

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

157th Legislative Day

June 18, 1992

Speaker McPike: "Chaplain for today is Reverend Bill Stevens of Humboldt United Methodist and Faith United Methodist Church in Mattoon, Illinois. Reverend Stevens is the guest of Representative Weaver. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Stevens: "Let us be of one mind and spirit as we pray together. Lord, You know our reluctance to pray and our ignorance in asking. Guide us in our prayer. God, we thank You for the many blessings that You shower down upon us - upon the just and upon the unjust. We thank You for the blessings of good government that keep peace and order society. Especially, we thank You for the dedication of the men and women of this Assembly. We pray that You will inspire and lead them. That as they discuss, deliberate and decide that they may do so according to Your divine providence. Lord, You know the many problems that we face this day: social unrest, homelessness, financial burdens and problems, both personal and public, that we name in our hearts. God, we pray that with Your blessing we all might labor together for the common good. Help us to put aside self-interest and greed. Teach us love and respect for one another. Grant us peace and prosperity. Lord, into Your loving care we commend the loved ones, families and friends of all here gathered. Keep them safe until we are reunited. God bless the government and all the peoples of the State of Illinois to the glory of Your holy name. Amen."

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

Hartke - et: "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

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for all."

Speaker McPike: "Roll Call for Attendance. Children and Family Law. Representative Kubik."

Kubik: "Where's Representative Preston when you need him?"

Speaker McPike: "Who needs him?"

Kubik: "All the Republicans are here, Mr. Speaker."

Speaker McPike: "Representative Matijevich."

Matijevich: "We're all here too."

Speaker McPike: "Mr. Clerk, please punch in Representative Stange. One hundred-eighteen Members answering the roll call, a quorum is present. Brian, have you ever seen more wisdom on the podium in your life? When I have two farmers up here trying to advise me as to how to raise corn and how to raise pigs and how to get the government to pay for it. Where's my corn check? Where's my pig check?"

Speaker Giorgi: "...Third Reading. I'm sorry. Senate Bills, Third Reading. Senate Bill 1531. Mr. Clerk, read Senate Bill 1531...Calendar, page 4, Senate Bill 1531. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1531, a Bill for an Act to amend the Illinois Development Finance Authority Act. Third Reading of the Bill."

Speaker Giorgi: "Representative McPike."

McPike: "Thank you, Mr. Speaker. I know of no opposition to this Bill. When the Illinois Development Finance Authority was audited, there's a section of the law that says that they 'shall' develop a program for financing the production of motion pictures. This changes the 'shall' to 'may'. Move for the passage of the Bill."

Speaker Giorgi: "There being no request for discussion, the question is, 'Shall Senate Bill 1531 pass?' All those in favor signify by voting 'aye', those opposed by voting

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'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 117 'ayes', 0 'nays', 0 voting 'present', and Senate Bill 1531, having received the Constitutional Majority, is hereby declared passed. Still on the Calendar on page 4, Senate Bill 1591. Read the Bill, Mr. Clerk. Senate Bill 1591."

Clerk O'Brien: "Senate Bill 1591, a Bill for an Act to amend the Alton Lake Heritage Parkway Law. Third Reading of the Bill."

Speaker Giorgi: "Representative McPike."

McPike: "Thank you, Mr. Speaker. Again, I know of no opposition to this Bill. It allows the Alton Lake Parkway Commission to accept and expend funds that have been donated to them."

Speaker Giorgi: "There being no request for debate, the question is, 'Shall Senate Bill 1591 pass?' All those in favor shall signify by voting 'aye' and those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 117 'ayes', 0 'nays', 0 voting 'present', and Senate Bill 1591, having received the Constitutional Majority, is hereby declared passed. On page 6 of the Calendar, appears Senate Bill 1939. Read the Bill, Mr. Clerk. (Senate Bill) 1939."

Clerk O'Brien: "Senate Bill 1939, a Bill for an Act to amend the State Finance Act. Third Reading of the Bill."

Speaker Giorgi: "Representative McPike."

McPike: "Thank you, Mr. Speaker. I know of no opposition to this Bill. It's a Bill for the Comptroller that allows him to pay for his audits. I move for the passage of this Bill."

Speaker Giorgi: "There being no request for debate, the question is, 'Shall Senate Bill 1939 pass?' All those in favor will

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signify by voting 'aye' and those opposed by voting 'nay'. The voting's open. Have all voted who wish? Vote yourself. Vote yourself. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. I'm sorry. Representative Black, do you want to explain your vote or..."

Black: "I just would explain my vote. The Bill as written allows transfer of moneys from the pension funds - not this cheat fund, not the unclaimed property fund whose dollars would go to the pension fund. If you'll look at the Bill, this absolutely allows a transfer of dollars from actual pension funds. Now, after the Speaker's impassioned speech yesterday about an \$11 billion underfunding liability in our pension funds, I'm not sure that this is the time you should be transferring money from the pension funds. If you'd look at the Amendment in question on page 3, the Amendment offered by Representative Hannig, it's very clear. It's in black and white. I'm not trying to exaggerate or do anything to kill the Gentleman's Bill. But on page 3, it specifically lists transfers from the State Employees' Retirement System fund, the Judges' Retirement fund, the General Assembly Retirement Fund and the Teachers' Retirement System fund. Now that, in my opinion, is unconscionable that you would actually transfer money from pension funds than no less an authority than the Speaker of this House said yesterday were \$11 billion underfunded. A 'yes' vote is not a very good vote on this Bill."

Speaker Giorgi: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there's...On Senate Bill 1939, 68 are voting 'aye', 45 voting 'no', 2 voting 'present'...Okay, Mr. Parke, for one

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minute, explain your vote. We're in the middle of a roll call."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Long, as Minority spokesman of the Pension System of pensions, I have long talked to the people that are concerned about the pension systems of this state, and we have told them time and time again that the integrity of the pension system is to be protected, and that no money would ever be taken out of those pension systems. Now this may not seem like an important roll call for Members of the General Assembly, but I will assure that this is a most important roll call because now, for the first time, we are actually breaching the integrity of the pension systems which many of the constituencies of this state are concerned about. And I just can't believe that this Bill could possibly pass...with that...taking away the integrity of that system. So I would ask for a verification of the roll call if this gets the required number to pass."

Speaker Giorgi: "Representative McPike."

McPike: "Well, thank you, Mr. Speaker. You know, I wouldn't have called this Bill except I went to Mr. Black and asked him if anyone was going to stand in opposition. He said, 'No'. So, I had five Bills to call this morning and one of them had opposition, so I told the Chair not to call it. This was a Bill that Representative Black indicated to me that he would not stand in opposition to. The strange thing about the comments are, is that was in your budget plan yesterday also and, you know, it's just B.S.. The Comptroller...I mean the Auditor General works for us, and he has said, 'I'm not going to do any more free audits. I'm going to come in and audit you, and when I audit you, you're going to pay for it.' We're not robbing any money

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from any pension funds and you know it. The Auditor General works for us. He audits every fund in this state, and he's not going to audit them for nothing. And so your budget plan was predicated on that. You put money in your budget plan yesterday for this Bill, and we put money in our budget plan yesterday for this Bill. And then to stand up and say we're robbing the pension funds is nuts. I would not have called this Bill this morning if I thought somebody was going to verify it or stand in opposition to it. I was told no one was going to speak against it."

Speaker Giorgi: "Representative Matijevich."

Matijevich: "Well, I can't think of anything that the Republican's would oppose in this, except they don't want audits. Maybe they feel...Well, wait a minute. Damn it. Let me finish, Terry. I listened to you. Not only that, Terry, what you ought to do instead of preaching us, you go downstairs. You go down to the second floor. You talk to your Governor. Your Governor, Governor Edgar, is the guy that's got us...See, you don't like to hear the truth. Governor Edgar, second floor, can you hear it? Governor Edgar. Jim Edgar is the guy that has us down to 33% of payout. Thirty-three percent of payout and pensions. We didn't do it. He did it to us. Now let's be honest about this. Do you want audits? Do you feel that your state agencies are doing so much that we shouldn't be aware of what they're doing and subject to audits? Is that what you want?"

Speaker Giorgi: "Representative Johnson..."

Matijevich: "You want the agencies to do it?...about the pension funds because your Governor is the guy that's robbing the pension funds. Your Governor is doing it. Wake up. Your Governor..."

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Speaker Giorgi: "Representative Black, do you want another minute?"

Black: "Thank you very much, Mr. Speaker. Representative Parke and I have conversed. We will withdraw our request for a verification. Let me just respond to the Majority Leader. I would never try to deliberately try to double-cross the Majority Leader or anyone else. Let me just say this. We informed the Majority Leader that the Governor was opposed to this Bill, and that when it was called the Governor's staff came down rather quickly and asked us to oppose the Bill. And we did so. It was certainly no attempt to embarrass anyone in this chamber, and we will withdraw our request for a verification."

Speaker Giorgi: "All right. Representative Stern."

Stern: "Mr. Speaker, would you change my vote to 'aye'?"

Speaker Giorgi: "Representative Stern changes her vote to 'aye'. Representative Curran, to 'no'. Representative McGann, Chairman of the Audit Commission, to vote 'aye'. Representative Johnson, for what reason do you arise? Johnson, to vote 'no'. Barnes, for what reason do you arise?"

Barnes: "May I make a few comments?"

Speaker Giorgi: "I'm in error in allowing this to happen because I've already started the roll call, but go ahead, Mrs. Barnes. Take a minute."

Barnes: "I would like to comment on the fact that it used to be Myron Kulas that used to stand up and say that he felt like a mushroom. I'm beginning to feel like that myself. They make an agreement. Then the Governor's people come on the floor. They ask us to vote 'no'. Then they ask us to verify the roll call. Then the speaker stands up and says that he has spoken to a leader on our side and there had

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been an agreement. I really think that we should be a little more informed on this floor so that when we vote, we know what we're voting for. What's in the Bill? After all, we are all independently elected to represent our constituents, and I think the time of the mushroom has passed."

Speaker Giorgi: "Thank you, Mrs. Barnes. Petka votes 'no'...Petka votes 'no'. Parke, change your vote or...your one minute? Go ahead, Mr. Parke. One minute."

Parke: "Thank you, Mr. Speaker. I rise on a point of personal privilege. My name was used in debate, and I will just respond to Representative Matijevich. I want to point out, Representative, that, by all means, you do have a right to speak on the floor of this House, and I have a right to listen. But I do not have a right for you to cast any aspersions on our integrity by virtue of your first comment, and I resent on behalf of the Republicans on this side and the Governor of this state that think that there is any reason why we would not want an audit. And you know better than that. We are simply asking for the procedure of the Bill itself not to be taken in place. I think that's inappropriate, and I would hope that for the last two weeks that we're down here that we can restrain from those kinds of challenges."

Speaker Giorgi: "Thank you, Mr. Parke. On this question, there are 67 'ayes', 46 'nays', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 2079, on page 7 of your Calendar. (Senate Bill) 2079, Representative McPike."

Clerk O'Brien: "Senate Bill 2079, a Bill for an Act to amend the Illinois Environmental Facilities Financing Act. Third Reading of the Bill."



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Speaker Giorgi: "Representative McPike, on Senate Bill 2079."

McPike: "Thank you, Mr. Speaker. Representative Black, I think my comments were a little out of line, and I apologize. I know of no opposition to this Bill. This increases the bonding authority for the Illinois Environmental Facilities Financing Act by \$1 billion. These are revenue bonds. They are not state bonds. Move for the adoption of the Bill or the passage of the Bill."

Speaker Giorgi: "Representative Black, on Senate Bill 2079."

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

Speaker Giorgi: "He indicates he will."

Black: "Representative, all I need to ask you is it your intent that this Bill will not be used for an environmental clean-up for a proposed airport project in the vicinity of Chicago, Cook County?"

McPike: "This Bill is not amended. This Bill's going right to the Governor."

Black: "Thank you very much."

Speaker Giorgi: "Representative Wennlund, on Senate Bill 2079."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Just to clarify. This Bill will be used, perhaps, for environmental purposes but has nothing to do with the Lake Calumet Airport, but it may provide financing for scrubbers for public utilities to clean the environment and clean the air. It's a good Bill. It's needed backing for it, but go ahead and make these loans and issue these bonds. I urge your support."

Speaker Giorgi: "There being no further requests for debate, the question is, 'Shall Senate Bill 2079 pass?' All in favor will signify by voting 'aye', those opposed by voting 'nay' and the voting's open. Representative Hultgren...Vote

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Hultgren 'aye'. Have all voted who wish? Have all voted who wish? On Senate Bill 2079, those voting 'aye' - 112...113, 2 voting 'nay', 1 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. Back to the Special Order of Call. Human Services, Second Reading. We're calling Bills that don't have Amendments. Representative LeFlore. Is he in the chamber? He's not in the chamber. Moving to Municipal, County and Conservation, Second Reading. Representative Woolard. Woolard, Senate Bill 1550. Would you like that Bill called? Read Senate Bill 1550, Mr. Clerk."

Clerk McLennand: "Senate Bill 1550, a Bill for an Act to amend the Wildlife Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giorgi: "Any Floor Amendments? Mr. Wennlund, for what reason do you rise on this Bill?"

Wennlund: "Thank you, Mr. Speaker. This is a dog Bill, and I thought perhaps the Majority Leader might have some comments on this dog Bill because of his great import to the State of Illinois and the General Assembly, but, apparently, he's chosen not to respond to it."

Speaker Giorgi: "Any Amendments?"

Clerk McLennand: "No Amendments."

Speaker Giorgi: "Any Motions?"

Clerk McLennand: "No Motions."

Speaker Giorgi: "Third Reading. Representative Brunsvold on Senate Bill 1955. Do you want that called? Second Reading Bill, no Amendments. Read the Bill, Mr. Clerk. Senate Bill 1955."

Clerk McLennand: "Senate Bill 1955, a Bill for an Act concerning the preservation of natural habitats. Second Reading, of the Bill. Amendment #1 was adopted in committee."

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Speaker Giorgi: "Any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giorgi: "Any Motions?"

Clerk McLennand: "No Motions."

Speaker Giorgi: "Third Reading. Under Insurance, Senator...Representative Homer. Is he in the chamber? Representative Homer? Out of the record. We'll move...Special Order of Call to Labor. Representative Satterthwaite. Satterthwaite, you want to call Senate Bill 1983? Out of the record. Representative Lang, 1986, Civil Procedure, Garnishments. Out of the record. Lang, on technical changes. Okay. Moving to Revenue, Special Order of Call. Representative Satterthwaite, on Senate Bill 2135. Want it called? Read the Bill, Mr. Clerk. Senate Bill 2135."

Speaker Giorgi: "Senate Bill 2135, a Bill for an Act to amend the Revenue Anticipation Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giorgi: "Any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giorgi: "Any Motions?"

Clerk McLennand: "No Motions."

