteem and best wishes.

White: "The winners of this competition are represented by the following Representatives of the General Assembly: Representative Zeke Giorgi, Representative Deuchler, Representative Sam Wolf, Representative Woolard, Representative Gary Marinaro, Representative Rotello, and Representative Leitch. We, Members of the General Assembly, would like to take this moment to commend you high-achievers for a job well done. When you think in terms of the fact that so many young people have a tendency to drop out of school at a very early age, age in their educational career, you have had the ability to stick with it. You are going to be our future leaders, and so we feel

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

as though when we turn this great country over to you, we are turning it over into good hands. Again, I would like to thank the Illinois State Lottery, Jewel Food Store, the R. J. Dale Advertising Agency, for making this program possible."

Speaker McPike: "Representative McPike in the chair. Representative Ronan."

Ronan: "Thank you, Mr. Speaker. I'd like to make an announcement if it's appropriate at this point about the Committee. The Transportation Committee, first we need to waive the posting requirements for House Bills 719, 1036, 1183, 1197, 1435, 1538, 1669, 1685, 2350, 2381, House Joint Resolution 14. These were heard in subcommittee, and we need them posted before the full Committee, and that's been agreed to by both sides. A second announcement...the following Members..."

Speaker McPike: "Alright, Representative Ro...Representative Ronan...Let, let me adopt that...If you would supply a list of those Bills to the Clerk, Mr. Ronan, if you'll give the list of those Bills to the Clerk."

Ronan: "I will, I'll submit it to the Clerk as soon as we're done."

Speaker McPike: "Alright. Alright. The Gentleman's Motion is to waive the posting requirements. The Attendance Roll Call will be used, and the Motion carries. Proceed, Sir."

Ronan: "Thank you, Mr. Speaker. Secondly, the following Bills have been reported out of subcommittee, but the Sponsors, I suggest they come to the full Committee because there happens to be some problems with these Bills. House Bills 1036, 1669, 2350, 1197, 1538, 2381, 597, 121, 153, 5, 369, 40, 519, 615, 889, 1184, 1758, and 2623. There seems to be a problem with your Bills, so come see me if you want it on tomorrow. Thank you."

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Speaker McPike: "Representative Mulcahey."

Mulcahey: "Yes, Mr. Speaker, for the benefit of the Elementary and Secondary Education Committee Members that were gone when we recessed this morning, we are in recess until, we're in recess until 8:00 o'clock Friday morning."

Speaker McPike: "Representative Matijevich moves that the House stand in recess until the hour of 5:00 p.m. allowing the Clerk Perfunctory time for Committee reports. All in favor say 'aye', opposed 'no'. The House stands in recess."

Speaker McPike: "The First Special Session will convene. Come to order. Attendance Roll Call from the Regular Session we'll use as the Attendance Roll Call for the Special Session. Representative Olson, we're in Special Session now. Go ahead. Mr. Olson."

Olson: "Thank you, Mr. Speaker. Are we going to conference, is your Caucus going to conference, or are we just going to recess?"

Speaker McPike. "Yes. No, we're going to recess, and we're, our Caucus is going to a conference, and you're...Do you want a Caucus also? Alright."

Olson: Yes. If your Caucus is going to conference, then we'll go to Caucus in 118."

Speaker McPike: "Alright."

Olson: "Thank you."

Speaker McPike: "Alright. The, the Attendance Roll Call for the Regular Session will be used for this First Special Session. Representative Matijevich now moves that the First Special Session be recessed until 5:05 p.m. Representative Matijevich withdraws that Motion. He moves that the First Special Session stand adjourned until tomorrow at the hour of 6:05 p.m. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The First Special Session is adjourned. The Democrats will have a Caucus

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

immediately in Room 114. Republicans will have a Caucus immediately in Room 118. The House will reconvene at 5:00 P.M."

Clerk O'Brien: "Committee Reports. Representative White, Chairman of the Committee on Human Services, to which the following Bills were referred, action taken April 23, 1991, reported the same back with the following recommendations: 'do pass' House Bill 1203 and 2232; do pass as amended' House Bills 274, 489, 739, 426, 2227, 2160, 2452, 426, and 1408; 'do pass Short Debate Status' House Bills 2471, 2404, 2292, 2040, 2039, 1854, 1831, 1797, 1565, 273, 1171, 1270, 2400, and 1119; 'do pass as amended Short Debate Status' House Bills 2317, 1804, and 1268. Representative Richmond, Chairman of the Committee on Agriculture, to which the following Bills were referred, action taken April 23, 1991, reported the same back with the following recommendations: 'do pass Short Debate Status' House Bills 742 and 1135; 'do pass Consent Calendar' House Bills 1695 and 1828; 'do pass as amended Consent Calendar' House Bills 1260 and 1659. Representative McNamara, Chairman of the Committee on Educational Finance, to which the following Bills were referred, action taken April 23, 1991, reported the same back with the following recommendations: 'do pass as amended' House Bill 1658; 'do pass Short Debate Status' House Bill 827; 'do pass as amended Short Debate Status' House Bills 19, 2042, and 2360; 'do pass Consent Calendar' House Bills 500, 1235, and 1752; 'do pass as amended Consent Calendar' House Bill 914. Representative Shaw, Chairman from the Committee on Financial Institutions, to which the following Bills were referred, action taken April 23, 1991, reported the same back with the following recommendation: 'do pass' House Bill 1912; 'do pass Short Debate Status' House Bill 2118 and 2135. Representative

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Mautino, Chairman from the Committee on Insurance to which the following Bills were referred, action taken April 23, 1991, reported the same back with the following recommendations: 'do pass as amended' House Bill 133; 'do pass short debate status' House Bill 1528, 2094, 1864, 1700, 1141, and 1699; 'do pass as amended short debate status' House Bills 1204, 1470, 1618, and 2105. Representative Farley, Chairman of the Committee on Labor and Commerce to which the following Bills were referred, action taken April 23, 1991, reported the same back with the following recommendations: 'do pass' House Bill 504; 'do pass as amended' House Bill 2104; 'do pass short debate status' House Bill 179, 2526 and 2017; 'do pass as amended short debate status' House Bill 802, and 703. Representative Levin, Chairman from the Committee on Public Utilities, to which the following Bills were referred, action taken April 23, 1991, reported the same back with the following recommendations: 'do pass' House Bills 992, 1812, and 619; 'do pass short debate status' House Bills 1526, 990, 1813, 2643, and 2374; 'do pass as amended short debate status' House Bill 1405 and 1918; 'do pass as amended Consent Calendar' House Bill 1601. The House now stands in recess until 5:00 o'clock."

Speaker McPike: "The House will come to order. Page 17 of the Calendar, Consent Calendar, Second Reading. Mr. Clerk, read the Bills."

Clerk Leone: "House Bill 299, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. House Bill 367, a Bill for an Act to amend the Cemetery Care Act. Second Reading of the Bill. House Bill 407, together with Amendment #1, a Bill for an Act to amend the Public Officers Prohibited Activities Act. Second Reading of the Bill. House Bill 1818, a Bill for an Act to amend

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

the Environmental Protection Act, together... Second Reading of the Bill. House Bill 894, a Bill for an Act relating to the Design Professionals Administration and Investigation Funds. Second Reading of the Bill. House Bill 988, a Bill for an Act to amend the Transient Merchant Act. Second Reading of the Bill. House Bill 1058, a Bill for an Act to amend the Legislative Commission Reorganization Act, together with House Amendment #1. Second Reading of the Bill. House Bill 1225, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. House Bill 1228, a Bill for an Act to amend the Vehicle Code. Second Reading of the Bill. House Bill 1254, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. House Bill 1322, a Bill for an Act to amend the Housing Authorities Act, together with House Amendment #1. Second Reading of the Bill. House Bill 1353, a Bill for an Act to amend the Public Aid Code. Second Reading of the Bill. House Bill 1364, a Bill for an Act to amend the Structural Engineering Licensing Act, together with House Amendment #1. Second Reading of the Bill. House Bill 1365, a Bill for an Act relating to real property. Second Reading of the Bill. House Bill 1713, a Bill for an Act to amend the Elder Abuse and Neglect Act. Second Reading of the Bill. House Bill 1934, a Bill for an Act to amend the Hearing Aid Consumer Protection Act. Second Reading of the Bill. House Bill 2015, a Bill for an Act to amend the Interest Act. Second Reading of the Bill. House Bill 2085, a Bill for an Act in relationship to the Rights of Public Employees. Second Reading of the Bill. House Bill 2476, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. House Bill 2495, a Bill for an Act to amend the Counties Code. Second Reading of the Bill."

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Speaker McPike: "Third Reading. Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to suspend the posting requirements for House Bill 59 to be heard in the Committee on Veterans Affairs tomorrow at noon. It's been cleared with the Chairman of the Committee, Chairman Martinez, and also Representative Stange, and the Minority spokesman."

Speaker McPike: "Any objections to the Gentleman's Motion? Hearing none, the Attendance Roll Call will be used. The Motion carries. Representative McNamara."

McNamara: "Thank you, Mr...Thank you, Mr. Chairman. I move to suspend the posting notice for House Bill 1081 to be heard at 5:30 on Thursday on the House Floor and to recess the Educational and Finance Committee Meeting. This has been cleared with the other side of the aisle."

Speaker McPike: "Is (sic - are) there any objections to the Gentleman's Motion? Being none the Attendance Roll Call will be used. The Motion carries. Representative Mulcahey."

Mulcahey: "Thank you, Mr. Speaker. I would move to waive the posting notice so that House Bills 474, 770, 1715, 1914, 2606 can be heard in the Elementary and Secondary Education Committee at 8:00 a.m. on Friday."

Speaker McPike: "Would you repeat those Bills?"

Mulcahey: "Seven...474, 770, 1715, 1914, 2606."

Speaker McPike: "Five Bills? Is that cleared?"

Mulcahey: "Yes."

Speaker McPike: "Are there any objections to the Gentleman's Motion? Being none, the Attendance Roll Call will be used, and the Motion carries."

Speaker McPike: "Page 2 of the Calendar. House Bills Second Reading. Appears House Bill 2. Out of the record. House Bill 3, Representative Stepan. Representative Stepan."

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Representative Stepan, do you want your Bill called? House Bill 3. Do you wish the Bill called? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill #3, a Bill for an Act to amend the Wrongs to Children Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 8, Representative Anthony Young. House Bill 14, Representative Preston. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 14, a Bill for an Act to amend the Illinois Pension 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: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 16, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 16, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Take the, take the Bill out of the record. House Bill 17, Representative Lang. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 17, a Bill for an Act to amend an Act in relationship to judicial salaries. 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."



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Has the appropriate Pension Impact Note been filed?"

Speaker McPike: "Yes, the Calendar indicates it has been."

Black: "Has been. Thank you."

Speaker McPike: "Third Reading. House Bill 36, Representative Stern. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 36, a Bill for an Act concerning the determination of death. Second Reading of the Bill. Amendment #1 was tabled in Committee. Amendment #2 was adopted in Committee."

Speaker McPike: "Any Motions filed? Alright, the, the Calendar is in error. Amendment #2 is adopted. Are there any Motions filed?"

Clerk Leone: "No Motions filed in respect to Amendment #2."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 44, Representative Preston. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 44, a Bill for an Act to amend the Illinois Domestic Violence 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: "Third Reading. House Bill 47, Representative Preston. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 47, a Bill for an Act to amend the School Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments? Any Floor Amendments? Representative Preston."

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Preston: "Mr. Speaker, we were in the middle of House Bill 47 when..."

Speaker McPike: "Yes."

Preston: "...everybody kind of disappeared. What, may I ask if we could proceed?"

Speaker McPike: "Well, there was, there was an objection for, to you calling two Bills in a row."

Preston: "Well I don't care what Representative Dunn says, I, I'd like to proceed."

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

Speaker McPike: "Representative Black."

Black: "Well, thank you very much, Mr. Speaker. The, the effect of Amendment #1 is simply to say that the Bill cannot become effective unless the General Assembly has made appropriations specifically for instruction in parenting and family education, and I can give the Sponsor a rationale for that Amendment if he would want me to do so."

Speaker McPike: "Representative Preston."

Preston: "Mr. Speaker, it is so noisy in here I was unable to hear the last part of what Representative Black asked, if he asked me a question."

Speaker McPike: "No, he said he would...would answer any questions."

Preston: "I see. Well, I, I would like to get the attention of the Body, Mr. Speaker, because this is a very important Bill, and this Amendment guts it."

Speaker McPike: "Give the Gentleman some attention, please."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. If I could please have your attention for just one moment. Mr. Speaker, this Amendment #1 that's offered by the Gentleman on the other side of the aisle would kill this Bill. I think this Bill is one of the most important

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

that has come before this Body certainly this year and probably since I've been here. The Parenting Education Law has twice gone to the Governor's desk. This Bill has no cost attached to it. If you look at the fiscal note that was filed, there is no cost attached. This just requires parenting education which will be taught by teachers already in the school system, already trained to teach about this part of the curriculum. There are home economics teachers who want to teach parenting education. School nurses want to teach parenting education. Gym teachers want, and health teachers, want to teach about parenting education. It's an essential part of the curriculum that will combat cocaine babies. It will combat the proliferation of drugs and the use of tobacco in our neighborhoods. It will combat child abuse and child neglect that takes places against newborns and adolescents. It's a very important issue. This Amendment will kill it, and I'm urging everyone, if anyone in this room is conceivably paying attention, I am urging you to vote 'no' on this Amendment, and Mr. Speaker, I am again asking for there to be order maintained in this Chamber, because this is outrageous."

Speaker McPike: "Mr. Black to close."

Black: "Well, thank you very much, Mr. Speaker. I, I would have been happy to answer any questions the Gentleman might have. Ladies and Gentlemen, this Bill is a mandate. All this Amendment does is, it doesn't gut the Bill, it says if we're going to mandate something we must pay for it. That's all. Without this Amendment, let me tell you what's going to happen without this Amendment. If the Gentleman is going to make this a mandate 9 through 12, I assume it will then become a graduation requirement. If we only fund the Bill one year, how's somebody going to graduate from

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

high school? My, my Amendment doesn't gut the Gentleman's Bill, it simply says, 'This is a mandate, and if it's a mandate, we'll pay for it, and if we won't pay for it, the Bill won't have any effect.' Thank you very much. I urge a Roll Call vote and a favorable vote on Amendment #1 to House Bill 47."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'. Representative Deering to explain his vote."

Speaker McPike: "Have all voted? Representative Deering did you wish a, Mr. Deering did you want to explain your vote?"

Deering: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, explaining my vote. I'm voting 'no' on this Amendment because I understand that a unit of instruction I think is defined, defined as a half hour or an hour. It's not a year long course. Is that right?"

Black: "Mr. Speaker." tfh;7 Speaker McPike: "No wait a...excuse me. Excuse me. Mr...electrician, do not turn people on until they're recognized by the Chair. Mr. Deering, you're explaining your vote, so just proceed."

Deering: "I'm voting 'no'."

Speaker McPike: "Thank you. Representative Balanoff. Representative Balanoff does not wish to speak. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record."

Speaker McPike: "On this Amendment there are 47 'ayes' and 67 'nos', and the Amendment's defeated. Further Amendments."

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Representative Petka should have voted 'aye' on, on the previous Amendment, and his green light is not working. The record will so reflect. Mr. Clerk, could you have Mr. Petka's light checked? Are there further Amendments?"

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Page 20 of the Calendar. Page 20 of the Calendar under Resolutions not on First Legislative Day. Appears House Resolution 369, Representative Tony Young."

Young: "Thank you, Mr. Speaker, Ladies, and Gentlemen of the House. Pursuant to Rule 77(a) I move to discharge Executive Committee from further consideration of House Resolution 369 and advance that Resolution to the Order of the Speaker's Table."

Speaker McPike: "Mr. Clerk, Mr. Clerk, read the Resolution. Read the Resolution."

Clerk Leone: "House Resolution 369."

HOUSE RESOLUTION

WHEREAS, Employment is the backbone of a healthy society; and

WHEREAS, There are 120 million workers in the United States, 54 million are women, and 16 million are minorities; and

WHEREAS, These groups need adequate protections against discrimination as their participation in the workforce increases; and

WHEREAS, The Civil Rights Act of 1990 would have removed barriers which stand in the way of minority integration into the work force, but the Republican Party, led by President George Bush, opposed the enactment of these fairness principles; and

WHEREAS, Minorities, men and women, deserve an equal opportunity to work, and an equal opportunity to advance; and

WHEREAS, In order for Illinois and the nation to survive in

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

the international marketplace, we must utilize the talents of all citizens; and

WHEREAS, The federal Civil Rights Act of 1990 would have restored and strengthened civil rights protections, assuring that victims of intentional discrimination have judicial recourse, but were vetoed by President Bush; and

WHEREAS, President Bush's veto of the Civil Rights Act of 1990 has prevented victimized employees, not only in Illinois but nationwide, from protection against discrimination based on gender, age, religion, disability or race; and

WHEREAS, The Civil Rights Act of 1990 has been reintroduced in Congress as H.R. 1; and

WHEREAS, As duly elected officials, it is our sworn duty to uphold the Illinois Constitution which prohibits all forms of discrimination; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the members of the Illinois Congressional Delegation to support H.R. 1 so that the rights of all citizens are protected, and be it further

RESOLVED, That we further urge President Bush to end his opposition to these important protections of law and to give his support to the Voting Rights Act of 1991; and be it further

RESOLVED, That suitable copies of this resolution be presented to each member of the Illinois Congressional Delegation.

Speaker McPike: "The Motion is to discharge Executive and advance to the Order of the Speaker's Table for immediate consideration, and on the Motion, Representative Daniels."

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Daniels: "I thank you, Mr. Speaker, Ladies and Gentlemen of the House. Obviously I rise in opposition to House Resolution 369 in its current form in the discharge Motion. In so doing I believe I join, Representatives, Congressmen Rostenkowski, Russo, and Lipinski in their opposition to the Civil Rights Act from the Democrat (sic Democratic) Party, the leader of the Democratic Party, Congressman Rostenkowski, in his opposition. But I will tell you this, this belongs in the Executive Committee. I think you could probably rework it so that you can state an Amendment and a provision that all of us could join in perhaps letting Congress know of our concerns. This is rather inflammatory. I think probably it would be best by amending it to say, 'If you want to send President Bush a note, you ought to send the same notes to Rostenkowski, Lipinski, and Russo.'"

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I, I rise in opposition to the Gentleman's Motion for one reason, and one reason only. Civil rights isn't an issue on either side of this aisle. We were denied the opportunity to get a copy of this Resolution. We were refused, our staff was not allowed to have a copy of this Resolution from the Journal Room. Without the intercession of the Clerk of the House, Mr. O'Brien, we would not have a copy of this Resolution, even now. Now, Mr. Speaker, and Ladies and Gentlemen of the House, if we want to degenerate into a partisan bickering on everything even remotely connected with civil rights, then both of us, both sides of this aisle are in glass houses, and I would not suggest that either of us should cast stones. You know it's the, it's the role of the Majority Party to govern, but the majority must protect. The majority must protect the rights of the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

minority. We're the minority here. You wouldn't even accede to give us a copy of this and yet you want to make some kind of statement on civil rights. I think the Gentleman should reconsider his Motion. Let this go through Committee as scheduled. Let us have a 'due process' opportunity to see what goes on. Let us be involved in the process, Mr. Speaker. I must rise to object to the Gentleman's Motion, and the way this was done evidently says that civil rights is only an issue on the Democrat (sic Democratic) side of the aisle. If we object, our civil rights evidently don't count. I don't think that's what the Gentleman intends, but that's what he's saying by this Motion. I would urge you to withdraw this Motion, Representative. Run it through Committee. You have the votes to do so, and if you wish to make your statement then, you can make your statement. You have the majority, and you shall govern, but you must protect the rights of the Minority Party, and you're certainly not protecting the rights of a minority by your actions on this one."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. The last few weeks I've heard a lot about fairness on the other side of the aisle. I've heard a lot about the other side of the aisle and their interest in the minorities. Civil rights, I think, belong to everybody, but there is no doubt about it, the minorities more than anybody need the protection of civil rights, and contrary to what the Minority Leader thought, in the Rules Committee Meeting when I sort of said in jest, that every ten years, every ten years, you have a ten-year itch about your concern about the minorities, and then you forget about it for ten-years. You try to use minorities for your own



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

political purposes. Well, I'll tell you one thing, on this issue of civil rights that affect everybody, everybody on this side of the aisle is going to vote for this Resolution because it protects everybody, and I, I can guarantee you that there will be a united front on this side of the aisle. This is a prelude to the issue of reapportionment that you are talking about. We are a united party here for civil rights and minority rights, and I urge an 'aye' vote on this side of the aisle."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies, and Gentlemen of the House. The Resolution recites that the 1990 Civil Rights Act was designed for protection against discrimination based on gender, age, religion, disability or race, all of which were covered by the Civil Rights Act of 1964 which was fought for long and hard, all of which are more than covered by the Illinois Human Rights Act with punitive damages in some instances and serious damages for violations of the Human Rights Act in Illinois. Talk about minorities. This Resolution wasn't received until 12:22 p.m. this afternoon. It's another attempt at keeping the process secret again, keeping the process of protecting the rights of minorities through the redistricting process, through the reapportionment process, under a lid. Keeping not only minorities in Illinois but all citizens of Illinois from knowing exactly what and how Illinois will be reapportioned. What the districts will look like. How will the rights of minorities, Hispanics and Asians be represented in Illinois? Having secret meetings, not delivering the map 'til the last minute. This type of activity only furthers the process which the public in Illinois despises to begin with. In fairness, I urge that this matter be pulled from the record so we have an

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

opportunity to take a look at it, to talk about it, and to see what it is that Illinois really needs in the way of protection of minorities. I submit to you that everything that the Resolution recites is already law in Illinois. Illinois is concerned about the rights of minorities, and all we're asking is that those rights of minorities be protected first and foremost in the redistricting process, that it be opened up and made public and that there be public input from all groups of minorities in Illinois. I urge a 'no' vote on this Resolution and that it be pulled from the record, and let's talk about it. Let's talk about what it is that we're really concerned about in Illinois because redistricting is on us. It is upon us now, and the only way to open it up is to deliver a map now. Let's get it out and talk about it. Let's see if the rights of minorities are, in fact, protected in Illinois. Open it up and make it a public process. So I urge that the Resolution be pulled out of the record so that we can talk about how we're going to produce a fair map in Illinois."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I hear a lot of red herrings here on the floor. I hear a lot of irrelevancies. This is merely a Resolution that sets the procedures for having the reapportionment meetings. This isn't about back door maps. This isn't about back door meetings. I stand corrected, and take my comments out of the record."