Speaker Giorgi: "Third Reading. Representative Ryder on the floor? Representative Ryder on the floor? Representative Kubik, do you want to call Senate Bill 1516? Representative Kubik, do you want to call Senate Bill 15...Out of the record. Representative McAfee, under Elementary and Secondary Education. Out of the record."

Speaker McPike: "Representative McPike, in the Chair. We're going to do Second Reading Bills with Amendments. Representative Wennlund, Senate Bill 2048. Mr. Clerk, read the Bill."

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Clerk McLennand: "Senate Bill 2048, a Bill for an Act to amend the Bingo License and Tax Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk McLennand: "No Motions."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Davis. Representative Davis here? Representative Davis. The Lady is not here. Representative Wennlund, what is your..."

Wennlund: "Thank you, Mr. Speaker. An inquiry of the Chair. Has Amendment #1 been adopted?"

Speaker McPike: "Mr. Clerk."

Clerk McLennand: "Amendment #1 was adopted in committee."

Wennlund: "Thank you. With respect to Amendment #2. Amendment #2 is simply going to weight down the Bill and kill it when it gets out of here because all it does is it attempts to create another task force, another study, expenditure of state dollars, the Department of Revenue. And we all know that Mayor Daley has spent millions of dollars on conducting studies. You all have them on your desks. It's going to weigh down the Bill and kill it."

Speaker McPike: "Excuse me, Representative Wennlund. Representative Davis just arrived. Representative Davis just arrived from a meeting with some of her constituents."

Davis: "A large meeting on health care."

Speaker McPike: "On health care. Representative Davis, on Amendment #2."

Davis: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. Amendment #2 on this Senate Bill, it asks for an impact study for land-based gambling for the City of

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Chicago. We ask that the Revenue Department have...They would be the authority over this study, it would be a task force, not a commission; unpaid; unsalaried, and they would provide for the State Legislature by March of '93 what impact fiscally, economically, socially, land-based gambling would have on the City of Chicago and the State of Illinois. We know that revenue is needed, but we don't want to, say, hamper revenue that already exists, if land-based gambling in Chicago would do that. We think that we all might become better informed and able to put forth an intelligent vote if we have a study that we could look at that has been conducted by three people appointed by the Speaker, three people appointed by the Minority Leader, one appointed by the Governor and one appointed by the Mayor of Chicago. And we felt that this would give us a much better, unbiased group of people to report to us, and I urge an 'aye' vote. I ask your support."

Speaker McPike: "The Lady moves for the adoption of the Amendment. And on that question, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is merely going to weigh the Bill down and kill it. You all have on your desks two-inch thick studies at the cost of thousands and thousands of dollars that have been conducted by an independent commission appointed by Mayor Daley and by other groups, DeLoitte and Touche, who have studied this issue and spent hundreds of thousands of dollars in doing it, and in addition to that, the Bill does call for the payment of expenses and re-imbusement of expenses, but it doesn't say who's going to re-imburse them - yet another cost. I urge you to vote 'no' on this, and it's merely designed to...and it will, in fact, kill the Bill when it gets over to the

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Senate. The studies have already been conducted. We don't know who's going to pay the expenses. I urge that the Amendment be defeated and that the Bill be allowed to go on so civic centers can get about their business."

Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I also rise in opposition to this Amendment #2, not because of the body, so much, of the Amendment but because we have spent endless hours trying to work with Representative Wennlund on this Senate Bill to help some municipalities and their civic centers. And now we're going to have something put on that Bill which will destroy the main purpose and all the work that we put into it. I would ask the Representative to take that Amendment off and find another vehicle to put it on because I'm not sure whether she contacted Representative Wennlund or not, and he indicates you have...the Representative has never contacted the Sponsor of the Bill to put this Amendment on. And that is out of the ordinary program and the process we use in this House. I'd ask everyone to vote 'no' on this Amendment."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. First, I'm not at all convinced that the underlying Bill is worth securing and protecting. The underlying Bill is opposed by the state's Department of Revenue. As to the Lady's Amendment, it seems to me very sensible for this Body, which would be asked to approve casino gambling in the City of Chicago or, indeed, on any other land across the state. It would be sensible for us to have our own independent analysis of the consequences, economic and otherwise, of any kind of land-based casino approach. The fact that others in other contexts are doing their own studies may be

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helpful to us, but certainly we can't rely on some local government study to answer questions that deal with land-based casinos in a statewide economic and social context. So I rise in strong support of the Lady's Amendment. If we are going to consider casino-based gambling in this Session or, indeed, the next Session of this Legislature, we need all the information and all the analysis we can have and her Amendment will help us make that possible. So I hope that we will all support the Lady's very sensible suggestion."

Speaker McPike: "Representative Davis, to close."

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

Speaker McPike: "Excuse me. Representative Weller had his light on. Representative Weller."

Weller: "Thank you, Mr. Speaker. Just a point of clarification. There was some misinformation put out by someone who spoke in support of this Amendment. The speaker in support of this Amendment indicated that the Department of Revenue has taken a position in opposition to the underlying Bill. That is not true. There has been no position taken by the Department of Revenue. Second, in consideration of this Amendment that the Gentlady is offering, you recognize this Amendment is going to sabotage the Bill. This Amendment is going to kill the Bill, and, frankly, the intention of the underlying Bill is to help senior citizen groups, is to help charity groups basically change the way that civic centers can charge these groups for use of their facilities. And, frankly, it's a way that those groups will be able to save a lot of money so the best vote is a 'no' vote. Thank you. The best vote's a 'no' vote."

Speaker McPike: "Representative Giorgi."

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Giorgi: "Mr. Speaker, just to clear the record. Representative Davis did speak to me about putting an Amendment on this Bill, and I told her that she should go ahead and apply her Amendment, and I didn't know about the other...allegations about the Bill. So make the record clear. She did ask me, and I says it's all right to put an Amendment on it."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of the Lady's Amendment. I don't think it will sabotage the Bill at all, and beyond that, to say that there have been studies already done on the casino issue begs the point. You know, I know, we all know, that if and when a casino Bill comes down here for us to vote on, we're all going to be wanting our own group, our own investigation into this. We're not going to accept the Mayor's task force. We're not going to accept the Governor's task force. As you know, the General Assembly likes to do it our own way, and the Lady has a good proposal to put a plan in place to do that. I would suggest an 'aye' vote."

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just want to add a point of clarification for the Members who are considering this legislation. The Department of Revenue has indicated to me, a moment ago, that they are opposed to this Amendment, and they are opposed to this Bill. So that we all understand where the Department of Revenue is on the Bill: They are opposed to the Amendment, and they are opposed to the Bill. That's all I wanted to point out. Thank you, Mr. Speaker."

Speaker McPike: "Representative Davis, to close."

Davis: "Thank you, Mr. Speaker. Well, I certainly know that this Amendment will not kill the Bill. After speaking to more



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than one Member of the legislation who agreed with me, that the State Legislature needs this report from an unbiased group of people without self-interest, a group of people who could report to this General Assembly, a group of people who are appointed by Members of this General Assembly who could tell us what will be the effect of land-based gambling in our city or in Chicago or any other place. We don't want to, in my opinion, be asked to cast a vote on such a tremendously important piece of legislation without the intelligence that a study would bring. This is not to give anyone dollars for being on a task force. This is not just to have someone prepare a printed report. This will be a piece...a group of people who will let the Legislature know exactly what the fiscal, economic and social impact would be. The very fact that our leader, your leaders on your side of the aisle, your Governor will appoint, our leader this side of the aisle will appoint, I think will lead to a very unbiased study and help us make an intelligent vote. I ask for an 'aye' vote on this Bill, and, Mr. Speaker, I certainly appreciate all of the testimony in support of this legislation."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 56 'ayes' and 54 'noes'. Amendment #2 is adopted. Further Amendments."

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1889, Representative Turner. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1889, a Bill for an Act to amend

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the Illinois Public Aid Code. Second Reading of the Bill.  
No Committee Amendments."

Speaker McPike: "Have any Amendments been adopted, Mr. Clerk?"

Clerk McLennand: "No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative  
Turner."

Speaker McPike: "Representative Turner."

Turner: "Thank you, Mr. Speaker. This Bill is simply a vehicle  
Bill that we wanted to keep alive for our...to deal with  
the issue of Medicaid and hospital funding in this state.  
And to that end, we put on this technical Amendment just to  
send the Bill back over to the Senate to keep it in  
conference. That's the only intent - so that there is a  
vehicle around, and I ask for the favorable adoption of  
this Amendment."

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

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill...Senate Bill. That  
was Senate Bill 1889. Senate Bill 2068, Representative De  
DeJaegher. Read the Bill."

Clerk McLennand: "Senate Bill 2068, a Bill for an Act to amend  
the Public Aid Code. Second Reading of the Bill. No  
Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative  
DeJaegher."

Speaker McPike: "Representative DeJaegher."

DeJaegher: "Question of the Chair. Mr. Speaker, what I have is a

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non-controversial Amendment. Would it be possible when this Amendment is placed this Bill could be given immediate consideration for Third Reading? Because what this Amendment is basically going to be doing..."

Speaker McPike: "What is the Amendment 'basically' going to be doing?"

DeJaegher: "I knew you'd want that word in there, but what it really does is it requests the Department of Public Aid that this Bill be put in conference and that's what would happen. There is no opposition to this Amendment, and it's very brief, and all it does is say from 'shall' to 'may'. So it's a very simplified Amendment. So I'd like to have the adoption of the Amendment, and then consideration for passage on Third."

Speaker McPike: "Mr. Clerk, has this Bill been read a second time previously?"

Clerk McLennand: "No, it has not."

Speaker McPike: "Well, then, basically, we'll have to go with the Constitution. Mr. DeJaegher, the Bill has not been read a second time prior to today. The Constitution requires that the Bill be read on separate days. So we cannot waive that requirement. So the Gentleman moves for the adoption of the Amendment and on that question, Representative Matijevich."

Matijevich: "Well, I don't think an Amendment that has only one 'basically' is worth it. Maybe we ought to hear more explanation. One, 'basically', is not enough for me."

Speaker McPike: "Representative DeJaegher, would you please explain this again?"

DeJaegher: "John, originally what the Bill was it was pertaining to implants. So, basically, there has been some problems. Now, are you satisfied? Okay. All right. So I think

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that's a pretty good explanation of it."

Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?'

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

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 2104, Representative  
Granberg. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 2104, a Bill for an Act concerning  
care for the aged. Second Reading of the Bill. No Committee  
Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative  
Granberg."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. The federal Older American Act authorizes the  
distribution of federal funds to our senior citizens in our  
areas on aging. The funds are allocated within each state  
on the basis of an intrastate funding formula. Earlier  
this year, the Illinois Department on Aging proposed to  
drastically revise the factors in that equation in the  
formula. The Department used a lower weight for the rural  
factor, and they used a much higher weight for the 75 and  
over population which violates, we think, the Civil Rights  
Act because minorities have a shorter life expectancy.  
This proposed Amendment eliminates the 75-plus factor and  
represents a more equitable matter of distributing these  
funds by the Act. The Amendment also eliminates the living  
alone factor which is found to be irrelevant for purposes  
of assessing these elderly social needs, and the proposed  
formula, which is in this Amendment, emphasizes the factors  
which are the best indicators of elderly social need: rural

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population, minority population, poverty population and population age 60 and over, and I would move for the adoption."

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

McAfee: "Thank you, Mr. Speaker and Ladies and Gentlemen of the General Assembly. I have to rise in opposition to this Amendment. It's a very difficult Amendment to oppose on the sentiments that's raised by Representative Granberg. However, the actual funding formula, as proposed in this Amendment would have disastrous effects on the suburban areas, and take tremendous dollars away from the suburban areas, when, in fact, there is an increasing elderly population, and in the areas being proposed to be positively affected, there's a decreasing population. The net effect by this Amendment, as I understand it (and having received it this morning), is a decrease in over \$1 million dollars to suburban Cook County. It also would affect the Collar Counties by \$661,000 and in the Peoria area by \$70,000. It would also, on the other hand, retain money in other rural areas and increase the dollars to Chicago. It seems to me rather incongruous to go ahead and take money away from the areas that have a greater need and put it in areas that have a lesser need. So, reluctantly, I must stand in opposition to this Amendment."

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just point out to...and agree with the previous speaker's remarks. This particular Amendment is very damaging to the areas in which the amount of seniors and the need has grown the greatest. So what we're saying is that even though we have more people who are in need of these services, we're going to shift money to places which

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are losing seniors and losing the amount of people who need these services. It makes absolutely no sense. So, for those of you who are in suburban or Collar County areas, you ought to be look at this Amendment. You ought to be voting 'no' on this Amendment because it is a dramatic shift in the way home-delivered meals and funding is done for senior citizens. So this is an important vote. I would urge you to look at this Amendment very, very carefully and vote 'no'. Thank you, Mr. Speaker."

Speaker McPike: "Representative Matijevich."

Matijevich: "Yes. Mr. Speaker, I'm a member of the Executive Committee and this Bill got out of committee, I thought, with the...not the agreement of the Sponsor but originally there was a...intentions that this be presented in the Executive Committee. I surely would not vote for this Bill out of Executive Committee if this Amendment were on it. As far as I'm concerned, this is the way to subvert what the committee did. I would urge the Members (and I don't like to do this to my good friend, Kurt Granberg), but the fact of the matter is that many seniors in my area will be affected in it. Many seniors in my area are of...of minority population. I would urge the Members to defeat this Amendment. Let him go with the underlying Bill, but not with this Amendment."

Speaker McPike: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe that on matters such as this we have to defer to the advocates and the service providers, those people who are experts who've devoted their lives in terms of providing optimal services. The suburban area agencies on aging oppqse this Bill because of the adverse effect it will have on suburban Cook County. So, if you're a

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Republican from suburban Cook County, or if you're a Democrat from suburban Cook County, it doesn't matter what party you are. If you're from suburban Cook County, this Bill is worse for you than it is for anyone else, and I would strongly urge you to vote 'no'."

Speaker McPike: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. My colleague over here asked me whether I was going to speak for or against this Bill, and I responded to him and said I was going to do both. Representative Granberg, in his Amendment, indicated that this is an equitable arrangement for distributing these funds and I guess equity is in the eye of the beholder. I represent a district which straddles two area agencies on aging. One of those areas is helped by the distribution formula proposed in Amendment #1. The other area, area 4, which is centered in Peoria, is hurt by the distribution formula proposed in Amendment #1. I guess, then, Mike, my remarks directed to the Amendment and to the other Members on the floor, I think this is an Amendment that you should look closely at to determine how the distribution formula might affect your particular district and the constituents that you represent because some areas of the state, as previous speakers have indicated, will be hurt by this Amendment. Other areas of the state will be considerably helped by the passage of this Amendment."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I understand why the Sponsor of this Amendment wants it to pass so it can definitely increase the amount of funding flowing into his area. But what it ignores is, is that the over-60 population in suburban Cook County has

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increased by 22%. In the Collar Counties, this over-60 population has increased by 27%. In the Peoria area alone, it's increased by 11%, and this Amendment asks that those population shifts be ignored in order to divert more funding to areas where there is less population over 60 and to ignore the population factors that are currently taken into consideration in determining which area, which region, gets funding for senior citizens programs like the Community Care program, Meals on Wheels and other senior programs that are so vitally needed. It asks the General Assembly to ignore where the population lies, the over-60 population. It asks the General Assembly to ignore the need in the regions where the populations have increased in the over-60. It's a bad Amendment. It's not fair to the people of Illinois. It's not fair to the senior citizens of Illinois and to the areas where the largest population of senior citizens exists. It's a bad Amendment and should be defeated."