Speaker McPike: "Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. He, he caught me off guard there for a minute. To address the Motion. If the Sponsor is really concerned about civil rights, he should let the Bill go through the Committee it was assigned to. But what we're seeing here is a blatant attempt to

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

politicize a racial issue and equal access issue and a political issue. If he wasn't concerned more about politics than he was the racial elements of this issue, he could of taken it through Executive Committee. The Democrats have a ten to six majority on the Committee. You didn't even need a single Republican to be there. You could of passed it out of Committee without us at all. So why has he filed a Motion to discharge, to create a political scene on the House floor? I think we need to send it back to Committee for full debate where it belongs. We need a 'no' vote on this Motion."

Speaker McPike: "Representative Williams."

Williams: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I rise in support of the Resolution. Not so much because of its particular wording but because of its intent and because of the understanding that in this day and age there is still a need for a Civil Rights Act, that many of the protections that were provided in the 1960s and the 70s have been recently eroded by the Supreme Court, that in order for minorities and other individuals within this particular society to succeed those protections are still needed. The vestiges of discrimination still exist, and we as a society must still fight those vestiges. The only way to fight them, the fair way to fight them coming out of the Federal Government, is for the signing of the Civil Rights Act that was passed. We urge those individuals in this particular Chamber to rise up and stand for what they know is right, to rise up and stand for the signing of a Bill that basically states that all of us have a right to equal opportunity within this nation, and we deserve to have that right now. I believe that this is a good Resolution. I believe this is a good Motion. I urge its passage. Please vote 'aye'.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First of all, you know, I, I really get a bit upset because special laws have to be passed to give me the right that other people already have. You know, I really find it very peculiar that every ten years or so some rights that everyone else has, for me they have to be renewed, and that in itself is an insult and assault on my citizenship. I do believe that this simple piece of legislation that merely asks or urges the President to end his opposition to the important protections that are already afforded to others, to merely sign the Bill. Now, for those of you who are concerned about this going through a Committee, if you really want all Americans to have the same protections under the law, it won't matter whether it's heard in a small committee and comes down to the General Assembly House floor. I would think that you, who a couple of weeks ago, stated how concerned you were with protecting the rights of minorities, I remember you stating just last week that we needed someone to look out for us. Well, here's your chance, buddy. Vote for the discharge of this Bill."

Speaker McPike: "All those in favor of the Gentleman's Motion will vote 'aye', opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record."

Speaker McPike: "On the Motion to discharge for immediate consideration there are 71 'ayes', 1 voting 'no' and 43 voting 'present'. And the Motion carries. The Resolution has been read. The Chair recognizes Representative Anthony Young on the Resolution."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Resolution was fully debated during the Motion to discharge. It's very simple. It urges both Congress

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

and the President to pass House Resolution 1 in Washington which is the Civil Rights Act of 1990, refiled in 1991, and it recognizes the need for a Civil Rights Act on a nationwide level to protect against discrimination to minorities and to women. Based on all the arguments you heard in support of the Motion, I would urge the adoption of this Resolution to show that all the Members of the General Assembly are interested in protecting the civil rights of minorities and women throughout this state and throughout this country."

Speaker McPike: "The question is, 'Shall House Resolution 369 be adopted?' All those in favor vote 'aye', opposed vote 'no'."

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

Black: "Thank you, thank you very much, Mr. Speaker. I think it's a really a travesty of what all of us are sent here to do when we have to become partisan on an issue like this. I would, I would like to join the Sponsor in voting 'yes' for a Resolution dealing with the federal Civil Rights Act, but just let me repeat to you what I said awhile ago. If you want to talk about civil rights, as well we all should, then why was this Resolution kept a secret from us? Why were we refused a copy of this Resolution? That's not like your Party. That's not the way we're supposed to work. Our staff had a right to this Resolution so we could look at it and see what, what Committee it would go to and what was in the Resolution. We were denied access. That, that isn't even inherent due process or basic fairness. Now that isn't an issue of civil rights. That's an issue of what we're sent down here to do. We would love to join you in voting for anything dealing with the federal Civil Rights Act if you hadn't wanted to take a shot at the President. How can you, how can you blame the President

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

when you, your Party has controlled Congress for more than 50 years? If President Bush was so far wrong on the issue, why didn't you override him? You're the Majority Party in Congress and you have been every year except 4 since 1950. Some of your Democrat (sic Democratic) friends wouldn't join in an override Motion. So we have to play games here on an issue that we should not be playing games. I'll tell you this, a pox on every one of us for playing cheap political games on this issue. If you hadn't kept this secret, if you had been open and fair, we wouldn't even have to do this. A pox on all of us for what we've done here today."

Speaker McPike: "Representative Harris, one minute to explain your vote."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As the sole 'no' vote out there I think it's appropriate that perhaps I explain my vote. The Civil Rights Act of 1990 was vetoed by the President for really one specific reason. The reason is that it sets up quotas. It sets up quotas. My friends, I'm here to tell you the people of America and the people of the State of Illinois do not believe in quotas, and, my friends on the other side of the aisle, that is the reason why you are having difficulty winning the Presidency of the United States because you are out of tune with what the average American wants. He does not want quotas. He thinks they're unfair, and they are. They are harmful to minorities. They are harmful to those who are not in a minority. So I have no problem voting 'no' on this Resolution, and I think that's the appropriate vote. Thank you."

Speaker McPike: "Representative Young to explain his vote. One minute, Sir."

Young: "Thank you, Mr. Speaker. Just to explain my vote in

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

response to the last speaker, I think there's a definite issue as to why the 1990 Civil Rights Act was vetoed. It's my understanding it was vetoed because the President did not want to ensure the victims of intentional discrimination in the past to have the proper judicial recourse they would need to correct the effects of that past discrimination, and what 1991 House Resolution 1 attempts to do is to develop a vehicle to correct the effects of acknowledged past discrimination based on race and sex."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record."

Speaker McPike: "On this Motion there are 71 'ayes', 1 'no', and 43 voting 'present', and the House adopts House Resolution 369. House Joint Resolution 34. Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker. Pursuant to Rule 77, I move to discharge reapportionment from further consideration and advance to the Order of the Speaker's Table House Resolution 34."

Speaker McPike: "On the Gentleman's Motion, Representative...Excuse me, just a minute. Mr. Clerk, would you announce the Supplemental?"

Clerk Leone: "Supplemental #1 to the House Calendar is now being distributed."

Speaker McPike: "Representative Daniels on the, on the Motion."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I placed a courtesy call to Representative LeFlore. I've yet to get an answer from him, and the call was for the purpose of trying to allow him to avoid making a serious mistake which may well operate to his detriment and to the detriment of his constituency, and unfortunately, what we're seeing here is like House Resolution 369 that contained a provision about the Civil Rights Act and total

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

inaccuracies and inflammatory statements. That's why we voted 'present' on it. They know, you guys know, that we can't vote on a Resolution that inaccurately criticizes an individual, particularly the President of the United States. Now you know on House Joint Resolution 34, Representative LeFlore, that the purpose of my call was to advise you directly that I had communicated with the Department of Commerce, with the Secretary of Commerce's Office, with the Communication Director, and with Marshall Turner who is in charge of the census, and they advised me directly that your Resolution is in serious error and is most inaccurate. What I suggested to you was to wait one day, one day, because we FAX'd the material to the Department so that they could advise us of the errors in writing and then we could join you in correcting your errors to make sure that you know that the subject matter that you're dealing with is far more complicated than what you put in the Resolution. Your response to me was, you didn't know you had to check with the Speaker because he wanted to run with this Resolution today, and of course, since you didn't call back and let us know, and you didn't get your instructions apparently on this area from the Speaker per your comments to me, I would suggest to you that you might want to hold up on this because you do have some errors in this referring not only to the immediate adjustment which is in violation of the settlement agreement in the case 'New York versus U.S. Department of Commerce', but also in the fact on line 17 through 21, you have misrepresented what the facts are. The Department of Commerce will send that information to us within the morning so that we can deal with that tomorrow afternoon, and I would suggest to you if you're really serious about passing a Joint Resolution that has some meaning that we



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

can then send to the Department, you'll want to hold up on this as we requested."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker, and Members of the House. I think the prior speaker was wrong on his FAX. As I look at the material from the Census Bureau, the Bureau of the Census in their (sic-its) survey to find out what kind of undercount we face with the 1990 Census admitted that there was a serious undercount, and in fact, they're talking about missing as many Americans, six million nationally, as this Resolution identifies as many as 240,000 people in the State of Illinois. For purposes of comparison, it's clear that this census undercounted more people than did the last census, and that, in fact, after 40 years of improvement the 1990 and the 1980 census experiences show serious evidence of backsliding. In 1980 we identified .7% of white people who were not counted, 5.9% African-Americans who were not counted. According to the 1990 census, it's 1.1% of white people, 7.7% of African Americans. You can see that the census has missed a lot and those numbers come from the Bureau of the Census of the United States Commerce Department itself. Note that we didn't just miss in the census African-Americans, Hispanics, Asians. Note that we missed over 2.3 million white Americans. This Resolution recognizes what the Census Department data tell us. That is, we missed a lot of people. This Resolution says to the Secretary of Commerce, who has the opportunity and the authority to act, 'Go ahead, do it, just do it, Bob.' Make sure that the undercount is not reflected in the data that we have to work with as we try to draw a fair map, a map that is, that is equal and fair to members of minority groups, to low-income white people in rural areas as well. So I think the facts in the Resolution that you see before

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

you, HJR 34, are accurate. They depict information from the Census Bureau, and I would say with Bo Jackson that we ought to do it, just do it. Let's see what the Secretary of Commerce says in response. He has the opportunity, the authority. Let him do it now so that the map we offer our people for 1992 reflects real populations, populations of people of color, as well as people at different social class levels."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I couldn't agree more with the previous speaker. I don't understand why the people on the other side of the aisle want to consider these numbers. What's to consider? The numbers are clear. The Commerce Department has indicated that there is probably a, an undercount in the area of six million people nationally, two million of whom are probably minorities, perhaps more than two million people, and right here in the State of Illinois we have approximately a 250,000 undercount in the City of Chicago, many of them minorities, and also a considerable number of downstate urban and rural poor, white and black and Hispanic. The Gentleman from Champaign County had some. The Gentleman from McLean County had some. Why do we have to wait? There's an acknowledgement that the numbers are wrong. It's time to address those numbers, and we think it's appropriate to demand that the Commerce Department adjust those numbers now. Let's not delay the process. If you're concerned with voting rights, if you're concerned with reapportionment, if you're concerned with minority rights, let's make these changes now. Let's demand the changes now so that we can go on to do the business of the House in making our remaps. I urge support of the Resolution."

Speaker McPike: "Representative Johnson."