Speaker McPike: "Representative Saltsman."

Saltsman: "Yes. As Chairman of the Executive Committee which this Bill came out of, there was rumors that this Amendment was going to be floating around in committee and if we knew they were going to bring it here on Second Reading, I'll guarantee you this Bill would not be on the floor today. It would have been defeated in committee. Now, in all fairness, this is not a fair Amendment and I'm asking for its defeat because it's probably my fault that this Bill's even on the floor, knowing that this Amendment might come. So with that, I ask, in all fairness, that we defeat this Amendment. It does not belong on here. He knew the Bill wouldn't come out of committee had it been attached at that time or part of that Amendment, and I ask for the defeat of



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this Amendment."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I rise in support of the Amendment. Those of you who are objecting to the distribution under the formula proposed in this Amendment ought to be thinking not just about distribution but what's the point of the formula, what's the point of a state program to help elderly people. The formula changes proposed here would take into account the relative poverty of the people in the population over the age of 60, the relative rural characteristics of that population. So that, in fact, we can help the people who need our help most. What's the point in a program to help the rich elderly? Our responsibility is to help those who need our help the most. That's what's in this formula, a formula based on equitable and fair notions of what our responsibilities are. Let's pay less attention to which area gets how much money out of this formula than whether the formula itself represents fair play and represents our service responsibilities to those in the elderly population who are low income, those who live in rural, under-served areas. This Amendment is fair to rural Illinois, and it is fair to the low-income elderly, and we ought to be supporting this Amendment to Senate Bill 2104."

Speaker McPike: "Representative Deuchler."

Deuchler: "Mr. Speaker, has there been a request for a recorded roll call on this Amendment?"

Speaker McPike: "Not to my knowledge."

Deuchler: "Well, I would like to request that there is a recorded roll call. Will you honor that request?"

Speaker McPike: "Yes."

Deuchler: "Thank you. I have a speaker...a question for the

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Sponsor of the Amendment, if he will yield."

Speaker McPike: "Yes."

Deuchler: "I'm wondering how many...What's the population of this group of seniors that have moved out of the center city...the inner city, to many of our districts? Do you have any idea of the number of people that we're talking about?"

Granberg: "Representative, our intent was not to look at the numbers but look at the certain factors. The Department on Aging was going to weigh different factors and change the formula. We felt, because of the Civil Rights Act and because of the poverty index, that certain factors should be given a different weight. It was not based on population."

Deuchler: "To the Amendment, in talking to a group of Senators from my area, and, further, in the balance that stayed, there certainly are a number of questions about the Meals on Wheels program and the other services that are delivered in our areas as being greatly eroded. We do have an impacted group of seniors that will really be hurt by the passage of this Amendment, and I stand opposed to it."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker. I rise in support of Amendment #1, and I think those of you who may be voting for or against this Amendment based upon something you've heard ought to be looking at the available charts that I think everybody has on your desk because if you do that, you'll understand that for the vast majority of us here in this room, this Amendment is an advantage to us; and it is because we have senior citizens who are in one of two positions: Either they are in a rural position, which makes their access to these kinds of services more difficult, or

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they're in a position of having greater poverty which means they need these services. So this Amendment is good for the vast majority of the people in this room, and it is good for the basis that I have just discussed. Also, Representative Currie, I think, outlined those needs very well and explained why this is good for most of us. Thank you."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I stand in opposition to this Amendment. What this Amendment does, in fact, is to ignore where the population shifts of senior citizens are demonstrated to have occurred as a result of the last census. In some areas of this state (including the area where I live), the number of senior citizens, just the sheer raw number, has increased. In other areas of the state, that number has gone down. This Amendment attempts to ignore those changes in the population and to send additional money to areas that have fewer people who need to be served and that is not right. I urge a 'no' vote."

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It's true that we try to change patterns around here to accommodate where the population is, but what goes unnoticed (and in a callous, insensitive way) is to take into account areas where lack of resources and the low-level income of that senior citizen population. When you look at that and balance that against...Sure, a more heavily populated area, but look at the well-equipped manner in which they can cope with their senior years as opposed to those rural areas where the income level is poverty level. And when you consider that, I think that's

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what this particular Amendment tries to balance proportionally, in a fair manner, where the needs really are, and so that's what you need to consider. Those that can take care of themselves are more able, need less resources, and that's what this shift is all about. Appreciate your support."

Speaker McPike: "I have a number of people seeking recognition. So, perhaps, we'll let Representative Granberg close and then we'll have explanation of votes. Representative Granberg, to close."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment to Senate Bill 2104 changes the current formula. Right now we have a formula in place for the distribution of these federal dollars. The Department on Aging has tried to change that formula, give different weight to different factors, giving a lower weight to rural, giving a greater weight to 75 and older which we believe violates the Civil Rights Act. We feel this Amendment represents a more equitable manner of distributing these funds because of the nature of rural districts and the nature of minority and urban populations. And I would move for its adoption."

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

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's been a lot of talk about the fact that some areas are rich, but it's very well-known that we have a large concentration of seniors in our area, and when you have those kind of numbers, you're going to have lots of people who really need this that...just because of the numbers. I got a call from our Aging Council this morning

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and they're desperate about this formula. They want us to point out how serious this transfer is. So I'd urge a 'no' vote on this."

Speaker McPike: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker. I'd like to assure the House that the present formula is not gauged to help the rich elderly as was mentioned by a previous speaker. We have people who need this, and to change this formula is grossly unfair, and it is not in the spirit of the program itself. And I would strongly urge Members on our side to vote 'no'."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker. It's a shame when we have to debate one side against another side, one group from another. Let's just defeat this Amendment and let the sides work it out and bring back something that's more equitable and fair to all of our seniors and all their needs."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 59 'ayes' and 55 'noes'. The Amendment's adopted. Further Amendments."

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 2159, Representative Preston. Mr. Clerk, read the Bill. Representative Preston, this is the second time we've gone to this subject matter today. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 2159, a Bill for an Act to amend the Juvenile Court Act of 1987. This Bill's previously been read a second time. No Committee Amendments."

Speaker McPike: "Mr. Preston, we went through this subject matter this morning at 9:02. Are there any Amendments?"

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Clerk McLennand: "Amendment #1, offered by Representative Preston."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House and, also, Mr. Speaker, thank you for coming back to this Order of Business. What Amendment #1 does (and this was checked out with Minority spokesman, Mr. McCracken and with DCFS and I know of no objections to this Amendment), it requires DCFS investigate where a child has been taken into custody whether or not there might be a more appropriate placement with aunts and uncles and grandparents as the individuals to first have custody of the child who has been made a ward of the court and that's basically what the Amendment does. I'd ask for your 'aye' vote."

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

Kubik: "Well, thank you, Mr. Speaker. I have no point...with the Gentleman's Amendment. An inquiry of the Chair. Since we already went this Order of Business earlier in the day, don't you think it'd be more appropriate that we go to other Orders of Business before we go back to this one?"

Speaker McPike: "Well, this is a very unusual procedure. I've gone to this Order of Business the first thing every day...Representative Preston, there have been some objections raised. Would you like to take this out of the record at this time and go back to it tomorrow morning, first thing in the morning, at 9:02?"

Preston: "No, Mr. Speaker, I'd prefer to go on with this, but not if it's going to lead to an outburst from the Speaker that we experienced yesterday."

Speaker McPike: "Well, Representative Kubik is very upset about

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it. There's other people very upset about it. They haven't had a chance to call their Bill yet. Question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments."

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Now this Bill's been read a second time previously. Did you want to call the Bill at Third Reading today? Or would you like to wait until tomorrow morning at 9:00? Mr. Preston, we can call this Bill right now if you wish? No. All right. Senate Bill 120, Representative John Dunn. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 120, a Bill for an Act to amend the Illinois Library System Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Dunn."

Speaker McPike: "Mr. Dunn."

Dunn: "Thank you, Mr. Speaker. I would like to withdraw Amendment #1. No, no, pardon me, no, no, I don't want to withdraw it. I want to adopt Amendment #1."

Speaker McPike: "Make up your mind, Mr. Dunn. What do you want to do?"

Dunn: "Well, I'm having difficulty, but I move to adopt Amendment #1."

Speaker McPike: "Is there any...The Gentleman moves to adopt Amendment #1. Would you like to explain the Amendment, Mr. Dunn?"

Dunn: "No, but I will. No, but I will. This is an internal library board measure designed to ease problems which occur when board members either abuse or neglect the

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responsibilities as library trustees. A trustee is...This provision...a trustee is unable to serve 50 days...and is convicted of a felony, is absent without cause, defying regulation, fails to meet other standards, a vacancy is declared...I don't know if there's any opposition to this.

I think it's a routine Amendment."

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

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

Speaker McPike: "Yes."

Wennlund: "Representative Dunn, due to the noise level in the House, I was unable to hear a full explanation of this Amendment."

Dunn: "What this Amendment does is it amends the provisions regarding vacancies on library board trustees and it inserts a provision which was not in the statute before declaring that when there's a vacancy for 50 days or more and the person who is...who created the vacancy is convicted of a felony, and is neglecting his duties, that person can be replaced on the board. And I think that's it."

Wennlund: "Is it...Then it's my understanding that a library trustee would not be permitted to take a two-month vacation to Europe because he might be removed from his office if he takes a two-month vacation."

Dunn: "That's why I was hesitating. I'm looking at the language. It says here that 'vacancies shall be declared when an elected or appointed trustee declines, fails or is unable to serve for more than 50 days or more, comma, 'becomes a non-resident of the district, comma, is convicted of a felony, comma, 'is found to be failing to or neglecting the duties on the board or has failed to pay library taxes'. So I think those are all...In addition, they're not...So I



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think if you take a vacation, you have to be a crook as well."

Wennlund: "But as I read it, you can't take a vacation for more than 50 days because you'd be unable to serve if you were in Europe for 50 days."

Dunn: "No, I...Well, let me see what..."

Wennlund: "And it's mandatory. It says, 'shall' - 'A vacancy shall be declared in the event a library takes a two-month vacation.'"

Dunn: "Or fails to pay...Let's take this Bill out of the record. I don't think..."

Speaker McPike: "Senate Bill 1508, Representative Matijevich. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1508, a Bill for an Act to amend the Fish and Aquatic Life Codes. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk McLennand: "No Motions."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Representative Matijevich."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill, Senate Bill 1508, left the committee and I made a commitment to the committee that I would work with the Department of Conservation on an Amendment that would be agreeable on the matter of quotas of fishing yellow perch and bloater chub for commercial fishermen. The Amendment increases the present licenses by two and provides for a quota for the three existing commercial licenses exactly that they will receive July 1 by the rules and regulations of the Department of Conservation and the two new licensees

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would split a 70,000 pound yellow perch quota which the agency has said (I can attest on the floor of the House), meets the concerns of the fish biologists. I would move for the adoption of Amendment #2 to Senate Bill 1508."

Speaker McPike: "Representative Harris."

Harris: "Thank you, Mr. Speaker. Well, a question of the Sponsor. Representative...Up here, John. Over here."

Matijevich: "Who's talking?"

Speaker McPike: "Representative Harris."

Harris: "This increases the commercial fishing licenses from three to five?"

Matijevich: "Three to five. The concerns of the agency and many of the sports fishermen...was regarding the quota. In other words that the committee - as Chairman Brunsvold said in committee - it wasn't the increase in licenses, it's the quota and whether that would have some...You know, there were concerns about the agency. But this Amendment is agreeable to the Department of Conservation because the lesser quota that would be given to the new licensees."

Wennlund: "Thank you. Some of the fishermen in my area have contacted me about this, and they've indicated that the two additional fishing licenses would go, in all probability, to people or to firms that had their fishing licenses, their commercial fishing licenses, suspended in the past. Is there any accuracy to that?"

Matijevich: "There is. Except the fact is that one of the commercial fishermen had his suspended (I believe eight...I think it was eight years ago and another, I think, five years ago. I'm not sure, but for some years.), and I believe it was never the intent of anybody that that be a permanent revocation. In other words, commercial fishing is a business just like anything else. And, as you know,

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many businessmen sometime make some errors, whether with the IRS or whatever, but that doesn't mean that they should be permanently revoked, their business licenses. So this is a Bill introduced by both President Rock and Senator Philip to increase so those licensees were not permanently penalized, but they do get a reduced quota from what is presently given to the existing commercial fishermen."

Wennlund: "Okay. Thank you very much."

Speaker McPike: "Representative Olson."

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

Speaker McPike: "Yes."

Olson: "Representative..."

Speaker McPike: "Representative Matijevich, it's a question."

Olson: "Representative Matijevich. Okay. I appreciate and understand your saying that the department concurred in this Amendment, the Department of Conservation. What are the feelings of the sports fish industry? Do they have an opinion?"

Wennlund: "Well, the sports fishermen, I believe, their concerns were with regards to what the quotas might be for if we allow for one or two additional commercial licensees. I believe...I'm not sure if they're happy about adding two more, but the fact of the matter is, as you may recall, three years ago because of that quote, 'battle', between sports fishermen and commercial fishermen, we had a study done. And that study indicated that incidental salmon fish caught by commercial fishermen was exactly what the commercial fishermen had always said, it was very low. That study proved that. Now, we have found that there is a glut of yellow perch in the...in Lake Michigan. And that's why, in fact, because of that glut, this year, by rules and regulations, the Department of Conservation has increased

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the quota for the commercial fishermen, and the Department of Conservation further said to me that if we do have an increase in a license, one or two as long as they don't go beyond a 70,000 yellow perch catch that that does no harm to the salmon population of Lake Michigan."

Olson: "Yes, I remember when the issue...When we used to have the sports fishermen down here in large numbers. John Cullerton had Bills at that time and the issue was the use of the nets or the abuse of the nets, whichever it was, it wasn't the numbers, but I appreciate your comments about how that issue was resolved by the study and thank you."

Wennlund: "Thank you."