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Johnson: "I'm just wondering, Representative LeFlore, and in a spirit of compromise, whether you'd be willing to hold this Bill just one day so we can make a determination factually from the Census Bureau as to some of these apparently disputed facts that we're talking about. It might give us a better basis for doing that. Is there some reason why we need to move this today as opposed to tomorrow or Friday?"

Speaker McPike: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker. You know, I, I stood here and listened to Representative Daniels..."

Speaker McPike: "Mr. LeFlore, Representative Johnson, I believe, asked you a question."

LeFlore: "I'm sorry."

Johnson: "My question, Representative LeFlore, was, 'Would you be willing to wait a day or at the most two days, probably tomorrow, 'til we can get some information from the Census Bureau with respect to some of these nebulous areas?'"

LeFlore: "In, in response to your request, Representative Johnson, unfortunately we're going to have to move with this Resolution."

Johnson: "What, what, just..."

LeFlore: "...the figures that we have...accept these figures and go with them."

Johnson: "Just out of curiosity what, what would be the concern that you would have with holding it a day or two?"

LeFlore: "Well, I feel that we have waited long enough, and the time has ran (sic-run) out, and we need to move on this particular issue of reapportionment."

Johnson: "You mean you think we've, didn't we just, didn't we just, how did, we've waited long enough, didn't this just come up, like didn't we just discharge it or something?"

Speaker McPike: "Proceed, Representative Johnson."

Johnson: "I mean it, when did you file this?"

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

LeFlore: "I'm sure the Clerks at the well would be able to tell you the time and date..."

Johnson: "I mean was it like in January where we're all getting impatient to get this passed, or when was it? When was it filed, if the Clerk can tell me? I'm not trying to give you a hard time. I'm just curious. You say we've waited long enough. I, I assume this has been in since January."

Speaker McPike: "Mr. Johnson, proceed."

Johnson: "Does the Clerk have an indication of when this was filed?"

Speaker McPike: "Mr. Clerk, when was the Motion, when was the Resolution filed? The Resolution was filed yesterday, Representative Johnson. Proceed."

Johnson: "Yesterday? I, I guess I'm just, I'm just curious. Really, I'm just trying to, trying to, trying to be compromising here as to why we couldn't wait a day or two until we've had a chance to contact the Census Bureau to make a determination about some of these issues. Really, I just, I, I don't understand."

Speaker McPike: "Have you finished your remarks, Representative Johnson?"

Johnson: "More or less."

Speaker McPike: "Okay. Representative LeFlore to close."

LeFlore: "Thank you, Mr. Speaker. As I was about to say, I did receive a call from Representative Daniels about this, about House Resolution 34, but I feel that in our conclusion, and when I say our conclusion, I mean the Reapportionment Committee. We made a decision to introduce this Resolution. The count that was given to us was given to us by the U.S. Commerce Department of Bureau of Census. It was stated by Representative Currie that six million people nationally was, was, were unaccounted. Out of that, 240,000 persons who are from the State of Illinois and two

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

million were possible minorities, so in order for us to move on, and, and try to give directions to our districts, we must accept what we have received from U.S. Department of Commerce. So, therefore, I'm asking the Members of the House to give me an affirmative vote on this Resolution. Thank you."

Speaker McPike: "All those in favor of the Gentleman's Motion vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On the Motion to discharge advance to the Speaker's Table for immediate consideration, there are 90 voting 'aye', none voting 'no', and 25 voting 'present', and the Motion carries. Representative LeFlore, on the Resolution."

LeFlore: "Thanks, Mr. Speaker."

Speaker McPike. "Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Most unfortunate the Gentleman couldn't wait to hear back from the Census Bureau who I might state has clearly stated to me, and I think they would state to the Sponsor of this Resolution if he had taken the time to talk to them or made the effort to do that, that, in fact, there probably is an undercount in Illinois. I stated to them as I have over the years in dealing with the undercount issue, that we want to make sure that there is an accurate count in Illinois in all regards not only for minorities but also for Caucasians and whites as well, because that's important that the census figure be accurately stated, because it does involve the subject of federal funds. Amendment #1 to House Joint Resolution 34 which was filed at 12:29 today, in its most urgent form, would deal with the, the subject

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

that the Joint Resolution would require the Secretary to immediately adjust the census figure. Now, Ladies and Gentlemen of the House, you must understand that the Secretary cannot immediately adjust the figures, and you all know that. You know that because of the court case and the settlement that came out entitled, 'The City of New York, et al,' which the City of Chicago was a party plaintiff to, versus United States Department of Congress', and you know that settlement that was reached states that they will come to a conclusion prior to July 15th, and the reason for that is the post information that comes out cannot be furnished to them prior to May 24th in its first stage and June 23rd in its latter stage. There is an eightmember panel that will study the undercount subjects and look at the determination by census blocks. In talking to the Department of Commerce today, it is absolutely impossible for them to comply with this Resolution. As a matter of fact, the Resolution is so bad that it even indicates that there's a prejudgement that's attached to the adoption of the Resolution which would be a violation of the court order that was filed by the court. So you see when you mess around with these subjects and move quickly, you may find yourself getting involved in a mud quagmire, not able to extract yourself, as you sink deeper and deeper into the problems that you think you're solving, but you really aren't, and I would suggest to you as you look at Amendment #1, what this would do is change the language to urge the Secretary to decide immediately whether to adopt the census figures or to adjust them. I think it's fairly clear there will be an adjustment, and I think it's fairly clear that the people of Illinois should receive one as soon as possible because of our Constitutional deadlines. Now, I have worked with the Department of Commerce for

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

several years, and I have talked to them on several occasions regarding the subject of, of adjustment, and as you know, the National Conference of State Legislators...on the federal level have...adjustment that it's considering right now."

Speaker McPike: "Representative...Excuse me...Excuse me, Sir."

Daniels: "Representative Matijevich, you wanted to talk to me, Sir?"

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

Matijevich: "Representative Daniels is discussing Amendment 2 and not 1. So I thought you'd get to 1, Lee. You're, you're discussing Amendment #2. Yes, you are. You sure are. You, you, when you talk about the 'immediately', that's in Amendment 2."

Daniels: "Continuing on."

Matijevich: "Oh, yeah. You're right. You're right."

Daniels: "Amendment #...I know, John, I'm usually right on these things. We study these very carefully, John, and obviously for the benefit of all the Members of the General Assembly, we're moving in a very careful direction to make sure that the subject of undercount, which I believe has occurred in Illinois, and changes will be made, are very carefully dealt with, and you might be surprised to hear that some of the statistics that were cited earlier by the female Legislator from Chicago were not accurate. She's pulling the high end of it, and you will find out that your undercount may come more into the area of 140,000 in the mid range because the 240,000 is the high range. Now having said that, all we're saying right here is, 'Let's work together.' Let's not be silly on this. We ask for one day so the Department of Commerce could talk to all about this, and what you done is you come back, you say,

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

'We're not gonna talk. We're not gonna slow it down. We're gonna rush through this. We're gonna have 19 hearings. We're gonna select those locations ourselves without talking to anybody.' But you know what we're really dealing with right now is the subject of representation of people, and when this is all said and done and the Federal court reviews all of this stuff, you will find that we were right. You will find that we took a very careful and calculated course in making sure that undercount is taken care of for your protection. We're not hiding anything from you. We know that as we go through this that there have been problems there. But who's arguing it the loudest? We are. We're the ones that have stated all along, the openness. Fortunately, the next Resolution you'll come to our side and you'll say, 'Thank God, the Republicans have been talking about openness. Thank God we finally got them on our side.' And we're fighting for the people of Illinois, and I love it because I love it when you join us to protect everybody in this State, and I'll tell ya we want to join with you and all of you to make sure that Illinois is protected. So join with us and make sure that what we do we do right, and we do it now, and we'll have a new spirit in Illinois, and God bless you, Representative Capparelli, as you stand there. You look great."

Speaker McPike: "Representative Matijeich."

Matijeich: "Yes, Mr. Speaker, the Minority Leader was right on the speaking to the correct Amendment, but that's all he was right about. Let me tell you the, the, the real flaw in this Amendment. Because in the, in the, language of that paragraph, we admit that there is an, an acknowledged undercounting of Illinois residents. That's an admission. But yet by adding his language we say that the Secretary is



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

urged to decide immediately whether to adjust, whether to adjust. Now you're giving that Secretary the option that he doesn't have to adjust. Now, isn't that a failing? I think the Minority Leader himself would admit to give the Secretary the option of not, not, even adjusting is really unfair. There again I speak to the issue of whether the Minority side of the aisle is really interested in minorities, because if you are giving that option that they don't even have to adjust the under, undercount, that really is unfair. Now the strange thing about all of this, and I become suspect (sic-suspicious) sometimes, the strange thing about this is that there's a deadline of July 15. Now, what is the whole pur...One of the major purposes for a census is so that we can reapportion across the country. Now July 15th is just too late, and that's why the original language of the Resolution is so important that if there is an acknowledged undercount, that it be decided to adjust immediately. We ought to get to that immediately. The, the Amendment is fraud, and I would urge all on this side of the aisle to vote against the Amendment."

Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of the position of Representative Matijevich. The Amendment would change the thrust of the Resolution so that the Resolution would no longer speak in terms of a mandate emanating from the Illinois Legislature, rather it would be in the nature of a request. The short history of this issue before the Department of Commerce is that there was delay and stonewalling by the Department of Commerce such that complainants were required to take the matter to court, and there was a lawsuit filed in New York by several cities from all across the country. There was a

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

settlement, but when a new administration came into power in the City of New York, the lawsuit was reinstated because they found simply more stonewalling on the part of the Department of Commerce. The history is very clear. This agency of the Federal Government does not want to acknowledge the undercount. They do not want to adjust for the undercount, and this Resolution is designed to clearly state the position of this House of Representatives that there has been an undercount and that there ought to be an adjustment by the Department of Commerce, and the sooner we move this, the better. Thank you, Mr. Speaker."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What's really flawed here is the Resolution. If you look at the language very carefully, all the Resolution says is, is that it urges the Department of Commerce to immediately adjust the 1990 census figures to account for the acknowledged undercounting. Who acknowledged it? The Speaker of the House? The Governor of Illinois? No one has acknowledged it. It does not say who has acknowledged it. Amendment #1 is designed to make sure that it will be acknowledged if it exists by the Secretary of the U.S. Department of Commerce. That's the whole purpose of the Amendment. We don't know who acknowledged it, and in fact, the U.S. Secretary of the Department of Commerce has not acknowledged any numbers at all of an undercount. Until he does, and no one on the other side of the aisle has demonstrated that, in fact, anyone has acknowledged it, we don't know who acknowledged it. I can't acknowledge it. I don't know whether it was an undercount or if there wasn't. Neither does anybody on this House floor. We suspect that there was. But we don't know how much, if at all. That's the whole purpose of Amendment #1, to clarify this

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Resolution so that, in fact, if there is an undercount, it will be acknowledged soon."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I don't know what the other, the last speaker's talking about. The headlines all over the newspaper for the last week have indicated that the Commerce Department admits an undercount. Now I don't know what the purpose of waiting is. Perhaps by July 15th they'll find a few more people that's, that have been undercounted, but my goodness, if we already know there's six million undercount in the United States of America, if we already know there's over 250,000 undercount in the State of Illinois, many of them minorities, if the Minority Party here is interested in civil rights as they keep saying they are, let's get those people counted now. What's the point of waiting? I urge adoption, I urge defeat of this Amendment."