Speaker McPike: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just want to confirm what Representative Matijevich has said and also what Representative Olson had asked. Bob, they do have an ad hoc committee and this was all worked out in the last two or three meetings. And with all that discussion and sitting the people that were sitting in on a meeting, the Department of Conservation, the commercial fishermen and also the sports fishermen, it's my understanding they might not agree on everything, but that this is what they come up with, and I would ask for your favorable support along with Representative Matijevich."

Speaker McPike: "Representative Burzynski."

Burzynski: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would concur with the previous speaker. I think that most of the problems have been addressed that we have with the Bill, and I would encourage an 'aye' vote on this Bill. I think that I've heard probably from as many sports fishermen as everyone else, but I think that their concerns

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are addressed. So I would encourage an 'aye' vote. Thank you."

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

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 1625, Representative Churchill. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1625, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker McPike: "Any Motions?"

Clerk McLennand: "No Motions."

Speaker McPike: "Representative Churchill. Out of the record. Representative Stepan, Senate Bill 2101. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 2101, a Bill for an Act relating to purchase order and contract bidding requirements. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Stepan."

Speaker McPike: "Representative Stepan."

Stepan: "Mr. Speaker and Members of the House, Floor Amendment #1 to Senate Bill 2101, affects the Chicago Board of Education only. This Amendment would raise the threshold for competitive bidding on contracts to from \$10,000 to \$25,000. This was a recommendation to the board by Booz-Allen, a major management consulting firm in the City of Chicago, to help streamline the bureaucracy and redtape that bogs down much of the school board business. I ask for adoption of this Amendment."

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Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I do not believe the increased...increase in the amount of dollars in which contracts can be let...No, this Amendment reduces...I'm sorry...It increases the amount of dollars that the board can let contracts out for without what...Yeah, well I oppose that. I don't think that it decreases bureaucracy one bit. It simply allows people to do a lot of things without getting approval from someone else, and I totally object to it. I do not believe that making the figure 25,000 instead of 10,000 is a piece of legislation that we should support. A lot of people in this Body fought long and hard to make sure that dollars over a certain amount went out for bid and no one was allowed to just, arbitrarily, give those contracts out. Now for us to step backwards to a time in which people could let out \$25,000 of the taxpayers' money, without somebody looking at that, should not be done. I respect the Sponsor. However, I think it's a bad piece of legislation. It's harmful to the City of Chicago, and it's certainly bad for the Board of Education. It puts us back into the days in which large amounts of contracts were let without bidding; it puts us back into the days where friends are given patronage dollars and the public has no opportunity to say 'no'. Well, in this Body we have an opportunity to say 'no' and I urge you to do so."

Speaker McPike: "Representative Black."

Black: "Well, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I think Representative Davis has stated the case against this Amendment most eloquently, and I am pleased to support her request that a 'no' vote on the Amendment is the appropriate vote. Let there be no mistake

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about what this Amendment does. It says that the Chicago School District can simply do whatever they want on the purchase of goods and services as long as the amount is not over \$25,000. The current threshold is \$10,000. I think, Representative Davis has eloquently stated that that opens the door to certain practices that many people have fought to stop over the last decade or two. And, in that case, why in the world would we want to then to just say, 'Oh, whatever the City of Chicago School Board wants to buy, as long as it's not more than \$25,000, they can just go out and buy it.' That opens the door to some contracts and some purchases that are not open to public scrutiny, perhaps not even open to minority bidding requirements and female and minority-owned businesses. I think it's a bad practice, and I simply rise to say that I agree with Representative Davis and certainly intend to join her in voting 'no' on this Amendment."

Speaker McPike: "Representative Shaw. Representative Stepan, to close."

Stepan: "Mr. Speaker and Members of the House, the current threshold was set in 19...in the early '80s due to inflation, due to the volume of the contracts that are let in the City of Chicago. No other school district in the entire State of Illinois purchases in such volume as Chicago. Our school board is constantly criticized for red tape, for bureaucracy. We have been criticized time and time again for being bogged down and not getting on to the businesses of educating our children. This will make for efficiency in our school board, and this was a recommendation by a major, very well-respected management consulting firm in the City of Chicago, and I urge the adoption of this Amendment. Thank you."

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Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?'

All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will... Representative Giorgi changes from 'aye' to 'present'. Take the record, Mr. Clerk. On this Amendment there are 2 'ayes' and 103 'noes'. The Amendment's defeated. Further Amendments."

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 2076, Representative Lang."

Unknown: "Out of the record."

Speaker McPike: "(Senate Bill) 2233. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 2233, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. Amendments 1, 2, 3 and 4 were adopted in committee."

Speaker McPike: "Any Motions?"

Clerk McLennand: "No Motions."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #5, offered by Representative Lang."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. As this Bill left committee, it had four Amendments on it. Amendment #5 makes some basically clean-up language on one of the previous Amendments dealing with service of summons in an eviction case before a posting can occur. It's not exactly what Legal Assistance agreed to, although I made substantial changes in my original language to try to satisfy some of their concerns, and I would move adoption of the Amendment."

Speaker McPike: "Representative Wennlund."

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



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you tell the Members of the House which changes were made by Amendment #5?"

Lang: "Yes, bear with me. Representative, the original section of the Bill that dealt with evictions indicated that one attempted service would be necessary to create this presumption. And the language, 'one attempt', was a little awkward because it led someone to believe the sheriff only had to go out once. My intention was to indicate that it would be one summons, and he could go out three, four or ten times, but one summons. What this Amendment does is say, 'one summons, three attempts minimum'. That's the basic distinction."

Wennlund: "Bar association all right on it?"

Lang: "Yeah, no problem."

Wennlund: "Thank you."

Speaker McPike: "Question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 744, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 744, a Bill for an Act to create the Standards of Conduct In Police Brutality Investigation Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Stern. Representative Stern, Floor Amendment #1."

Clerk O'Brien: "Stern - Lang - Anthony Young - Williams - Homer and Currie."

Stern: "Please withdraw Amendment #1."

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Speaker McPike: "Representative Lang."

Lang: "Thank you. Amendment #1 is, in fact, my Amendment, Mr. Speaker. It's Lang - Stern, et cetera."

Speaker McPike: "All right. The Amendment is not withdrawn. Representative Lang, to explain the Amendment."

Lang: "Thank you, Mr. Speaker. Amendment #1 would become the Bill. Amendment #1 deals with the provisions of 'no knock' that we've discussed previously in this House. Last year, this House passed a Bill, and the Senate concurred and the Governor signed the Bill, which would allow police, without knocking, to effectuate service of a warrant. Now, in an effort to stem the tide of drugs, this may have sounded like a good idea but, in fact, we have police barging into people's homes, without notice, without knocking. And, certainly, if there's drug trafficking going on inside it make some sense. But where police officers sometimes have the wrong address, on their summons, on their warrant, when they sometimes barge in and injure people when they have the wrong home; I think we lead to a problem. And, although some courts have said, 'this is constitutional', it seems to me, in my view, very clear that we have the right to privacy in our own homes. And where we have the right to privacy in our own homes, we're entitled not to have anybody, even the police, barge in, break into the privacy, the peace and quiet of our own homes, and, in many cases, erroneously. Where the police have the wrong address, where they have the wrong parties, where they have the wrong people and where they do their activities in a way that's above and beyond what would seem to be reasonable under the circumstances. We're violating basic rights of privacy of people. It's clear that courts have said that states can do this. So, speakers are after me,

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who are in opposition to this, may say, 'Well, wait, the courts have said this is okay. The courts have said this is constitutional.' Regardless of what the courts have said, the states have a right not to do this. And I'm asking the House to take another look at this and to see that it's inappropriate for police officers to just barge into your home and many times wrongly and serve these warrants. We have a constitutional right to privacy and when we passed this 'no knock' Bill last year, we violated the potential right of privacy of every citizen of our state. I would urge an 'aye' vote."

Speaker McPike: "Representative Petka."

Petka: "Thank you very much, Mr. Speaker, Members of the House. First of all, Mr. Speaker, I would like to ask for a Roll Call Vote in connection with this Motion. The Sponsor of this Amendment has correctly stated that higher courts have permitted 'no knock' search. In fact, the highest court of the land, the United States Supreme Court, has stated that the Bill that was sponsored by myself last year, in fact, is a permissible and reasonable search under circumstances. Now, what we are...All we're doing with the 'no knock' legislation, Members of the House, is this; we are asking a judge, a independent judicial officer, to sit down, take a look at the facts and make a decision as to whether or not police officers can break into a crack house or a cocaine house or a drug house, for the purposes of simply seizing those drugs and weapons. I think there's very people in this House who have ever gone out on a drug search. I'm in a unique position, I was with one. I can tell you it's not pleasant. It's even more unpleasant when people are heavily armed, probably with more arms than the police, and who have the opportunity to not only get rid of the

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contraband but to set themselves up to blow away cops. The Gentleman speaks at length of the right to privacy. The United States Supreme Court has held, 'there's no right to privacy to commit a crime.' To commit a crime there's no right to that. If there is inadvertently a break into a wrong home or extensive civil damages which have been permitted under law, not only in this state but throughout this country. We put this Bill, the legislation, on the books last year. There has not been any abuse of this at all. And, until such time that there has been abuse in this state, I believe that this Amendment should be defeated. And the proper vote and the only vote is a 'no' vote."

Speaker McPike: "Representative Stern."

Stern: "Mr. Speaker and Members of the House. Now, that I understand what this Amendment is, that said Stern et al, this is a very important Amendment. And I urge you your 'aye' votes on this. The police were already entering without knocking at crack houses and so on. We are talking about my house and your house, Representative Petka. And your house, Representative Davis. To permit this is to violate a basic protection. Yes, your house, Representative Mulcahey. This is a very important Amendment. This is not business as usual. This is an urgent, basic, constitutional right to that kind of protection from entering without knocking. And, I would point out to those of you who care about your police officers, that a police officer, who breaks down the door and rushes in, is liable to be shot by the homeowner in the State of Illinois where guns are permitted. I think this dangerous for police and dangerous for civilians. I urge your 'no' vote, excuse me, God help us. I urge your 'aye'

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vote on this Amendment."

Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The Amendment's adopted. All right, the Gentleman asks for a roll call. Question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'. Mr. Homer, to explain his vote."

Homer: "Thank you, Mr. Speaker. I have always stood strong for victims rights and for punishing criminals to the fullest extent of the law where they've been found guilty and subject to due process. However, what we're talking about it here are rights of people to be protected from police abuses of unwarranted intrusions into their private dwellings. I don't think our constituents want us to give carte blanche authority to the police to knock down our doors without exigence circumstances. Current law already allows the police to do that where the...sufficient exigent circumstances exist. We don't need to have judges ordering in advance, in anticipation of what might happen, giving police authority to knock down somebody's door without knocking when it's not required. We all are constituents in that right of privacy and protection against police abuse. I would urge a 'yes' vote on this Bill."

Speaker McPike: "Representative Dunn. Mr. Dunn. Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I too rise in support of this Amendment. We have in this state and in this nation agreed that we should be protected from unreasonable search and seizure. We should have a right to privacy. And we have, in our statutes and in our case law and on the books now, sufficient weapons for invading someone's home turf and those include: petitioning before a judge to have a search warrant issued and, then

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you can come to the door and...jump through the proper hoops to make entry. This Amendment will eliminate the authority to burst in without even knocking. We're not ready for that yet in this country for someone to barge in. Because, first of all, we must remember that the issuance of a search warrant does not guarantee that a criminal, that a crime has been committed or that criminal activity is taking place. A search warrant is issued on probable cause, if there might have been criminal activity conducted. So, put yourself in the position of someone who is innocent, for whom a search warrant is mistakenly issued, and a door is battered down and authorities burst in. This is something we don't need. This is a good Amendment. And I hope there will be more green votes up there to support this fine Amendment on this good Bill."

Speaker McPike: "Representative Williams."

Williams: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I think it's a very simple question that you're asking. And, reality says, 'How does it operate?' A policeman comes to your door and knock on the door and says, 'Police.' and enters. Three seconds more, that's all we're asking is for the three seconds and for someone to say, 'It's the police at your door. You deserve to know that. You deserve to have an opportunity to answer it on your own. You deserve to have the opportunity to try and make sure that the police are at the right place, at the right time. It's a very important Bill. Very important to our rights. I urge an 'aye' vote."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker. You know, I think the old Russian regime died and it probably died because of kinds of activity that were allowed that was a violation of the

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rights of people. Surely, if you are in your home and the police are seeking an individual that lives on the following street. You would be aghast to know that the police, if we don't pass this Amendment, will have the right to just bust into your house seeking an individual who lives on the street behind you and he's made a tremendous mistake. I also think that we should value the lives of policemen because if someone starts bursting into your home and you don't know who it is, I don't know what you might do and I know I can't say what I might do but, surely, you would attempt to protect your loved ones. I think it's a piece of legislation that certainly we need to do the right thing. This is America. We do have a Constitution. People do have a right to be safe and secure in their homes. We have that right, and if people are committing criminal activity then the police should do what our Constitution states, or whatever that it should do. It should find...What do you call it? Judge for search warrant and go through the right process. No one should have the right to burst in upon an individual's home when they may be looking for a wrong person or their attempt may be invalid because the person they're seeking does not even live in the city. I believe that we all have a right to feel safe and secure in our home. Most of us are not criminals. The majority of the American people, the majority of the citizens of the State of Illinois, are not criminals and we should not be subjected to that kind of activity by the police or anyone else. I urge another 'yes' vote. Thank you."

Speaker McPike: "Representative Matijeovich."

Matijeovich: "Mr. Speaker, Ladies and Gentlemen of the House, I think we only have to go back and look at the Rodney King

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incident. You know, I support police 100%, but we only have to look back at that incident to know that there are some police that use their authority and use it to extremes. We in America protect against that. More than 99% of the police do not use that authority in an unreasonable manner. But we in America try to protect the rights of individuals, and when you go after and overuse your authority, who do you usually use it against? You usually use it against the poor. You usually use it against the defenseless. And, the fact of the matter is, they don't have the lawyers to really fight that. So, let us protect the innocent. There is enough in the law, I believe, presently, where we can go after the drug abusers, those who are selling drugs, but let's not go overboard and in going overboard really take away the rights that we have enjoyed in America and what has made America great. I would also urge the adoption of this Amendment."

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this particular Amendment, and I think there is a great deal of confusion. This is not as if police are just cruising the streets and knocking down doors. When this incident...this type of incident occurs, there is a search warrant authorized by a judge in order to go into that household. So we're not talking about somebody, police officers, who are just kind of buzzing along in the street and deciding to knock down a door. There is a search warrant involved; there's a judge involved, and in those cases, there's some reasonable reason to consider that there's something behind that door, some type of illegal activity. So, let's not confuse the issue by bringing up these platitudes. Let's understand



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that these are very narrowly defined cases, and I would urge more 'no' votes."

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

Lang: "After we poll the absentees, I'd like to verify the negative."