Speaker McPike: "(Inaduable Tape)."

Daniels: "...The political shenanigans and ridiculous discussions you've just heard, because what you're really talking about is something they can't do, and you know it. They can't do it 'cause they don't have all the information. Are you aware, for instance, that there's an eight member panel that has to report to the Secretary of Commerce on the issue of undercount? Maybe you haven't been told that. Do you know that the Federal court action requires a de novo reconsideration of the subject of undercount? Maybe you don't 'cause you haven't read the opinion. We have. Now an undercount, in my opinion, has existed in the state of Illinois. Every Republican on this side of the aisle will tell you that there is, without a doubt, an undercount in this state. That ought to be taken care of as soon as humanly possible, but you can't do it now because the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

information isn't available. Nothing you say is going to change it. And you know what? No Resolution is going to change it, because the facts are in the discussions with the Department of Commerce that they can't do it right now. Now, unlike some of you on that side of the aisle I've been involved in the undercount issue for well over four years. As the President of the National Conference of State Legislatures we had a Reapportionment Committee and an assigned committee dealing with undercount. We have a record as to addressing this issue on a national level. So our record is clear as to where we are. We want it done, we want it done as soon as possible, but you know you're being fed a lot of silliness by people saying it can be done immediately, and it's unfortunate that you don't understand that. So why do we offer Amendment #1? We do because at least we're trying to correct this Amendment so you don't fall...when they receive it and they're saying, 'this is so ridiculous we're not even going to look at it.' And that's of course what will happen if you don't adopt some of the Amendments. And I'd like a recorded Roll Call."

Speaker McPike: "Gentleman asks for a recorded Roll Call. The question is, 'Shall Amendment #1 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 the Motion to adopt Amendment #1 there are 44 'ayes' and 71 'noes'. And the Motion fails. Amendment fails. Further Amendments?"

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

Speaker McPike: "Mr Daniels."

Daniels: "Mr Speaker, Ladies and Gentlemen of the House. Amendment #2 deals with lines 20 through to 26 and is a most important Amendment. Because it deals with the issue

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

of prejudgement. It deletes the language that states that there has been a disturbing increase in undercounting. This language is a factual finding which would urge the department to use prejudgement in its consideration. This violates the court order and specifically refers to the question of whether or not to carry out a statistical adjustment of the 1990 Decennial Census Adjustment shall be made by a thorough underlying, de novo reconsideration undertaken with an open mind without any prejudgement, and consistent with the procedures set forth herein. That's the court order that the party plaintiffs agreed to and all we're doing is suggesting that we need to follow that court order, so that when you do receive this the prejudgement issue does not vicissiate or violate the Amendment. It is a technical Amendment prepared by our lawyers in terms of consultation with the Department of Commerce, in response to our questions to them. I would suggest strongly that it would serve the Sponsors best interest, and not the political best interest of other people by adopting this Amendment."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House, I don't really understand the point of the Gentleman's Amendment. He takes out language that (sic-references) the disturbing increase from prior levels of undercount. Specifically of Americans of African and Hispanic descent. I think it is disturbing, that we are less able to count the American population today then we were in 1980, then we were in 1970, then we were in prior decades. And the figures from the Census Bureau, of the United States Department of Commerce are clear we counted fewer of the black population this year than we did ten years ago, in fact we counted fewer whites in the population this year than we did ten

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

years ago. The undercount is increasing. I find it disturbing. I find it especially disturbing if we are especially undercounting people of African-American and Hispanic descent, and I see no reason why we should not (sic-reference) that fact, which comes to us directly from the United States Census Bureau in this Resolution."

Speaker McPike: "Representative Daniels to close."

Daniels: "Yes,...Mr. Speaker, Ladies and Gentlemen of the House. Frankly it's inaccurate, and I believe, at least I think the Lady knows that. Now tomorrow we'll have further information for you, so because of the importance of this I'll address a letter to each one of you, because it appears that were on a fast course here, and we got to do something that was filed at 12:29 that we can't wait to get the facts straight. And unfortunately the truth will come out. You all know it now members of the press aren't going to be fooled because they know what you're trying to do is to ramrod something through and they'll get the facts as they come through and we'll distribute it to you, but I really suggest that if you're really serious about this Resolution that this Amendment ought to be adopted."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no'. Noes have it; the Amendment's defeated. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Representative LeFlore is recognized on the Resolution."

LeFlore: "Thank you, Mr. Speaker. We've had a lot of discussion that's gone into House Resolution 34. I don't think we should spend any more time on this. I move that House Resolution 34 be adopted...as presented."

Speaker McPike: "And on the Gentleman's Motion, Representative Wennlund."

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Wennlund: "Thank you, Mr. Speaker. Will Sponsor yield for a question?"

Speaker McPike: "Yes"

Wennlund: "Representative LeFlore, who is it in the body of the Resolution, Page 2, line 11, that has supposedly acknowledged undercounting? Who's acknowledging?"

LeFlore: "The Census Bureau. That's where we got our figures from."

Wennlund: "I'm sorry I can't hear. "

LeFlore: "I said, 'The Census Bureau.' That's where we got our figures. If you read in line 17 it says, 'on April the 18th 1991, the U.S. Commerce Department Bureau of Census acknowledged.'"

Wennlund: "In the body of the Resolution you're referring not to the Secretary of the U.S. Commerce Department, but you're referring to the Census Bureau."

LeFlore: "Well, I think you're getting a little technical, there, you understand what I mean because..."

Wennlund: "Well, I think if everybody's going to vote on a Resolution they ought to know who it is that supposedly has acknowledged this undercount that you're talking about."

LeFlore: "But the Resolution is very clear, Sir. All you have to do is read it and try to interpret."

Wennlund: "Well, maybe in the whereases, but in the body of the Resolution you're talking about the Secretary of the U.S. Department of Commerce."

LeFlore: "Well you're going to form your own opinion so, you know, I can't respond any further on your question. I can only explain to you what's in the Resolution."

Wennlund: "To the Resolution. The Resolution is seriously flawed. It does not state who, in fact, has acknowledged an undercount and what the undercount is. There were newspaper reports that there may be an undercount but the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Secretary of the U.S. Department of Commerce hasn't acknowledged any undercount. He can't acknowledge it until, in fact, the decision has been made to: (A) Number one was there an undercount and (B) Number two what the undercount was. Bringing this Resolution, which was only furnished to us at 12:29 today. Before if, we all know the facts is hypocrisy. And I urge a 'no' vote on the Resolution."

Speaker McPike: "The question is, 'Shall House Joint Resolution 34 be adopted?' All those in favor of the Resolution vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 71 'ayes' 0 'nays' and 44 voting 'present'. House Joint Resolution 34 is adopted. Supplemental Calendar #1. House Resolution 370. Representative Matijevech, Representative Young, I'm sorry. Representative Young."

Young: " House Resolution 370." RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, That the Rules of the House of Representatives are amended by adding Article XIII as follows: XIII REAPPORTIONMENT 99. LEGISLATIVE INTENT.

The rights of meaningful political participation for Illinois citizens are guaranteed by the Constitutions of the United States and Illinois and further guaranteed by the statutes of the United States, specifically the Voting Rights Act of 1965, as amended, and the statutes of the State of Illinois. The House of Representatives recognizes and accepts the duty to safeguard that political participation. The decennial redistricting of congressional, legislative, and judicial districts in Illinois will affect the ability of Illinois citizens to cast ballots of substantially equal weight and quality. For these reasons the Rules of the



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

House of Representatives must assure meaningful citizen participation. Reapportionment of this State's congressional, legislative, and judicial districts is intended to create districts that are consistent with all applicable legal and constitutional guidelines, including specifically the fair representation of minorities.

100. REDISTRICTING LEGISLATION.

(a) Redistricting legislation is a Bill or Resolution that proposes new congressional or legislative boundaries for the entire State or new judicial district boundaries for the entire County of Cook. Prior to consideration of redistricting legislation by any standing committee or consideration by the House on any Order of Business, the Chief Sponsor shall file or shall have previously filed with the clerk all of the following:

(1) A clear geographic map depicting the boundaries of existing counties and the boundaries of the existing and proposed congressional, legislative, or judicial districts, as the case may be.

(2) A redistricting statistical summary that details for each existing and proposed district the total population, the total voting age population, the total Black/African-American population, the total Black/African-American voting age population, the total Hispanic population, the total Hispanic voting age population, the total Asian-American population, and the total Asian-American voting age population and, if available from the U. S. Department of Commerce at the census block level, the total female population, the total female voting age population, the total male population, and the total male voting age population.

(3) A list for each proposed district of the counties, townships, and municipalities, a portion of which is included in each proposed district.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

(4) A written description of each proposed district by census tract and block if such a description is not contained in the redistricting legislation.

(5) A computer readable database in standard ASCII format, with no control characters, containing the information required in paragraphs (1), (2), (3), and (4) of this subsection. The computer database information shall be filed on discs or diskettes. Each census block shall include a 13 character block key (3 characters for the county code, 6 characters for the census tract code, and 4 characters for the census block code) and a 4 character set for the district code beginning with the letter C for congressional district, the letter S for a senate district, the letter H for a house district, or the letter J for a judicial district, with the zero number filled.

(6) A redistricting impact statement, written in both English and Spanish, explaining how the redistricting legislation satisfies the requirements of the United States and Illinois Constitutions and the Voting Rights Act of 1965, as amended.

(b) An amendment that proposes new congressional or legislative boundaries for the entire State or judicial district boundaries for the entire County of Cook is subject to this Rule.

(c) Notwithstanding any other Rule to the contrary, Bills pertaining to redistricting shall not be subject to the provisions of Rules 27(d), 29(b), 37(q), and 84, or any other Rule that imposes a deadline for House consideration of any Bill or Resolution.

101. REAPPORTIONMENT COMMITTEE PROCEEDINGS.

(a) The Reapportionment Committee shall inform the public concerning the procedures under which it will conduct its business.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

(b) The Committee shall hold at least 19 public hearings throughout the State for the purpose of receiving public input and commentary from all sectors of the public regarding congressional, legislative, and judicial reapportionment. At least 7 hearings shall be held in Chicago as follows: one within the current boundaries of the 1st Congressional District, one within that portion of the current boundaries of the 2nd Congressional District located within Chicago, one within that portion of the current boundaries of the 7th Congressional District located within Chicago, one within the Hispanic Community in the Southwest portion of Chicago, one within the Hispanic Community in the Northwest portion of Chicago, an additional one in the Southwest portion of Chicago, and an additional one in the Northwest portion of Chicago. At least one hearing shall also be held in each of the following locations: Decatur, Rockford, Skokie, Rock Island, Collinsville, Marion, Joliet, Wheaton, East St. Louis, Kane County, and South Suburban Cook County. At least one hearing shall be held in Springfield for the purpose of receiving public input and commentary on potential redistricting legislation throughout the State. The Committee may hold hearings in addition to those enumerated in this subsection as it deems necessary. Reasonable opportunity shall be given for parties to present commentary on potential redistricting legislation. Parties may present this material either orally or in writing.

(c) All meetings of the committee shall be open to the public and press and conducted at times and places suitable to public observation and participation.

(d) Notices of all committee meetings or hearings shall be posted by the Clerk and communicated to the press at least 72 hours in advance whenever practicable. Individual notices shall be transmitted without charge to any citizen or organization requesting notice. The Clerk shall maintain the notification list.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

(e) Transcripts of all meetings shall be kept, maintained, and made available to the public. Copies of these transcripts shall be made and maintained by the Clerk and available within 72 hours after the time of committee meeting adjournment. The Clerk is authorized to charge a reasonable fee to cover the expense of copying.

(f) The Clerk shall duplicate and make available for inspection and copying all materials filed in compliance with Rule 100. Copies of all such materials shall be duplicated and mailed by the Clerk, within one business day after receipt, to the libraries of all universities operated by the State and shall further be delivered to the State of Illinois Center and the State Library. The materials shall be placed on public display at those locations upon receipt. The materials shall be available for inspection and copying during business hours. An announcement, written in English and in Spanish, soliciting public comment on the materials shall be distributed to the press and presented to any person requesting to inspect the materials. The announcement shall request that written comments be directed to the Clerk and the person's Representative.

(g) Members are encouraged to solicit from constituents written and oral comments on redistricting legislation.

(h) The Clerk shall accept and maintain by Bill number, resolution number, or subject matter any written comments forwarded to the Clerk by any individual or party concerning redistricting legislation. The comments shall be available for inspection and copying by any person during business hours. The Clerk is authorized to charge a reasonable fee to cover the expense of copying.

(i) Notwithstanding Rule 24, the Committee on Reapportionment may meet while the House is in session or during any party conference. (j) On and after June 16 and through June 22, meetings of the Committee on Reapportionment shall require a

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

24-hour notice by the posting procedures specified in Rule 20, rather than the times otherwise specified in Rule 20(b). No notice by posting is required for any meeting held on or after June 23rd in any regular session, but the meeting shall be announced on the floor of the House, and written notice provided to the Clerk. Amends the House Rules. Establishes procedures for reapportionment legislation.

Speaker McPike: "Representative Young now that you have explained the Resolution we will go through the Amendments. Mr. Clerk are there any Amendments?"

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

Speaker McPike: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. In Rules Committee this morning we presented an Amendment that dealt with the Asian American population, arguing that this population was protected under the Voting Rights Act. One of the comments that came back to us we weren't prepared for was the answer by the Majority Party that they couldn't determine the information by the computer, and they weren't ready for it. I suggested with all due respect to my colleges, that this information could be found quite rapidly, that the Asian American population had increased substantially in the last 10 years, and by phematics you could lay it out. Can you bear with me for a second? You want to know what I got for you? I brought you a map. I brought you a map of the Asian-American population of the City of Chicago. Here it is. Done this afternoon. Now I tell you what. I'm going to send it over to you, because here it is, the phematics where the makeup of the Asian-American population is in the City of Chicago. This isn't new. There's no secret. We got the information. I gotta believe you got it. If you have'nt seen it yet you

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

ought to see it. Our Members are seeing it. Our Members are open to our process. I'd like to see yours. How about you? Here it is. Adopt the Amendment the Asian-Americans have got to be protected and that's what were here to do. I'm a co-sponsor of this Resolution, I'm pleased to join Representative Young, and what we want to do is help. So join with me protect the Asian-Americans of Illinois. Move forward."

Speaker McPike: "Representative Young."

Young: "Mr. Speaker. Ladies and Gentlemen of the House. Just to correct a statement that I think was incorrectly made in terms of Comments in this mornings committee. There was no comment that we could not determine, the comment was that we wanted to make sure that we could, and we can. And so we gladly accept this Amendment."

Speaker McPike: "Is there anyone rise in opposition? Does anyone rise in opposition to the Amendment? There being none the question is, 'Shall Amendment #1 be adopted?' Attendance Roll Call will be used. Attendance Roll Call will be used for the 'aye' votes. The Amendment is adopted. Further Amendments?"

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

Speaker McPike: "Representative Daniels."

Daniels: "Now, we all know that legal issues are very important in the redistricting process. We must strive to improve as many concerned citizens and groups as possible to produce a map that satisfies all needs as best as possible. This Amendment will help us avoid long and costly legal battles by courting input at hearings instead of hearing arguments in court. The Resolution 370 in its current form has been, have some troubling flaws which we want to address. Which should be worked out to gain bi-partisan support. One of

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

these flaws is that notice the committee hearings is required only whenever practical. This leaves too much latitude for interpretation. The Notice must be mandatory no ifs, fands, or buts, about it. People have a right to attend committee meetings of this Body. They have a right to state their positions, and know that they will be considered. Let's not leave this to chance. Let's enforce a specific notification period. I move for the adoption."

Speaker McPike: "Representative Young."

Young: "Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment simply because under the rules that I propose we recognize that there may, of necessity be hearing that have to be called in less than 3 days. As are done in many other measures. For those reasons I think the notice requirement we have, and the Amendment we presented are sufficient, and I oppose the Amendment."

Speaker McPike: "Representative Daniels to close."

Daniels: "I would just ask for your favorable consideration."

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

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

Speaker McPike: "Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. It was pointed out to us at this mornings Rules Committee, that our original Amendment to define meetings for the Reapportionment Committee had serious flaw in it. We have corrected that flaw and hope that all Members see the value in prohibiting any secret meetings of either Caucus or the committee. We cannot tell the people that their voice will be heard, and then meet behind closed doors without their

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

participation. I cannot understand the unwillingness, if that be the case to cooperate which we have seen from, you know various people in the process. This morning this legislation was discussed in Rules Committee. We sought to make corrections where we see flaws, and offer improvements where we see weakness. We never saw partisan advantage, nor will we in this process. When our ideas were rejected on partisan lines, with our colleagues and the interest of the people to get the process moving. You fight prudent constructive ideas, and it may just prove to be the wrong side of the issue. I would suggest that such an attitude is more suited for a different arena. So Amendment #3, defines the open meeting process and no more than 7 Members can meet at one time the without violating provisions. I think it's in the spirit of the Open Meetings Act. I would thoroughly suggest it be a great Amendment to adopt so we can insure that all meetings are open. And now Mr. Speaker we'd like a Roll Call on this one."

Speaker McPike: "Representative Young."

Young: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment as we all know Caucuses are routinely held. Quiet often Members of a committee will get together to discuss committee proceedings ahead of time. And as I read this Amendment If we're having Democratic or Republican Caucus, and you had 7 Members of the reapportionment there then the Caucus couldn't discuss reapportionment. So for that reason I oppose."

Speaker McPike: "Representative Daniels has moved for the adoption of the Amendment. All those in favor of the Amendment #3 vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On Amendment #3 there are 44 'ayes', 70 'nos'.



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

The Amendment's defeated. Further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Daniels."

Speaker McPike: "Representative Daniels."

Daniels: "Mr. Speaker, as most of you know 10 years ago tempers flaired and charges flew, as a map was introduced to the legislature in the wee hours of the morning, with no warning to anyone. This Amendment will prevent any repeat of that performance. The Illinois map was ruled to discriminate against minorities. This should not ever happen again, and has no part in this process. If you are as serious about making the system fair as you were 10 years ago I hope you will support this Amendment to provide anyone with ample opportunity to review the maps which will be voted upon in this House. By allowing sufficient time for minority groups, community organizations, academics and ordinary citizens to review the maps we lessen the possibility to engage in a long court fight, which will only further cloud this issue. I say we work together to gorge the best possible process and that will yield the best possible map. Do we fear comment? Do we fear public input? Let's open the redistricting process to the people. Move it from the private meeting room into the committee room. This Amendment requires that legislation and redistricting must be introduced on or before June 1, 1991 to be considered by July 1. Our Governor has stated he will not consider last minute maps, without the opportunity to understand it, and will veto any map that is not fair to all people in this state, including yes minorities and yes political parties. This will prevent that from occurring. Let me just say in closing on this Amendment that I am a co-sponsor with Representative Young on this Resolution. So after this is hopefully adopted I'd be more than

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

delighted to join in the passage of this Resolution, as a matter of fact, Representative Young, I'll even be willing to close on the adoption of the Resolution as we work together. This will strengthen it and I hope you'll adopt it."

Speaker McPike: "On Amendment #4, Representative Young."

Daniels: "I need a Roll Call."

Young: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Amendment. The Amendment is, or the sponsor of the Amendment says the purpose is to open the redistricting process to the people, we think we've done that. What this Amendment will do, we've set up a hearing schedule, a rather ambitious hearing schedule where we want to have a minimum of 19 hearings throughout the entire State, so that we can take input from all of the people in this state, of necessity some of those hearings won't even take place until after June 1st. So this Amendment would have us drawing and filing maps before we even have heard input from all the people throughout the state, through these hearings. So I would move that we defeat this Amendment and allow the people to give us their input in the hearings that we schedule."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. In response to the remarks of the last Speaker. What good is the hearing schedule going to do to give and provide input for all groups in Illinois, all minority groups in Illinois if they can't even see the proposal? And in each and everyone of you in this House can well visualize a map coming down at 11:45 p.m. on June 30th. If we do that and if we keep the map hidden from the public view minorities will not have an opportunity to provide input into the system. I urge the adoption of this

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Amendment. So that everyone, that all minorities in Illinois, and all groups in Illinois can see what maps are being proposed by the General Assembly. To open up the process so that everyone can view it. And I ask for a Roll Call Vote on the Amendment, Mr. Speaker."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All in favor vote 'aye', opposed 'no'. Have all voted? Have all voted who Wish? The Clerk will take the record. On this Motion there are 44 'ayes' and 70 'nos'. Amendment #4 is defeated. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "On the Resolution. Representative Young has already explained it...has moved for the adoption of the Resolution. And on that Representative Daniels."

Daniels: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. With the understanding that the Amendments offered in committee this morning, were necessary Amendments in our opinion and meet several of the objections, that maybe given in a court review, as to this process with the caveat that we feel strongly that they should have been adopted to protect minority rights, fairness and openness and the court may review that, as to our process and procedure as a review our actions, and we think that would have strengthened this whole process and made this much more available for insulation from attack. I still join in Representative Young as a co-sponsor, and still move to adopt this Resolution because as we review it, so many of the items in here come right out our House Resolution 248 that we introduced 2 weeks earlier, and was debated earlier, we think of course, we could have done this a lot quicker if you'd adopted 248. Because it had all those protections in it. But having said that we've at least got some sunshine shining through some darkened windows that

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

were there before this was adopted. So with a great deal of pride in the accomplishments that we have been able to offer this process we will join in the adoption of these Resolutions as we move forward in redistricting."

Speaker McPike: "Representative Young, did you wish to add anything? The question is, 'Shall House Resolution 370 be adopted?' No one stands in opposition. The Attendance Roll Call will be used for the 'aye' votes and the Resolution is adopted. Any Announcements? Representative Currie. We have some announcements now if we could have a little attention here. Representative Currie."

Currie: "Representative. This is a discharge Motion Mr. Speaker. On page 20 of the Calendar."

Speaker McPike: "Page 20 of the Calendar under Motions. Representative Currie is recognized. House Bill 575."