Speaker McPike: "Marinero changes from 'no' to 'aye'. Schoenberg changes from 'no' to 'aye'. On this Amendment, there are 58 'ayes' and 55 'noes'. The Amendment's adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 1555, Representative Homer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1555, a Bill for an Act to create the offense of stalking and aggravated stalking. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. The Amendment before us is a clarifying Amendment of the underlying Bill of stalking. House...or Senate Bill 1555, as it came over, was the same as House Bill 2677 that we passed here by a vote of 114 to 0. Since then, however, staff...and the...specifically some in the State's Attorney's Office have been reviewing this Bill and have come up with some suggested revisory language which imposes some technical changes. That's what

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Amendment #2 would do, and I would move its adoption."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, Representative Homer and Representative Daniels have worked extremely hard on crafting a piece of legislation that would solve some major problems for people in Illinois, particularly those who have, indeed, been stalked and killed. This creates a new crime that's absolutely needed in the State of Illinois, and in both...in Representative Homer's area and in Representative Daniels' own district, where victims of stalking have been murdered and brutally killed as a result of this, this creates a remedy for those types of situations and I applaud the efforts of the Sponsors and urge an 'aye' vote."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 2154, Representative Kubik. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2154, a Bill for an Act to create the Illinois Street Gang Terrorism Omnibus Prevention Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Kubik."

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

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House. Amendment...Floor Amendment #2 simply corrects the misspelling that was in Committee Amendment #1. I would urge its adoption."

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

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

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 3 is essentially...makes the Illinois Arts Council, the language in the Illinois Arts Council gender neutral and it's simply a technical Amendment."

Speaker McPike: "Representative Homer."

Homer: "Mr. Speaker, I don't know that I have any objections to the substance of the Amendment, but I would have to question its germaneness to this Bill."

Speaker McPike: "Representative Kubik."

Kubik: "Mr. Speaker, perhaps, I think the Gentleman raises a legitimate point. Perhaps we should take this Bill out of the record."

Speaker McPike: "All right, the Gentleman wants to take the Bill out of the record. The Bill's...Is it going to be germane? The Bill will be taken from the record. The Parliamentarian will rule that that Amendment is not germane, whenever you wish to put it back in the record. That would be the ruling. Representative Kubik."

Kubik: "That ruling is fine with me.. So, let...Run with the Bill."

Speaker McPike: "All right, Amendment #3 has been ruled as non-germane, as not germane. Further Amendments."

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

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First of all, inquiry of the Chair, Mr. Speaker. I want to make sure that Amendment #4 has been printed and distributed so that the..."

Speaker McPike: "Mr. Clerk? Yes."

Kubik: "I want to make sure that Representative Homer has a copy of the Amendment. Amendment #4 is an Amendment which I agreed to offer when this Bill was in the Judiciary Committee. It more narrowly defines the Bill as the Judiciary Committee had requested, and I believe it is an Agreed Amendment, and I would, certainly, answer any questions but would move for its adoption."

Speaker McPike: "Representative Homer."

Homer: "Thank you. That is correct. The Gentleman is complying with the commitment he made in Judiciary II Committee. I would urge adoption."

Speaker McPike: "Question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 2169, Representative Cronin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 21..."

Speaker McPike: "No. Out of the record. How 'bout Senate Bill 2170? Out of the record. Senate Bill 1773, Representative John Dunn. John Dunn. Senate Bill 2039, Representative Obrzut. Representative Dunn, do you wish to call Senate Bill 1773? Yeah. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1773, a Bill for an Act to amend the

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Volunteer Payroll Deduction Act. Second Reading of the  
Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Dunn."

Dunn: "To your surprise and amazement, Mr. Speaker, I can explain  
this Amendment. It amends the effective date and it says,  
'This Act takes effect January 1, 1993. I move for  
adoption of this Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 2039, Representative  
Obrzut. Out of the record. Senate Bill 963,  
Representative Steczo. What? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 963, a Bill for an Act to amend the  
Court Reporters Act. Second Reading of the Bill.  
Amendments #1 and 3 were adopted in committee."

Speaker McPike: "(Amendments) 1 and 3? Mr. Clerk, is that what  
you said, 1 and 3?"

Clerk O'Brien: "Amendments 1 and 3."

Speaker McPike: "All right. Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments? Amendment #1 was adopted  
last year. Amendment #3 was adopted this year. Mr.  
Steczko, perhaps you could give us a little direction on  
this."

Steczko: "Thank you, Mr. Speaker, yes. Amendment #3 you are  
correct - was adopted in committee this year and struck

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everything after the enacting clause and, actually, made the Bill a shell Bill. So, Amendment #1 would be meaningless anyway."

Speaker McPike: "All right. Mr. Steczko, the Clerk has mislabeled your Amendments. So...Yes, the Clerk, probably the Assistant Clerk. The Assistant Clerk has, evidently, misnumbered your Amendments. So, Floor Amendment #2, the Gentleman asks leave to change that number to Floor Amendment #4. Does the Gentleman have leave to change the number of Floor Amendment #2 to Floor Amendment #4? Mr. Clerk, read the LRB number for the Amendment #2."

Clerk O'Brien: "Floor Amendment #2 is LRB 8703822AJccam."

Speaker McPike: "All right, the Gentleman has leave to change that Amendment to Amendment #4, and on the Motion to do so, the Attendance Roll Call will be used. And the Motion carries. Representative Steczko now, on Amendment #4."

Steczko: "Mr. Speaker, withdraw Amendment #4, please."

Speaker McPike: "All right. Amendment #4 is withdrawn. Now, Representative Steczko would ask leave to change Amendment #3, Floor Amendment #3, to Floor Amendment #5. The Gentleman has leave to do that by using the Attendance Roll Call. All right, Representative Steczko, now on Amendment #5."

Steczko: "Thank you, Mr. Speaker. Amendment #5 now just simply deletes everything after the enacting clause and makes the Bill a shell Bill, and I move for its adoption."

Speaker McPike: "Representative Steczko, you said Amendment #3 made it a shell Bill."

Steczko: "We changed #3 to #5, Mr. Speaker. It's identical to #3. So, we might as well just...I'll withdraw #5, Mr. Speaker. How about we do that? It'd be a lot simpler. I never knew that this job required a degree in math."

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Speaker McPike: "Amendment #5 is now withdrawn. So Amendment #2 that became Amendment #4 which was withdrawn. Amendment #3 that became Amendment #5 was withdrawn. Amendment #3 was adopted to the Bill in committee. It's a shell Bill. Representative Wennlund, to review that."

Wennlund: "Thank you, Mr. Speaker. Now, it's my understanding that, Amendment #3 that became Amendment #5 is now withdrawn?"

Speaker McPike: "Yes."

Wennlund: "And Amendment #2 that became Amendment #4 is withdrawn?"

Speaker McPike: "That's right."

Wennlund: "And what's the status of Amendment #1? It became 3?"

Speaker McPike: "No, Amendment #3 tabled Amendment #1 by virtue of making it a shell Bill. The original Amendment #3 not Amendment #5 that was Amendment #3, but the original Amendment #3."

Wennlund: "Well, what happened to Amendment #2?"

Speaker McPike: "Mr. Clerk, what happened to Amendment #2?"

Clerk O'Brien: "Amendment #2..."

Speaker McPike: "Not the Amendment #2 that became Amendment #4, but the original Amendment #2."

Clerk O'Brien: "Committee Amendment..."

Wennlund: "...Amendment #2, not the one that became #5, the original..."

Speaker McPike: "No, #4. The original Amendment #2, Mr. Clerk."

Wennlund: "That's correct."

Clerk O'Brien: "The original Committee Amendment #2 was tabled in committee."

Speaker McPike: "Was tabled in committee."

Wennlund: "Is that to same as Floor Amendment #2?"

Speaker McPike: "No, that's Floor Amendment #4. Floor Amendment

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#4 was withdrawn."

Wennlund: "Oh, that's #4?"

Speaker McPike: "Yes."

Wennlund: "Oh. It was #3 though, that became #5?"

Speaker McPike: "Yes."

Wennlund: "Thank you very much."

Speaker McPike: "Okay. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Thank God! Third Reading. Representative Phelps."

Phelps: "Thank you, Mr. Speaker. I request that this scenario goes down in the record as an Abbot/Lou Costello 'Who's On First?'"

Speaker McPike: "Senate Bill 1662, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1662, a Bill for an Act to amend the Barbers, Cosmetology, Aesthetics and Nail Technology Act of 1985. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I would move for the adoption of Amendment #2. That deletes the home rule pre-emption on this licensure Bill."

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

Clerk O'Brien: "No further Amendments."



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Speaker McPike: "Third Reading. Senate Bill 1479, Representative Lang. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1479, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Kubik and Ryder."

Speaker McPike: "Representative Kubik. Mr. Lang."

Lang: "Please take the Bill out of the record."

Speaker McPike: "Out of the record. Senate Bill 1518, Representative Currie. Ms. Currie? Senate Bill 1641, Representative Keane. Out of the record. Representative Currie. Representative Brunsvold, 1665. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1665, a Bill for an Act in relation to the Quad City Economic Development. Second Reading of the Bill. Amendment #1 was adopted in committee. Amendment 1, adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Amendment guts the Bill, capping the Home Rule Municipality and County Occupation and Use Tax to 1%. We've all seen what's happening with rising tax increases, and we've just seen Cook County have a tremendous tax increase on sales tax. This limits Home Rule Municipality and County

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Occupational and Use Taxes to a maximum of 1%. In the light of Cook County Board's recent decision to raise the sales tax, effective September 1st, 1992, something must be done to protect citizens of home rule communities from unlimited increases in sales tax. Cook County increases has raised sales tax from 7% to 7.5% outside of Chicago City limits and from 8% to 8.75 in Chicago proper. I'd certainly like us to have an opportunity to look at this. And Chicago and 15 other home rule units impose 1%; six impose .75%; 16 impose .50%; and six impose 25%. This, certainly, is a good Amendment for our taxpayers at home, and I ask for a Roll Call Vote."

Speaker McPike: "Take the Bill out of the record. Representative McGann, 1825. Mr. McGann? Is the Gentleman here? Representative McGann? Representative...Senate Bill 1832. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1832, a Bill for an Act concerning vandalism of appropriation and tax levy validation of appropriation and tax levy ordinances. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Mr. McGann? Representative Deuchler? Representative Deuchler? Representative Obrzut, Senate Bill 1667. Mr. Obrzut? Mr. Keane? Anthony Young, Senate Bill 1645. Jesse White, Senate Bill 2138. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2138, a Bill for an Act to provide grants for podiatry practice residency programs and student scholarships. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Amendments?"

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

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Speaker McPike: "Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, this is a noncontroversial Amendment. It sets up an advisory committee to the Director of the Department of Professional Regulations regarding proposals for new health care occupation licensure."

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

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

Speaker McPike: "Representative Hicks, Amendment #2."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 deals with the engineering technology degrees that people receive. I ran into a problem in Southern Illinois University in which they award degrees that are not accepted by the state for licensing and what this would set forth would be a person who obtains a degree in engineering technology, 'shall deem to be...to meet the educational requirements of this section'. Be happy to answer any questions."

Speaker McPike: "Representative...On Representative Hicks' Motion, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Amendment #1 was adopted, I believe."

Speaker McPike: "Yes."

Hicks: "By the language of Amendment #1. This Amendment appears to be out of order."

Speaker McPike: "Representative Hicks withdraws Amendment #2. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative LeFlore, Senate

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Bill 1511. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1511, a Bill for an Act in relation to trade schools. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. LeFlore."

LeFlore: "Thank you, Mr. Speaker. There was a problem with this Amendment, but we was able to clear the Amendment up according to Professional Regulation, and they agreed that the reporting will take place once a year and the reports would come back to the General Assembly in January. Now I have bipartisan support on this from Representative Parke, and the department is agreeable on the reporting procedures. So, I ask a favorable vote on this particular Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 1768, Mr. Obrzut. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1768, a Bill for an Act concerning the environment. Second Reading of the Bill. Amendments #1, 3 and 6 were adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative

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Obrzut."

Speaker McPike: "Representative Obrzut."

Obrzut: "Thank you, Mr. Speaker. Amendment #7 to Senate Bill 1768 adds language to the Bill which clarifies the retailers of tires, instead of paying the \$1 new tire tax directly to the Department of Revenue are to pay the \$1 new tire tax to their supplier, who, in turn, pays the tax to the Department of Revenue."

Speaker McPike: "Excuse me. Is this printed, Mr. Clerk? Excuse me. It's printed, Mr. O'Brien. Proceed."

Obrzut: "Okay. Thus the supplier, not the retailer, is responsible for paying the \$1 new tire tax to the Department of Revenue. In addition, the retailers are required to keep records indicating that they paid the new \$1 tax to the supplier. This Bill is supported by the IRMA as well as the new car dealers."

Speaker McPike: "Representative Black."

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

Obrzut: "Yes."

Black: "Representative, I want to make sure that we get the intent of your Amendment on the record. You know, it's tough enough to buy a new car today, and I want to make sure you're not putting any onerous provision on a new car dealer because if I want to go buy a new car (and, boy I wish I could), I don't want to be stuck with some silly \$4 bill because my car happens to have four tires on it. I didn't go to that dealership to buy a tire. I went to the dealership to buy a car. Now, does your Amendment make the automobile dealer fill out some silly paperwork to send a dollar per tire tax to the State of Illinois?"

Obrzut: "No. It would be...They would have to deal with the

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supplier. The form would go..."

Black: "...Now. Okay, in other words, I don't have to fill out some silly paperwork when I try to buy a car because you're going to tax me on the tires on my car."

Obrzut: "That is correct."

Black: "I'm going to go to the supplier. But I don't have to go there, do I?"

Obrzut: "No, not at all."

Black: "...as the buyer of the car?"

Obrzut: "No, not at all."

Black: "Who has to fill out all the paperwork?"

Obrzut: "That will be the dealer working with his supplier."

Black: "So the...Not the car dealer now; you mean the tire dealer is going to have to handle the sales tax or whatever this thing is on tires."

Obrzut: "That is correct."

Black: "So, the car dealer is completely out of this Bill as is the car purchaser. I don't have to fill out any sales tax or whatever form for the tires on my car."

Obrzut: "That is correct."

Black: "The car dealer, who's not in the tire business, the car dealer doesn't have to fill out any forms either."

Obrzut: "You're correct, Representative."

Black: "That's a good Amendment. I'm glad we've gotten that cleared up. It's tough enough to buy a car today, without having to fool around with some kind of form because I've got a tire, or I bought a car, and it happened to have tires on it. I don't know what the department wants me to do here. Maybe they want me to buy a car with no tires, but I appreciate your patience. You've worked out the Amendment, and everything seems to be in good shape. Thank you."

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Obrzut: "Thank you."

Speaker McPike: "Question is, 'Shall Amendment #7 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 1950. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1950, a Bill for an Act to amend the Illinois Lottery Law. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Deuchler asks leave to have to handle the Amendment. Representative Deuchler has leave. Proceed, Representative."

Deuchler: "Mr. Speaker. Amendment 1 to Senate Bill 1950 contains four provisions: It allows children to sell games of chance to charitable organizations with their parents' note; it clarifies which not-for-profit organizations are covered under the Charitable Games Act; it provides for a 40-year organizations' charter for 40 years, to qualify under this Act; and it will allow charitable games to be conducted between 12:00 and 2:00 a.m. in the morning and eight times for the rental of a charitable game. Now the provision is for four times for an outside organization."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1956, Representative

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Kubik. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1956, a Bill for an Act in relation to taxation. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Take this Bill out of the record. Senate Bill 2051, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2051, a Bill for an Act in relation to taxation. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "The Lady withdraw...Wait a minute. Representative Currie, you just came to the podium and asked us to call this Bill. Now you want us to take it out of the record?"

Currie: "I did not ask you to call this Bill. Try 2100."

Speaker McPike: "Well, we'll come back to this Bill in a second. Representative Novak on a Motion."

Novak: "Yes, Mr. Speaker. I now move that we...I move that we suspend the appropriate rule on Senate Bills 1664..."

Speaker McPike: "(Senate Bill) 1664."

Novak: "Senate Bill 1664, to place on Second Reading, on Second Legislative Day. This Bill...I've cleared with the Minority side of the aisle, with Representative Wennlund, who is the Minority spokesman on the Exec Committee and Representative Black and, also, Representative Saltsman and leadership. And what we'd like to do is just get this Bill on Second Reading."

Speaker McPike: "What's the...What's the correct Bill number? They think it's 1665."

Novak: "Senate Bill 1664."

Clerk O'Brien: "Take from the table?"

Speaker McPike: "Mr. Black, can we proceed on this? All right, the Gentleman's Motion is to take this Bill from the table



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and place it on Second Reading, Second Legislative Day. And on that Motion there are no objections. The Attendance Roll Call will be used and the Motion carries. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1664, a Bill for an Act to amend the Crime Code. Second Reading of the Bill. No Committee or Floor Amendments. Wait a minute..."

Speaker McPike: "That was the wrong Bill, Mr. Clerk. That was House Bill 1664."

Clerk O'Brien: "(Senate) Bill 1664, a Bill for an Act to amend the Drainage Code, The Metropolitan Transit Authority Act, Local Mass Transit District Act and the Regional Transportation Authority Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Senate Bill 2100, Representative McGann. Representative Kubik. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2100, a Bill for an Act to amend the Revenue Act of 1939. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 is, essentially, an Agreed Amendment between Republicans and Democrats. It's a group of Bills which were in committee. This is an omnibus, Agreed Amendment. I don't know of no opposition. I would move for...I would move for adoption of the Amendment."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?'

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

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

Speaker McPike: "Representative...Representative Currie or Kubik, which one? Representative Currie."

Currie: "This is just a technical correction to the Amendment just adopted, and I would urge its approval."

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

Clerk O'Brien: "Floor Amendment #4, offered by Representative McPike and Currie."

Speaker McPike: "Representative Currie."

Currie: "This is an Amendment that has already passed the House. It provides for opportunities for local governments to offer tax abatements to people who are developing homes, affordable housing opportunities in...deteriorated areas. The language is that approved by the Governor in an Amendatory Veto last year, and I urge its adoption."

Speaker McPike: "Question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 2162, Representative Ryder. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2162, a Bill for an Act concerning Corporate Franchise Tax. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. Senate Bill 1665, Representative Brunsvold. Mr. Brunsvold. Representative Novak, Senate Bill 1931. We may never get back to this Bill. Representative Brunsvold. Representative McNamara, Senate Bill 1685. Read the Bill. "

Clerk O'Brien: "Senate Bill 1685, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Amendment #2 would address a situation where some of the school districts are being adversely affected by this Bill, specifically, the problem of special education. It's my understanding that this Bill does have a three-year grandfather clause. This Amendment we're going to take...I'm going to take out of the record; however, for the record, I have told these school districts that I would offer this Amendment. I withdraw the Amendment now, but I would like the state board to be on alert that we're watching this. We want this addressed prior to the time that this Bill, the grandfather clause, is finished...Withdraw the Amendment."

Speaker McPike: "The Amendment will be withdrawn. Further Amendments."

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

Speaker McPike: "Representative Santiago."

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Santiago: "Thank you, Mr. Speaker. This Amendment addresses...Cook County. Last year we eliminated the office of Regional Superintendent. What this Amendment does, it eliminates the Assistant Superintendents. Thank you, Mr. Speaker."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I would question whether this Amendment is germane and ask for a ruling from the Parliamentarian."

Speaker McPike: "The Amendment is not germane. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Davis, Senate Bill 1997. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1997, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Amendments?"

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

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Amendment #1 is an Amendment that we adopted on another Bill that we never voted on on Third Reading in the House. This is the Amendment that would require that local school districts report once a year to the State Board of Education their course of study in Holocaust and Black History and the History of Women. We debated this thoroughly and I want to remind you that this is not a new mandate. Not a new mandate. These are already items that are mandated for school districts to teach. This is simply a report. Currently, the State Board of Education audits every school district in the

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state on a periodic basis to determine what they're teaching and reading and writing and arithmetic and English and all those core subjects, but we are not getting a report as to these items. Now, whether or not you agree with the mandates, these mandates are already on the school districts to teach these things, and it's incumbent upon us to make sure that they are teaching them. And, so, at least once a year, we would require the school districts to file a simple piece of paper with the Board of Education saying, 'Yes, we are teaching these subjects, and this is what we're teaching.' I would urge an 'aye' vote."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. The Amendment appears to require all school districts in this state to furnish an additional report to the State Board of Education. Now that's a mandate. It requires them to furnish just one more report and each school district in the state is going to have to pay somebody to take the time to compile all the information, put it in a report and submit it to the State Board. So it, indeed, is another mandate placed on public school districts in Illinois, requiring them to fill out just yet, just one more report. It is a mandate, and the mandate should be eliminated. This Amendment should be defeated."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I was the Sponsor of the original Amendment that asked school districts to do just what the Sponsor of this Amendment wants. But, at this time, we have heard from school districts and park districts and libraries and municipalities who keep saying, 'Come on, guys, quit passing on all these mandates that cost us money.' This may

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not cost a lot of money but it's just one more thing that we're telling people, when they're all strapped for dollars, that they're going to have to do another report, a report that may or not prove something. I think, though, the Amendment is well intended. I would ask for a recorded roll call on this, and I would ask that my colleagues vote 'present' on it. Though the idea has merit, we are mandating something that forces the schools to spend money, to take time and energy of staff to compile it. And it achieves what? I question what it achieves. I think the intent is good but I would like to see a structured roll call on this mandate."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I've been told by the Sponsor of the Bill, (at a very late date), but I'm told by the Sponsor of the Bill that she made a commitment in committee not to allow any Amendments on the Bill. As a courtesy to the Sponsor, who I wouldn't want to put in an embarrassing position, I'm going to withdraw the Amendment, but I'm going to be looking for another home. So, those of you who have something to say, hang on to your thoughts."

Speaker McPike: "The Amendment's withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Cowlshaw, on Senate Bill 1988. Ms. Cowlshaw here? Representative Brunsvold. Senate Bill 1665. This Bill has been read a second time previously. Are there any Amendments?"

Clerk O'Brien: "Senate Bill 1665, Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Withdraw this Amendment."

Speaker McPike: "The Gentleman withdraws Amendment #2. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. All right, the Chair has now finished with all Bills on Second Reading that need Amendments. Now, if we have missed anyone, we are starting a new list at the Clerk's well. So if there's anyone that has a Bill on Second Reading that needs to be amended, please come up and sign up on this new list. We're now going to do Bills on Third Reading that need to be brought back to Second Reading. On the Consent Calendar, appears Senate Bill 2062. The Bill's on Third Reading. Representative Stepan, Ann Stepan. The Lady asks leave to return the Bill to Second Reading for purposes of an Amendment. Leave is granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendments? This Bill's on the Consent Calendar. It's now on Second Reading."

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

Speaker McPike: "Representative Stepan."

Stepan: "Mr. Speaker, Members of the House. This is simply a technical Amendment that makes a language change."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Lady asks leave to return this Bill to the Consent Calendar. Hearing no objections,

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the Attendance Roll Call will be used and leave is granted. Senate Bill 2049, on the Consent Calendar, Representative Barnes. The Lady asks leave to return it to Second Reading. Leave is granted. The Bill's on Second Reading. Are there any Amendments, Mr. Clerk?"

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

Speaker McPike: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment would simply permit the Homeowners Association and Township in West Peoria, in our area, to do a sidewalk program, and I have cleared it with the other side, and I don't believe it's controversial and would ask for your support."

Speaker McPike: "Any objections? Mr. Williams, any objections? Are there any objections, Mr...Maybe Tony Young would like...Any objections? No objections. The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to return Senate Bill 2049 to the Consent Calendar. Attendance Roll Call will be used on that Motion. The Motion carries...That was Representative Barnes' Motion. Senate Bill 1965, Representative Currie asks leave to return the Bill to Second Reading. Out of the record? Representative Currie, you're on our list. You've requested this Bill be called. Do you want us to take this off of the list, Representative Currie? Representative Currie."

Currie: "Yeah. Thanks, Mr. Speaker, that was a request made four



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days ago. It's been four days since you were able to get back to this Bill. In the meantime we've had some other really good ideas to add to this program. So, why don't you leave it on the list, because by the time those Amendments are printed, it's probably another three and a half days? Maybe you'll get back to it then."

Speaker McPike: "Well, Representative Currie."

Currie: "...So, kindly leave it on the list, but don't call it now."

Speaker McPike: "It's very confusing for the Chair to have a list of Bills that are supposed to be called and then you don't want us to call them."

Currie: "I would've called it three days ago if you had gotten back to it then. So, just be patient, Mr. Speaker. Be patient. You'll catch up with us, and we'll be okay."

Speaker McPike: "Mr. Clerk, remove this Bill from this list."

Currie: "Leave it on the list."

Speaker McPike: "No. Remove it from the list."

Currie: "Leave it..."

Speaker McPike: "This Bill will be removed from the list. Representative Klemm, did you want to discuss this?"

Klemm: "I'd like you to call some of my Bills that you won't call. Because she doesn't want to hear hers, I thought we could take the time to do that."

Speaker McPike: "Well, I'm trying to accommodate the Members that need to have their Bills amended. So the Chair is just trying to accommodate the membership. Representative Dunn, Senate Bill 1979. The Gentleman asks leave to return this to Second Reading. Leave is granted. The Bill's on Second Reading. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative

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Dunn."

Speaker McPike: "Representative Dunn."

Dunn: "I move for the adoption of this Amendment, which, I think, becomes the Bill and incorporates in the legislation, legislation which fell between the cracks about fees when cases are remanded from a higher court to a lower court, and it says that the... 'Shall reinstate... The clerk shall not charge any new or additional fee for reinstatement of a case.' That's all the Amendment does. I think it's non-controversial, and I'd like to be heard at great length on this Bill, but I'll forego that and move for the adoption of the Amendment."

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

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 1567, Representative McAfee. The Gentleman asks leave to return to Second Reading. Leave's granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk McLennand: "Which one..."

Speaker McPike: "This is 1567. (Senate Bill) 1567."

Clerk McLennand: "Floor Amendment #2, offered by Representative McAfee."

Speaker McPike: "Representative McAfee."

McAfee: "...Ladies and Gentlemen of the House. Amendment #2, in essence, is House Bill 341 which passed last year by this chamber, 112 to 3. The Amendment, basically, provides for the issuance, by the Secretary of State, of universal veterans' plates. This Bill did not get... to be considered this Session, this year, by the Senate. This Bill, I must tell you, has been worked on at length. It has the support

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of the Secretary of State. It also has the support of all the veterans' groups. I know of no opposition at this time. I ask for your support."

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

Clerk McLennand: "Amendment #3, offered by Representative Weaver."

Speaker McPike: "Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. I'd like to withdraw Amendments 3 and 4."

Speaker McPike: "The Gentleman withdraws Amendments 3 and 4. Further Amendments."

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Representative Matijevich."

Matijevich: "Mr. Speaker. I would ask leave of the House and the use of the Attendance Roll Call to provide that the Rules Committee meet immediately in the Speaker's Conference Room...to call for the consideration of Senate Bill 216, waiver of the posting notice and waiver the rule whereby we cannot meet while in Session. This has been cleared with Bill Black, I understand. We would meet immediately in the Speaker's Conference Room."

Speaker McPike: "You've heard the Gentleman's Motion. There being no objection, the Attendance Roll Call will be used and the Motion carries. Senate Bill 2128, Representative McGann. Senate Bill 2057, Representative Phelps. The Gentleman asks leave to return the Bill to Second Reading. Leave's granted. Mr. Clerk, are there any Amendments filed? Representative Phelps. Representative Phelps, you should get together with Representative Currie. Take this out of the record. Return the Bill to Third Reading."

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Senate Bill 2057 stays on Third Reading. Senate Bill 1518, Representative Currie. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1518, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Granberg."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to Senate Bill 1518 is very simple and straightforward. It would...The...insurance company income tax offsets for their assessments to the Life and Health Insurance Guarantee Association Fund. On the federal level, the taxpayers ended up paying for the S and L bailout. We in Illinois have our taxpayers liable for mismanagement of any life insurance company that becomes insolvent. This would remove that offset for the insurance companies."

Speaker McPike: "And on this Amendment, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I rise in opposition to the Amendment. Insurance companies that do business in Illinois, life insurance companies that currently do business in Illinois, are all required to pay into a fund in the event that an insurance company that does do business in Illinois, if it went under, there would be monies to pay up for the life insurance policies up to \$100,000. But only after all companies pay out over \$3 million do they then...are they then entitled to an offset to be able to write off their loss. The fund was established to protect all policy holders in Illinois in the event of an insolvent insurance company, and it's only

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in the rare case - where the losses exceed \$3 million - that the insurance companies would be allowed to offset those losses against profits. It's been a long established policy. I believe that the Amendment was prompted by one life insurance company in California that did, indeed, exceed the \$3 million limit, and there was a loss of approximately \$7 million. The insurance companies, in fact, paid that loss. The fund paid that loss, and the insurance companies ought to be entitled to deduct that loss that exceeds \$3 million. So I believe the Amendment was prompted by one life insurance company in California that went under, but all of the policy holders were paid out of that fund. It's been a long-established fund, and the fund ought to remain in existence and they ought to be entitled to an offset for those losses that exceed \$3 million. A 'no' vote is the proper vote, and I would ask for a record vote."