Currie: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I move to discharge State Government Administrations Committee from further consideration of House Bill 575. And advance the Bill to the Order of Second Reading First Legislative Day. The Bill had been heard. subcommittee was favorably reported, should have been posted inadvertently was not. The only way for us to hear this Bill on the floor is for us to move with this discharge Motion. So as I say there was just an error, inadvertent, and because the Bill had already had subcommittee hearing. I'd welcome your support for the discharge Motion."

Speaker McPike: "Those individuals that have their lights on on different Motions would you please turn them off, so the Chair knows who wishes to talk on this. Does anyone rise in opposition to the Lady's Motion? Representative Black."

Black: "Thank you very much, Mr. Speaker. It's a little difficult to hear in here, but on the...on the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Representative's request I think the question that we have is...did this Bill not receive posting? Why is she moving to discharge, was the Bill not posted?"

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker. The Bill was not posted. I consulted with the Chairman of the Committee, who approved a waiving of the posting requirement, for this Bill since it should have been posted. I consulted with the designated Minority Leader on this issue he did not approve the waiving of the posting notices, so therefore I filed a discharge Motion."

Speaker McPike: "Representative Black."

Black: "Thank you very much, I appreciate, I appreciate the Sponsor's candor, and I appreciate her truthfulness, but Mr. Speaker to her Motion, if all of us forget to post our Bills or somehow don't get our Bills posted are going to file discharge Motions, we'll go home sometime Sunday afternoon. She had an opportunity to post her Bill. She said it wasn't posted. Well that's not the fault of the Body, and if were going to accommodate this Representative were going to have to be prepared to accommodate everybody who has a discharge Motion, because they forgot to post the Bill, or there was some kind of oversight. We'll be here the rest of the week. I reluctantly rise in opposition to the Lady's Motion. She had an opportunity to post her Bill, had an opportunity to call her Bill and for whatever the reason she didn't, and I don't think it should be discharged."

Speaker McPike: "Representative Curran, the Chairman of the Committee."

Curran: "In part...Thank you Mr. Speaker."

Speaker McPike: "Representative McCracken."

McCracken: "I swore I'd never make another point of order, but I

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

cannot help myself, when was this Motion filed?"

Speaker McPike: "Is that a point of order? Is that a point of order?"

McCracken: "The point of order is, it doesn't comply with the Calendar requirements. It hasn't been on the Daily Calendar for a day, to suspend that rule requires 71 votes."

Speaker McPike: "Well, we'll check your point of order."

McCracken: "And then I want to address this after you..."

Speaker McPike: Well, I recognized Representative Curran to address it, I recognized you on a point of order. Well, Representative McCracken your your point is not well taken. We're on page, were on page 20 of the Calendar under Motions. It's on the Calendar and It's been on the Calendar all day. Representative McCracken on the point of order."

McCracken: "Yeah, just on the point of order. It isn't enough that its not on the Calendar, it has to be on the Daily Calendar for a full day before it can be heard. It's not that it just appears in the Calendar."

Speaker McPike: "You're, you're not correct Representative McCracken. Representative Curran."

McCracken: "I find that hard to believe."

Curran: "Thank you Mr. Speaker. Representative Black is correct in this ...It is not the fault of the Body that Representative Currie's Bill is not posted. Representative Black is incorrect in this...it is not Representative Currie's fault that her Bill was not posted. Representative Currie did what she needed to do to have this Bill posted, but do to an inadvertent, staff technical error this Bill was not posted. And so therefore, just like I would allow anybody else on your side of the aisle to have their Bill discharged from committee do a staff

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

inadvertent error, they wish to have the Bill discharged I think we ought to also allow the same courtesy to Representative Currie."

Speaker McPike: "Representative Matijevich."

Matijevich: "First of all, I want to tell Tom McCracken I've missed him getting up to speak and I really do, it sounded great. ...(inaudible tape)"

Speaker McPike: "Representative McCracken."

McCracken: "I understand the weight of the argument the Gentleman makes, I understand a courtesy that we commonly extend to each other. But this is not the Bill on which to be courteous. I submit the reason, by the way, hearing a Motion discharged before the committees have stopped meeting is unprecedented in my time. I don't recall it ever being heard. Now, I understand the Gentleman's argument, that she's doing this because she can't prevail on something that takes unanimous leave. But why resort to this unprecedented vote just to get around a rule that's designed for the protection of all of us. In the common Bill were all going to extend that courtesy. This is not the Common Bill and I have great respect for Representative Currie, and fondness and she knows that. I don't do this lightly, but I am dead serious. This is not the Bill to extend a courtesy on. The proper Motion, the Motion that is precedented, the Motion we commonly consider, is leave to waive the posting requirements. Now if she didn't want to make that Motion. Then I submit that courtesy is not at issue here. That is the Motion which deserves courtesy. Not the Motion to discharge committee at this time. This is unprecedented. I ask for 'no' votes."

Speaker McPike: "Representative Weaver."

Weaver: "Thank you Mr. Speaker, I...I think that the Representative in filing this discharge Motion may maybe

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

missing a great deal of fun that we've had in subcommittee for the past week and a half. As a matter of fact, we've had some subcommittee Chairmen that have been so accommodating that we have gone in and out, and in and out of subcommittee 3, 4 and 5 times during the meeting of the committee. How you are unable to get your Bill heard is is a mystery it's a real mystery to me. In the last couple of weeks it could have been posted and heard and voted on at least 3, 4, 5 times. I think its a bit premature and I think perhaps there may be a feeling in the back of her mind that she really didn't want it heard in committee, she wanted to bring it directly to the floor. And I think perhaps if this discharge Motion is successful Mr. Speaker, you ought to ask the Clerk to be ready for a deluge of discharge Motions because we've got a whole bunch of folks on this side of the aisle that would love to have the Bill brought directly to the floor. I think this is not a timely measure and we need to defeat the discharge Motion."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you Mr. Speaker. I noticed that the Bill number 575 is relatively low for the amount of the Bills we have filed some 2600, so therefore, I'm somewhat concerned if the Representative indeed forgot to post it for this week or for the past five weeks that been in hearing. I also find it somewhat ironic that the subcommittee system that we all rebel against, the subcommittee system that was invented to keep us scurrying about not knowing when or where a Bill is to be heard. As now suddenly sprung forward and bit this particular Representative, so that her Bill can't be heard. So I believe the correct Motion is as my colleague Representative McCracken has indicated if you want to waive the posting requirements make that Motion.



STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

But to discharge the committee under the circumstances that have been indicated simply don't wash true in this time and date and I would join with my other colleagues in requesting opposition to the Motion."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I rise to point out the Committee on State Government to which the proponent now seeks to discharge is in recess, and it meets again on Friday from 8:00 a.m. to 12:00 noon in Room 114 in the Capitol. So the Motion to discharge is out of order. Proper Motion would be to waive the posting requirements so that Representative Currie can have her Bill heard on Friday morning when we have 4 hours of Committee in State Government Administration to hear this Bill and to give it due consideration. Now certainly she might not think that maybe in State Government Administration she might not get the Bill out. But we all have to go through the committee process. That's what its designed for and Friday is the last day for consideration of it. I urge you to waive the posting requirements and have a full hearing before the committee to which it was assigned."

Speaker McPike: "Representative Currie did you wish to get...it appears like they wish to give a unanimous consent to waive the posting requirements. Is that, did you wish that Motion? Representative Currie?"

Currie: "Well, if there prepared to give unanimous consent for sure, but my guess is that they speak as usual with forks tongue. They that are not in favor of civil rights for minorities and women at the federal level are not likely to be for fair play and equity for women and minorities in the State of Illinois, and if they were willing to support this Motion to waive the posting why didn't they tell me

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

yesterday? This was a Bill that was heard in subcommittee had a fair hearing, we requested posting it was an inadverted error not of my own making that kept this Bill from appearing on this weeks posting notice. When I filed this Motion yesterday, today was the last day for the State Government Administration Committee to...to to hear Bills. So I think Mr. Speaker, that I don't buy it that there prepared to waive the posting notice today anymore than they were yesterday and I would persue this discharge Motion."

Speaker McPike: "You heard the Lady's Motion. All in favor vote 'aye' opposed vote 'no'.

Speaker McPike: "Representative McCracken to explain his, no you spoke in debate. Representative McCracken"

McCracken: "...I don't think you have enough votes here right now. I'm going to ask for verification."

Speaker McPike: "Alright. Representative Black. Is that what you're asking for?"

Black: "Yes."

Speaker McPike: "Yes, fine. Representative Davis to explain her vote."

Davis: "I'd like to explain my vote Mr. Speaker because I think its significantly important that this Resolution at least have a full hearing...I remember 2 years ago this legislation I think almost passed out of the House and it's one that is still is confronting the State of Illinois, and that is comparable work."

Speaker McPike: "Representative Davis, you have to speak to the Motion and not to the Bill."

Davis: "I' m speaking to the Motion, Sir. But I will conclude by saying I do believe that we should discharge this...have a discharge Motion on here in order that this Bill get a full hearing it certainly is at least worthy of that. Thank

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

you."

Speaker McPike: "Representative Homer."

Homer: "Mr. Speaker, I just want to explain my 'no' vote, I believe the Lady ...the proper vote the proper Motion the Lady should be making now is to waive the posting notice so that the Bill can be heard Friday if the Committee doesn't give her a hearing on Friday then quite frankly I will support her Motion to discharge, but I think this is premature when the committee still has a meeting ahead of it. So I vote 'no'."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the Motion. The Clerk will take the record. On this Motion there are 64 'ayes' and 46 'nos' Representative McCracken has asked for a verification. Representative Currie has asked for a Poll of those not voting."

Clerk Leone: "Poll of those not voting. Giglio. Hicks. Marinaro. Mautino. Mulcahey. No Further."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Leave to be verified."

Speaker McPike: "Representative McCracken, Representative Satterthwaite has leave. Proceed with the Poll of the Affirmative. Representative Lang, right here has asked leave. Leave verified. Now let's take them one at a time. Representative Davis, Mr. McCracken is right here. Right up front she spoke right there. Representative Shaw, Representative White, Representative Bruce Richmond, Anyone else? Alright proceed with the Poll of the Affirmative."

Clerk Leone: "Poll of the Affirmative. Balanoff. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Davis. Deering. DeJaegher. Deleo. Edley. Farley. Flowers. Giorgi. Granberg. Hannig. Hartke. J. Hoffman. Lou Jones. Shirley Jones. Keane. Kulas. Lang. LeFlore.

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Levin. Marinaro. Martinez. Matijevec. McGann.  
McGuire. McNamara. McPike. Morrow. Munizzi. Novak.  
Obrzut. Phelan. Phelps. Preston. Rice. Richmond.  
Ronan,. Rotello. Saltsman. Santiago. Satterthwaite.  
Schakowsky. Schoenberg. Shaw. Steczko. Stepan. Stern.  
Trotter. Turner. Walsh. White. Williams. Wolf.  
Woolard. Anthony Young. Wyvetter Young. And Mr.  
Speaker."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you Mr. Speaker. Representative Brunsvold?"

Speaker McPike: "Representative Brunsvold is in the rear."

McCracken: "Can't read this with my glasses on. Representative  
Hannig?"

Speaker McPike: "He's here, he's in his chair."