Speaker McPike: "Representative Currie. Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I rise in support of the Gentleman's Amendment. We've paid, we taxpayers, to the tune of more than \$7 million over the last few years because the insurance companies have had that offset. My guess is that most of the Members of this chamber thought that when there was an insolvency, it was the insurance industry, the insurance industry statewide, that picked up the tab. We all knew that there was a guarantee fund that the insurers paid into. I bet most of us thought that they picked up the entire tab. Imagine discovering that, in fact, we're the ones who are left holding the bag, and we're left holding the bag to a very substantial tune (\$7 million over the last few years), and in the event of any major insolvency, I think we would find

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the State of Illinois looking like, a little like, the Federal Government when it comes to the S and L bailout. If you want to say that the insurance industry is responsible, the right vote on this Amendment is a 'yes' vote. We can save taxpayers money, and we can also be a little more straightforward with the people back home when we define who is responsible for these kinds of failures. I think it's time for the taxpayers to stop holding this bag. I think it's time to let the insurance industry cover these losses, and I think we should support this very sensible Amendment to Senate Bill 1518."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This is goofy. You're asking people who buy insurance to pay twice. They pay it when they first buy it and now you're saying they have to pay it again because the company is going to pass on this cost. Don't fool yourself. If you got a company that goes bad because they bought into junk bonds or they bought into some other dumb kind of investment, now, you're saying that those companies that were conservative, those companies that were sound, those companies that provided an honest value to the people to whom they sold insurance, now have to pay again? That's wacky. If it's society's problem that has created this - because they've made bad investments; they bought into junk bonds; they thought greed was good; that society should pay for that. But to say that the insurance companies pay twice, who are you trying to fool? It's the people who are going to buy the policies that are going to be paying twice. And that's just wrong, and, Mr. Chairman, I have an inquiry of the Chair, if I may, please."

Speaker Young: "Representative Young, in the Chair. Go ahead."

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Ryder: "Since we now have a different person occupying the Chair, I'd just like to make for sure that we may have a Roll Call Vote on this Amendment. Is that your intention, Mr. Speaker?"

Speaker Young: "Now that you've requested it. Representative Parke."

Ryder: "Well, since it was requested before and you changed people in the Chair, we just thought we'd do that and, in the event that there's someone else waiting in the wings, we'll ask that person as well, but thank you for honoring our request for a Roll Call Vote."

Speaker Young: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we're missing the concept of a guaranteed fund. It simply...If we have problems with other aspects of our financial industry, we go to the taxpayers directly and ask them to bail 'em out. Here, what we've done in a guaranteed fund is simply say, 'Look, if you're going to do business in Illinois, Mr. Insurance Company, then we expect you to protect the policy holders of other insurance companies.' And that's what the guarantee fund is, and so what we're saying is that if it's more than \$3 million in an insurance companies liability now, the risk that they've gone through that, that they ought to get a tax write-off on that other excess, and I think that's only fair because where else are we asking any part of a financial industry to actually come and support the policy holders of that industry? I might also point out to you that we have a reciprocal agreements with all the other 49 states. If we were not to pass this legislation, the other insurance companies that are from other states doing business in here, those Legislatures would take corrective action

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against us. So, what this Amendment does, it starts a compounding effect throughout the United States that is adverse to our policy holders. Quite frankly, this Amendment is an anti-consumer Amendment, and I would ask that we defeat it."

Speaker Young: "Representative McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I got a chuckle out of that last comment, 'This is anti-consumer.' The question is: Are the taxpayers of Illinois going to pay for this? That's the only question. The insurance companies pay into this fund. The fund is a good idea. No one's against the fund. The banks are taxed by the Federal Government, and when the banks' fund got in trouble two years ago, Congress (because they didn't want to go through the Savings and Loan scandal with the banks), they doubled and then tripled the tax that banks pay in order to protect the insolvency of other banks. The taxpayers don't pay when banks go insolvent. The taxpayers don't pay when banks go insolvent. Banks pay. But what you want to do, you don't want the insurance companies to have to have to pay out of their profits, you want your taxpayers. You want your taxpayers to pay for it. This is not a complex issue. Who should pay for bankrupt insurance companies? Other insurance companies or my taxpayers? I'd like to see some of these insurance companies take it out of their profits. I don't think my taxpayer should pay for an insolvent insurance company. You think that your taxpayer should pay for an insolvent insurance company, but I don't think my taxpayer should pay for an insolvent insurance company. I'm glad you asked for a Roll Call Vote, because I want it recorded. I want to know how many people on that side of the aisle are going to vote for



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insurance companies profits and how many are you going to vote for your taxpayers? That's the issue right here. Who's going to pay? The insurance company or the Taxpayer? Yes or no. One or the other. Take your choice. Real good Amendment. Vote 'aye'."

Speaker Young: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I did a little research on this this morning, and it's an interesting provision and perhaps unique in the Illinois Tax Code. I don't want to get into the arcane language of taxes, but I suspect everybody here understands the difference between a deduction and a credit. Well, in talking with the Department of Revenue this morning, determined that the payments which insurance companies make to the assessment fund, in fact, entitle them to both. I can think of nothing else in the Illinois Tax Code where a business expense would be both a deduction and a credit. But I was advised this morning that, in fact, if an insurance company is assessed and makes payments into the assessment fund, that is a deduction from taxable income. But in addition, they can use that same payment as a credit against the taxes that are due. In other words, they get both a deduction and a credit for payments into the assessment fund. Now, I think you can make a good argument that perhaps they should have a deduction for this business expense. I think you could make a good argument that perhaps there should be a tax credit for this business expense, but I know of no reason why they should have both the deduction and the credit for what is a legitimate business expense."

Speaker Young: "Representative Kubik."

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

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House. It's...I feel a little uncomfortable getting up and talking about this particular provision, but the Majority Leader (who was very, very eloquent and is always eloquent), says that this is an issue between taxpayers and insurance companies, but let's look a little bit below the surface here. Insurance companies are not something that is pie in the sky. Insurance companies are made of policy holders, policy holders that pay premiums, and that if we decide that we're not going to allow these credits or these deductions, what's going to happen? Very simple. We're going to have to increase the tax on insurance companies. What's then going to happen? The cost of insurance is going to rise. It's just that simple. So, the cost of insurance under this Bill will rise due to the fact that we will have to...due to the fact that taxes on insurance companies will increase. It's that simple. It's, you know...I agree with the Majority Leader in the sense that this is not a complex issue. So, the question is, you know, how do you want it? My attitude is that we ought to leave this fund as it is because if we...if we change the provisions of this fund, what will happen is, the cost of insurance will rise dramatically in order to meet the taxes that are required on this particular legislation if this Amendment is adopted. So, this is a consumer issue. If you want your insurance consumers to pay more in premiums then you ought to vote for this particular provision. I urge a 'no' vote."

Speaker Young: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I take a middle view on this Bill. Let's face it: Both parties in the case of a bankruptcy of another insurance company - whether it be the taxpayers or the other solvent insurance companies-are

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innocent parties. So, we're going to have to look to innocent parties to help make whole the consumers who held policies with the bankrupt company. So this is not to be a punitive measures against either taxpayers or against insurance companies. The...the statement that was made by a Member on the other side about the double taxation benefit, I read the Bill and I don't see that there is a double taxation benefit. The provision provides...This law as it presently stands provides that the insurance company shall contribute into an assessment fund, up to \$3 million for losses in any one year. Those certainly would be a deduction against their expenses and their income taxes. However, the Bill...The law goes on to say that only payments made in excess of \$3 million would be subject to the tax credit. So, we're not talking about a double credit. We're talking about a deduction up to 3 million, a credit after 3 million. If there is to be an adjustment in this provision to make it more fair to the taxpayers, or to protect taxpayers, we should not eliminate the right of these innocent companies to have a tax credit. We should simply adjust that \$3 million threshold up to a higher figure because, again we're balancing the interests of two innocent parties, but to simply eliminate the right of the innocent insurance company to have any tax credit whatsoever, to require them to pay not only the \$3 million, but to extend to an unlimited amount...amounts beyond that, I think, is unreasonably punitive toward innocent insurance companies who are solvent who we're calling on to bail out bankrupt insurance companies. If there is to be a change in the law - not to be this widespread elimination of their right to take a tax credit - it ought to be an adjustment upwards of this \$3 million threshold, which I would support

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if, in fact, inflation has been such that would justify that increase, but I think this is too broad an approach. It's too unfair to solvent insurance companies, and I don't think we ought to have the vote be between taxpayers and insurance companies. We're talking about two innocent parties trying to resolve a consumer issue through which...through no fault of either of them has occurred. So, I would urge a 'no' vote on the Amendment."

Speaker Young: "Representative Granberg, to close."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A couple of speakers have talked about it, but let's talk about fairness here. I think it's an appropriate forum in which to discuss that occasionally. In the last five years the taxpayers of this state have spent to the tune of almost \$8 million for tax offsets for insurance company. Eight million dollars without a major casualty; without a major insolvency. One speaker indicated there's only one has happened in the last year. In the last year Mutual Life, Executive Life and Capitol Life have filed for insolvency, for bankruptcy. Hundreds of millions of dollars. Hundreds of million. If that happens in this state, this is a very simple issue. Do you want the taxpayers of this state to pay for badly managed insurance companies? Or do you want the insurance companies to assume some responsibility? It's very simple. The taxpayers versus the insurance companies. If you want the taxpayers to assume hundreds of millions of dollars in this state for badly managed insurance companies, vote against this Amendment. If you don't want them to, vote for it. It's a very clear issue."

Speaker Young: "The question is, 'Shall the House adopt Floor Amendment #1 to Senate Bill 1518?' Those in favor vote

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'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 31 'ayes' and 72 'noes', and the Amendment fails. Are there any additional Amendments on Senate Bill 1518?"

Clerk McLennand: "No further Amendments."

Speaker Young: "Third Reading. Now we'll go to the Order of Third Readings. On the Special Order starting with Government Administration. House Bill 1740, Representative McPike. Out of the record. House Bill 1823, Representative Bugielski. Out of the record. House Bill 2151, Representative Brunsvold. Out of the record. On the Order of Human Services, Third Readings. House Bill 1937, Representative Turner. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1937, a Bill for an Act to amend a Minority Males Act. Third Reading of the Bill."

Speaker Young: "Representative Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. Senate Bill 1937 simply amends the Minority Males Act, and it extends the deadline for submitting the report by the Minority Males Task Force to the General Assembly, and Amendment 1 to that Bill...no, there are no Amendments, and that's all the Bill does. It just extends the deadline for the report. I move for the favorable adoption of Senate Bill 1937."

Speaker Young: "The Gentleman moves the passage of Senate Bill 1937. On that question, is there any discussion? Hearing none, is... 'Shall the House pass Senate Bill 1937?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'aye' and 0 voting 'no', and Senate Bill

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1937, having received the required Constitutional Majority is hereby declared passed. Senate Bill 1965, Representative Currie. Out of the record. On the Order of Municipal, County and Conservation, Third Reading, appears Senate Bill 1776, Representative Steczo. Out of the record. Senate Bill 1828, Representative Hartke. Out of the record. Senate Bill 1862, Representative Brunsvold. Out of the record. Representative Brunsvold, Senate Bill 1862? Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1862, a Bill for an Act to amend the Consent by Minors to Medical Procedure..."

Speaker Young: "Out of the record. Senate Bill 2200, Representative Capparelli. Out of the record. On the Order of Banking, Third Reading. Senate Bill 1519, Representative Capparelli. Out of the record. On the Order of Higher Education, Third Reading. Senate Bill 1818, Representative Satterthwaite. Read the Bill, Mr. Clerk. I am informed Senate Bill 1818 is on the Consent Calendar. Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I would ask for clarification of that point. It appears on the one hand that it is on Consent Calendar and on the other hand that it is on Short Debate."

Speaker Young: "We're checking. Representative, why don't we do that Bill right now? Senate Bill 1818. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1818, a Bill for an Act concerning child care services for university employees. Third Reading of the Bill."

Speaker Young: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, Members will recall that a few years ago we passed legislation

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giving direction to state agencies to provide for child care services for employees where it is shown by surveys that a need exists that is not being met in the community. There was some confusion about whether or not that legislation actually included universities, and this legislation is simply a follow-up to make sure that universities are, in fact, included in that legislation and that they would follow the same procedures that are being used now by state agencies. I know of no opposition to the Bill and would urge support for its passage."

Speaker Young: "The Lady moves for passage of Senate Bill 1818. On that question, Representative Black. Representative Kubik, from Representative Black's desk."

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

Satterthwaite: "Yes."

Kubik: "Representative, I just wanted to make a point of clarification. It is my understanding that this Bill does not mandate that these services be provided. It's simply a..."

Satterthwaite: "No, Representative. What it provides for is that if a university is constructing new facilities or leasing new facilities that they would survey the employees for their needs and if it is clearly demonstrated by the survey that there is an unmet need for day care, then they would include a provision for day care in the building, just as state agencies are doing."

Kubik: "Okay. My understanding, Representative, is that there is no opposition to this Bill, but we did want to get that point of clarification. Thank you."

Speaker Young: "Further discussion. Hearing none, the question is, 'Shall Senate Bill 1818 pass?' All those in favor vote

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'aye', those opposed vote 'no'. Voting is open, and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes', 0 voting 'no'. This Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Insurance, Third Reading, appears Senate Bill 1638, Representative Regan. Out of the record. On the Order of Civil Law, Third Reading, appears Senate Bill 1708, Representative Cronin. Out of the record. Senate Bill 1892, Representative Obrzut. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1892, a Bill for an Act to amend the Consent by Minors to Medical Procedures Act. Third Reading of the Bill."

Speaker Young: "Representative Obrzut."

Obrzut: "Thank you, Mr. Speaker, Members of the House. Amendment #1 makes a minor non-substantive change in the Bill by removing the phrase 'not withstanding any other provision of law'. This Amendment was requested by the Senate Sponsor to clarify that this Bill only deals with the Consent by Minors to Medical Procedures Act, and not to any other Acts."

Speaker Young: "The Gentleman moves..."

Obrzut: "Listen...I'm sorry I want to move this..."

Speaker Young: "This Bill does not have an Amendment on it, Representative. Do you want to..."

Obrzut: "Yeah, I'd like to move it back to Second Reading if I can."

Speaker Young: "Would you take it out of the record, please, and put it on the recall list? We're operating from lists. On the Order of Civil Law, Third Reading, appears Senate Bill 1979, Representative Dunn. Read the Bill, Mr. Clerk."



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Clerk McLennand: "Senate Bill 1979, a Bill for an Act to amend the Code of Civil Procedure. This Bill has previously been read a second time."

Speaker Young: "Representative Dunn. The Gentleman moves to suspend the appropriate rule to allow Senate Bill 1979 to be considered immediately. Does he have leave? By the use of the Attendance Roll Call, leave is granted."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, the Amendment becomes the Bill, and what remains in the Bill is a provision affecting cases remanded to the Circuit Court from the Supreme Court or the Appellate Court. Previously, the Clerk was entitled to the same fee before the filing of the remanding order and the reinstatement of the case as if it were the commencement of a new action. As amended, the legislation now provides that the Clerk shall not charge any new or additional fee for reinstatement of these cases. I ask for your favorable vote."