McCracken: "Representative McNamara?"

Speaker McPike: "Representative McNamara is in...Where? Where is  
he?Mr.McNamara."

McCracken: "We'll hold him for now. I'll continue."

Speaker McPike: "Okay."

McCracken: "Representative Dunn?"

Speaker McPike: "Representative Dunn, John Dunn."

McCracken: "Oh he's 'no' I'm sorry. Representative Mulcahey?"

Speaker McPike: "Representative Mulcahey, is not voting."

McCracken: "Representative Preston?"

Speaker McPike: "Mr. Preston. Representative Lee Preston. Is  
the Gentleman here? Mr. Preston is not here remove him  
from the Roll Call."

McCracken: "Nothing Further."

Speaker McPike: "On this Motion there are 63 'ayes' and 46 'nos'  
and the Motion carries. Motion carries. alright the  
following committees will meet immediately upon  
adjournment. Environment Energy and Environment, Higher  
Education, Registration and Regulation. Any others?"

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Representative Steczko."

Steczko: "Thank you Mr. Speaker, Members of the House. I would ask that the Members of the Registration and Regulation Committee meet in Room D-1 immediately after adjournment to do some housekeeping and easy matters and then we're going to recess till Friday, but we need everybody there as quickly as possible."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, the...Appropriations and Public Safety Committee will meet at noon Friday...I believe in Room 114 on noon Friday, we'll announce the room at a later time. It'll be cancelled for tonight though."

Speaker McPike: "Representative Homer."

Homer: "The house Judiciary II Committee will be meeting tomorrow at 8:00 o'clock. The subcommittees will be meeting at 8:00 o'clock contrary to the printed Calendar today. So if you have a Bill in House Judiciary II, either the sentencing subcommittee or the firearms subcommittee, your Bill will be heard at 8:00 o'clock. The full committee will be meet at 9:00 o'clock. The...the committee schedule that was placed on your desk just this evening is correct but the Daily Calendar is not correct, so if you have any question about when your Bill will be heard please see me."

Speaker McPike:"Representative Hannig."

Hannig: "Thank you Mr. Speaker, due to lateness of the evening the General Appropriations Committee will not meet either and we will meet Friday at noon in room to be announced."

Speaker McPike: "Further Announcements? General Resolutions."

Clerk Leone: "House Joint Resolution 35 offered by Representatives LeFlore and Madigan."

Speaker McPike: "Committee on Assignment. Representative Matijevecich moves that the House stand adjourn tomorrow at the hour of 6:00 p.m. Allowing Perfunctory time for the

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Clerk for Committee Reports. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the House stands adjourned until tomorrow at the hour of 6:00 p.m. For the information of the members we will probably be in Session Friday at approximately 2:00 p.m.. We will announce that tomorrow night. The House stands adjourned."

Clerk Leone: "Committee Reports. Representative Mulcahey, Chairman from the Committee on Elementary and Secondary Education, to which the following Bills were referred, action taken April 24, 1991 reported the same back with the following recommendations: 'Do pass as amended' House Bills 1863, 152, 1892, 230, and 843; 'Do pass Short Debate Calendar' House Bills 1549, 755, 522, 844, 522, 757, 475 'Do pass as amended Short Debate Calendar' House Bills, 2642 and 756 'Do pass' as amended Consent Calendar House Bill 135; Interim Study Calendar 'do adopt' House Resolution 271; Representative Curran, Chairman from the Committee on State Government Administration, to which the following Bills were referred, action taken April 24, 1991 reported the same back with the following recommendations: 'Do pass' House Bill 2181; 'Do pass Short Debate Calendar' House Bills, 2349 and 2345; Representative Hartke, Chairman from the committee on Counties and Townships, to which the following Bills were referred, action taken April 24, 1991 reported the same back with the following recommendations: 'Do pass' House Bills 942 and 850; 'Do pass as amended' House Bill 867; 'Do pass Short Debate Calendar' House Bills 1827 and 864; 'Do pass as amended Short Debate Calendar' House Bills 791, 746 and 410; 'Do pass as amended Consent Calendar' House Bill 2380; Representative Saltsman, Chairman from the Committee on Executive, to which the following Bills were referred, action taken April 24, 1991 reported the same back with the following recommendations:

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

'Do pass' House Bills 288, 838, 890, 1078, 1079, 1849, 1869, 2045, 2086, 2197, 2399, and 760; 'Do pass as amended' House Bills 101, 612, 832, and 69; 'Do pass Short Debate Calendar' House Bills 962, 2385, 2422, and 2553; 'Do pass as amended Short Debate Calendar' House Bills 518, 772, 1537, 2441, 2524. 'Do pass Consent Calendar' 460, 943, 945; Interim Study Calendar 'Do adopt' House Resolution 142; Representative John Dunn, Chairman from the Committee on Judiciary I, of which the following Bills were referred, action taken April 24, 1991, reported the same back with the following recommendations: 'Do pass' House Bills 2112, 973, 682, 1517, 2243, 2242, 2110, 2184; 'Do pass as amended' House Bills, 2244, 2334, 23, 1385; 'Do pass Short Debate Calendar' House Bills 2532, 1564, 1020, 878, 811, 782, 687, 623, 431, 2211, 1288, 1733, 2106, 2410, 2605, 2496, 2164, 2208, 240 and 2358; 'Do pass as amended Short Debate Calendar' House Bill 1428, 898, and 1594; 'Do pass as amended Consent Calendar' House Bill 1440; Representative Currie, Chairman from the Committee on Revenue, to which the following Bills were referred, action taken April 24, 1991, reported the same back with the following recommendations: 'Do pass' House Bills 2152, 779, 1708, 1709, 2526, and 2072; 'Do pass as amended' House Bill 2138, 2342, 2193, 1316, 516, 303, 130, 830 (sic - 1830) that's a correction 1830, 127, 55, 1102, 2194, 1852, 1429, 1422 and 298; 'Do pass' Short Debate Calendar House Bill 1985, 1996, 2579, 931, 714, 1634, 1707, 2559, 1166, 2492, 2493, and 2363; 'Do pass as amended Short Debate Calendar' House Bills 1121, and 1982; 'do pass Consent Calendar' House Bills 169, 420, 439, 1026, 673, 1025, 406, 1256, 1376, 1941; 'Do pass as amended Consent Calendar' House Bills, 1838, 2200, 1123, 1085, 1109, 162 and 1734; Interim Study Calendar 'do adopt as amended' House Joint

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

38th Legislative Day

April 24, 1991

Resolution 1; 'do adopt' House Joint Resolution 11."

Clerk Leone: "Message from the Senate. Message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed a Bill the following title the passage of which I'm instructed to ask concurrence of the House of Representatives, to wit Senate Bill 952, passed the Senate April 24, 1991. Linda Hawker, Secretary of the Senate."

Clerk Leone: "First Reading of Senate Bills. Senate Bill 952, offered by Representative LeFlore, a Bill for an Act making appropriations to various agencies. First Reading of the Bill. Senate Bill 153, offered by Representative Steczo, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate 221, offered by Representative Steczo, a Bill for an Act to amend the Township Law. First Reading of the Bill."

Clerk O'Brien: "No further business the House now stands adjourned."



DOCUMENT NAME	REQ OPER	STORE GROUP	PRINT COMMAND	DATE	COPY	D WIDTH	DEPTH	ERROR
T042491	137	0	pj	10/08/91	1	66	78	

STATE OF ILLINOIS  
87TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
DAILY TRANSCRIPTION OF DEBATE INDEX

APRIL 24, 1991

HB-0003	SECOND READING	PAGE	16
HB-0003	SECOND READING	PAGE	16
HB-0014	SECOND READING	PAGE	16
H3-0014	SECOND READING	PAGE	16
HB-0016	SECOND READING	PAGE	16
HB-0016	SECOND READING	PAGE	16
HB-0017	SECOND READING	PAGE	16
HB-0017	SECOND READING	PAGE	16
HB-0036	SECOND READING	PAGE	17
HB-0036	SECOND READING	PAGE	17
HB-0044	SECOND READING	PAGE	17
HB-0044	SECOND READING	PAGE	17
HB-0047	SECOND READING	PAGE	17
HB-0047	SECOND READING	PAGE	17
HB-0059	MOTION	PAGE	15
HB-0059	MOTION	PAGE	15
H3-0474	MOTION	PAGE	15
HB-0474	MOTION	PAGE	15
HB-0510	MOTION	PAGE	6
HB-0510	MOTION	PAGE	6
HB-0575	MOTION	PAGE	60
HB-0719	MOTION	PAGE	10
H3-0719	MOTION	PAGE	10
H3-0770	MOTION	PAGE	15
HB-0770	MOTION	PAGE	15
HB-0908	MOTION	PAGE	5
HB-0908	MOTION	PAGE	5
HB-0952	FIRST READING	PAGE	72
H3-1036	MOTION	PAGE	10
HB-1036	MOTION	PAGE	10
H3-1081	MOTION	PAGE	15
HB-1081	MOTION	PAGE	15
HB-1183	MOTION	PAGE	10
HB-1197	MOTION	PAGE	10
HB-1435	MOTION	PAGE	10
H3-1527	MOTION	PAGE	6
HB-1529	MOTION	PAGE	6
HB-1538	MOTION	PAGE	10
HB-1669	MOTION	PAGE	10
HB-1685	MOTION	PAGE	10
HB-1715	MOTION	PAGE	15
HB-1914	MOTION	PAGE	15
H3-2350	MOTION	PAGE	10
H3-2381	MOTION	PAGE	10
HB-2606	MOTION	PAGE	15
SB-0153	FIRST READING	PAGE	72
SB-0221	FIRST READING	PAGE	72
HR-0034	MOTION	PAGE	31
HR-0034	ADOPTED	PAGE	48
HR-0034	RESOLUTION OFFERED	PAGE	37
HR-0219	RESOLUTION OFFERED	PAGE	7
HR-0358	ADOPTED	PAGE	4
HR-0358	RESOLUTION OFFERED	PAGE	2
HR-0369	ADOPTED	PAGE	31
HR-0369	RESOLUTION OFFERED	PAGE	21
HR-0370	MOTION	PAGE	48
HR-0370	ADOPTED	PAGE	60
HJR-0014	MOTION	PAGE	10

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER MCPHIE	PAGE	1
PRAYER - PASTOR DARREYL YOUNG	PAGE	1
PLEDGE - REPRESENTATIVE HARTKE	PAGE	1

APRIL 24, 1991

SUBJECT MATTER

ROLL CALL FOR ATTENDANCE	PAGE	1
GENERAL RESOLUTIONS	PAGE	6
HOUSE STAND IN RECESS	PAGE	11
FIRST SPECIAL SESSION - SPEAKER MCPIKE	PAGE	11
FIRST SPECIAL SESSION - ADJOURNMENT	PAGE	11
COMMITTEE REPORTS	PAGE	12
HOUSE BACK IN SESSION	PAGE	13
CONSENT CALENDAR, SECOND READING	PAGE	13
GENERAL RESOLUTIONS	PAGE	69
ADJOURNMENT	PAGE	70
PERFUNCTORY SESSION	PAGE	70
COMMITTEE REPORTS	PAGE	70
PERFUNCTORY SESSION - ADJOURNMENT	PAGE	72