Speaker Young: "The Gentleman moves for passage of Senate Bill 1979. On that question, Representative Homer."

Homer: "Will the Gentleman yield? Our analysis indicates that this Senate Amendment 1 imposes a \$25 fee for persons convicted of a crime where the sentence is court supervision. Could you explain that, Representative Dunn? Could we ask...Could we take it out of the record momentarily to examine that issue? Will the Sponsor accede to that request?"

Speaker Young: "Out of the record. Senate Bill 2134, Representative McAfee. Out of the record. On the Order of Criminal Law, Third Reading. Senate Bill 1541, Representative Laurino. Out of the record. Senate Bill...Senate Bill 1963, Representative Rotello. Out of

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the record. Senate Bill 1763, Representative Steczko. Out of the record. On the Order of Labor Law, Third Reading. Senate Bill 1657, Representative McAfee. Out of the record. Senate Bill 1700, Representative Kulas. Out of the record. On the Order of Transportation, Third Reading, Senate Bill 1567, Representative McAfee. Out of the record. Senate Bill 1695, Representative Phelps. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1695, a Bill for an Act to amend the Downstate Public Transportation Act. Third Reading of this Bill."

Speaker Young: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is identical legislation we passed out of here overwhelmingly a couple of three weeks ago, and this is just the identical Senate Bill version, and it redefines the statute of what a public transportation system should have to get the matching funds from the fed, and it's a good opportunity for those of you that represent rural counties or a rural district that can now actually sponsor their own funding without going through the county boards to have backing because there's been a liability problem with the assets and the equipment holdings being under the county auspices and now they can work in an independent arrangement. So, it's a good piece of noncontroversial legislation. It probably should be on Consent Calendar."

Speaker Young: "The Gentleman moves for passage of Senate Bill 1695. On that question is there any discussion? Hearing none, the question is, 'Shall the House pass Senate Bill 1695?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open, and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take

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the record. On this question, there are 115 voting 'yes', 0 voting 'no'. This Bill, having received the required Constitutional Majority, is hereby declared passed. We will return to Senate Bill 1979, Representative John Dunn."

Dunn: "Now once again, Mr. Speaker, I move for passage of Senate Bill 1979. It provides for no fee when cases are remanded back under the conditions outlined in the Bill, and it does, in fact, impose a \$25 fee as a cost where disposition in a court case is supervision. I know of no opposition and ask for passage."

Speaker Young: "The Gentleman moves for passage of Senate Bill 1979. On that question is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1979 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. This Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Public Utilities, Third Reading, appears Senate Bill 1766, Representative Steczo. Out of the record. Senate Bill 1943, Representative Black. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1943, a Bill for an Act to amend the Public Utilities Act. Third Reading of this Bill."

Speaker Young: "Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker. This Bill is an initiative of the Commerce Commission proposal. Basically what it does, it allows them to re-evaluate certificates of convenience and necessity for construction of new electric generating facilities every three years instead of every two years. This will bring the evaluation into the three

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year...the same three-year cycle as the required leased cost planning reviews are held. It will avoid duplication of effort, and we're hoping by avoiding duplication of effort it can save some money. This Bill came out of committee unanimously, and, in fact, a Member of the other side of the aisle suggested it be put on the Consent Calendar. The Chairman of the Committee didn't want it on Consent Calendar. I'm aware of no opposition to this Bill, and I would ask for your favorable vote on Senate Bill 1943."

Speaker Young: "The Gentleman moves for passage of Senate Bill 1943. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1943 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open, and this is final passage. Have all voted who wish? Representative Rotello, to explain his vote? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', 0 voting 'no'. This Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Professional Regulations, Third Reading, appears Senate Bill 626, Representative Mautino. Out of the record. Senate Bill 689, Representative Mautino. Out of the record. Senate Bill 1754, Representative Brunsvold. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1754, a Bill for an Act to amend the Boat Registration and Safety Act. Third Reading of the Bill."

Speaker Young: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senator Geo-Karis' Bill 1754 addressed county sheriffs and fines that are collected in those counties

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would remain in those county funds. That was the underlying Bill in the committee. We added Senate Bill 1953, which was Senator Davidson's Bill, that set up a transfer fee in conservation for boats. That fee would be \$5 and for snowmobiles it'd be \$2 on unexpired time. Time on these licensures would be...is three years, and it would simply set up that transfer fee, and ask for the passage of Senate Bill 1754."

Speaker Young: "The Gentleman moves for passage of Senate Bill 1754. On that question, is there any discussion? Representative Homer."

Homer: "Will the Sponsor yield?"

Speaker Young: "He indicates he'll yield for a question."

Homer: "For clarity - I'm for your Bill - but for clarity of the record, I'm not sure that I understood. Did you say that...that the...that the Bill established a fee for transfer?"

Brunsvold: "Right. Right now if I would sell you a boat, and it had a year and a half time left on the three-year permit on that boat, the licensure on that boat, there's no fee for that transfer now. This would set up a \$5 fee for a boat, and a \$2 fee for a snowmobile."

Homer: "Well, I don't want to dispute that, except as I read Amendment #1, which is on the Bill, it would appear to me that the fee is, that the fee is now in the law, that there is now a \$5 fee when less than six months, and that this Amendment would seek to eliminate the fee."

Brunsvold: "Excuse me, Representative. I was on the wrong paragraph there. I think, yeah, there is a fee there, and this would set up...It is still a three-year fee, and the fees range from \$6 to \$18 on the boat and would eliminate the fee and require the new owner to buy a new fee, a new

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licensure. This would result in approximately a \$60,000 increase in fees to conservation."

Homer: "I'm sorry, Representative. I misread the..."

Brunsvold: "Well, that's okay. As I understand it, Representative Olson tells me that he handled this Bill previously and that what it does is eliminate the right of a purchaser to carry over the unexpired term of the seller of the boat, and therefore, the new owner, now under this Amendment, would have to pay a full fee."

Brunsvold: "Full fee. Right. I'm sorry, I..."

Homer: "So, it's a slight fee increase for the Department of Conservation."

Brunsvold: "I apologize. I read the wrong paragraph."

Homer: "But it seems reasonable, and I support your Bill."

Speaker Young: "Further discussion? The question is, 'Shall Senate Bill 1754 pass?' All those in favor...Representative Wennlund."

Wennlund: "Yes, thank you, Mr. Speaker. Will the Sponsor yield? The underlying Bill provides that fines from citations issued by a county sheriff or deputy be deposited in the county fund in the county where the citation was issued. Where are they currently being deposited?"

Brunsvold: "The funds right now, I believe, would go to the state...or those funds would go to the state if I'm...read that right."

Wennlund: "So, if a citation..."

Brunsvold: "Part of them, anyway."

Wennlund: "If a..."

Brunsvold: "They would all be deposited in the county...in a county fund where the county citation was issued. The cost of the Bill, according to Conservation, would be to the State Government, would be about \$5,000."

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Wennlund: "Thank you very much."

Speaker Young: "Further discussion. The question is, 'Shall Senate Bill 1754 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open, and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', 2 voting 'no' and 1 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 2057, Representative Phelps. Out of the record. Senate Bill 2197, Representative Weller. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 2197, a Bill for an Act to codify and amend the law in relation to the regulation of funeral directors and embalmers. Third Reading of this Bill."

Speaker Young: "Representative Weller."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2197 is identical to House Bill 3673, which passed the House unanimously earlier this month. Essentially this legislation is technical clean-up legislation. It's been agreed to by the Illinois Cemetery Association, Illinois Funeral Directors and the Department of Professional Regulation. I would ask for an 'aye' vote and its adoption."

Speaker Young: "The Gentleman moves for passage of Senate Bill 2197. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 2197 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open, and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', none voting 'no', 1 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby

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declared passed. The Order of Revenue, Third Reading, appears Senate Bill 1556, Representative Steczo. Out of the record. Senate Bill 1606, Representative Hartke. Out of the record. Senate Bill 1743, Representative McGann. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1743, a Bill for an Act to amend the Hotel Operators Occupation Tax Act. Third Reading of the Bill."

Speaker Young: "Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. What we're doing here in Senate Bill 1743 is to clarify where permanent residents in any specific hotel for at least 30 days, that they would be considered as residents and would not be involved in the hotel/motel tax. This Bill came out of Revenue. It's supported on both sides. It came out of the Senate 56 to nothing, and I'd ask for a favorable vote and answer any questions."

Speaker Young: "The Gentleman moves for passage of Senate Bill 1743. On that question, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just to rise in support for the Gentleman's Motion and the Department of Revenue is not opposed to this piece of legislation. Good piece of legislation. I would urge its adoption."

Speaker Young: "Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker Young: "Indicates he'll yield for a question."

Levin: "Does this affect SROs?"

McGann: "Pardon me? I can't hear."

Levin: "Does this affect SROs? One of the problem..."

McGann: "No."

Levin: "One of the...Pardon?"



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McGann: "To my knowledge, no. This is just..."

Levin: "Okay. All right. So this does not, cause there is a problem that SROs have that is a very similar kind of a problem. But this does not address that problem?"

McGann: "To my knowledge, no."

Speaker Young: "Further discussion. The question is, 'Shall Senate Bill 1743 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes', none voting 'no', and none voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1796, Representative Keane. Out of the record. Senate Bill 1816, Representative Currie. Read the Bill, Mr. Clerk. (Senate Bill) 1816."

Clerk McLennand: "Senate Bill 1816, a Bill for an Act to amend the Senior Citizens Real Estate Tax Deferral Act. Third Reading of the Bill."

Speaker Young: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This Bill would expand the opportunity for people to take...senior citizens to take advantage of the Real Estate Tax Deferral Program from the present income limitation of \$14,000 to \$20,000. Our limit has been set ever since this program was instituted. As we all know, very few senior citizens take advantage of this opportunity. Experienced in Massachusetts with the extended threshold suggests that we still won't have very many people taking advantage of the opportunity, but for those who do, it makes a very substantial difference, especially in a time when real estate taxes are rising, particularly in the northern part of the state. Remember that under this program, there is

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no ultimate risk to the State Treasury, to its revenues, since interest is paid at a level of 6%, better than you can get on a lot of other financial transactions these days. Interest is paid at the level of 6%, at the point at which the senior citizen no longer owns that home. This, I think, can be a boon to what would still be relatively low income senior citizens across the state who are grappling with high property taxes, but who would like to be able to stay in their own homes. Any fiscal impact would be minimal, and as I say in the long run, there is no fiscal cost because all of the money is paid back at an interest rate that is not insubstantial. So, for the seniors in your area, I hope you will decide to support this measure, and in the meantime, I'd be happy to answer any questions you have."

Speaker Young: "The Lady moves for passage of Senate Bill 1816. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1816 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open, and this is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes', and none voting 'no', none voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1949, Representative Parke. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1949, a Bill for an Act to amend the Uniform Disposition of Unclaimed Property Act. Third Reading of this Bill."

Speaker Young: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1949 amends the Uniform Disposition of

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Unclaimed Property Act to shorten from seven years to five years the required dormancy period before certain types of financial assets are presumed abandoned and remitted to the state; makes other administrative and technical changes; is effective immediately. By reducing the unclaimed property dormancy period from seven to five years, Senate Bill 14...excuse me, 1949 will provide a one-time boost in funds for the five state funded retirement systems of approximately \$50 million, and it would be another \$14 million on an annual appropriated basis. I would ask for passage of this worthwhile and overdue legislation."

Speaker Young: "The Gentleman moves for passage of Senate Bill 1949. On that question, Representative Matijevich."

Matijevich: "Well, I'm all for getting more money for our pension systems, but think for a while (maybe just because I'm so old) but think for a while, since you graduated from high school, how fast the years have gone by. Five years goes by real quickly. And there are people, sometimes, who have these small accounts, that five years goes by and they aren't aware of it, and then they've got to be subject to these unclaimed property accounts, and then their name is published and all that. I think whoever came up with seven years, that was reasonable. I think five years may not be reasonable. I think we ought to give a little more time before we then determine that is an unclaimed property account. That's just my feeling. I may be wrong about it and...What was the reason...Why the five years? Is it so that we can quicker get into it, so that we can put money into the pension system? Actually, if we're going to put money in the pension system, if he'd wait a couple of years it's still going to be that amount. Why the five years? What's the magic about five years, Representative Parke?"

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Parke: "Thank you. That's a good question, Representative. It has been recommended by the Association of Unclaimed Property Associations that it be moved from seven to five years. It's a national initiative. In addition, I might point out that there are 31 states in the United States currently that are five years or less, and there is a good number of them that have taken it down to three. It's an asset that sits around that ought to be distributed, because many times they can no longer find who these belong to. I think this is something that is worthwhile and its time has come."

Matijevich: "Well, okay, I just...You know, I guess I can be reasonable about it, but I just thought, to me, that just because it's unclaimed doesn't mean it's 'ours' and we shouldn't be quick to get at it, because you never know, somebody may claim it, and I think that it belongs to somebody else first, and let's not rush into it. I...you know, I can be reasonable if you've come to that conclusion. I'm not sure if I agree with it, but okay."

Speaker Young: "Representative Johnson."

Johnson: "What kind of financial assets are included in the Act, Representative Parke?"

Parke: "Thank you, Representative Johnson. I am going to get that information for you in a moment."

Johnson: "And while you're reading it, if you could answer the question: Let's say you have a CD that just rolls over every two years, year, or whatever term it is, is that considered unclaimed if you do nothing except roll it over? I hope not."

Parke: "Okay, on a CD, it rolls over once, and then it goes to...then it goes to the second term of the CD, and then the dormancy period clock starts ticking for the seven

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years, which we will reduce down to five years."

Johnson: "I don't understand. What are you...what are you...Tell me...tell me again. I can't listen to two people at once. I just ask the Sponsor...what...what's the...A CD rolled once..."

Parke: "And...then it goes into the second...the second year of the CD, and then it goes through at that...once it's rolled once and goes into the second year, then it starts the seven-year period of holding it. I might point out something to everybody here - 'cause it is a complex issue and these questions are right to be asked - but the State of Illinois is custodian of all of these funds, and let me assure you that if someone comes in 20 years from now and says... puts a claim in against that property, they can get that money."

Johnson: "It's not an escheat."

Parke: "It's not gone forever."

Johnson: "In other words, it's not an escheat, it's a custodial law."

Parke: "Custodial."

Johnson: "So, if you have a CD that's considered unclaimed and, and it...I guess...Does the state have to give you custody...I'm not...not custody, give you notice at the end of the seven-year period, that it's considering property unclaimed? There's a lot of people, for example, put a CD in...you know, senior citizens, and live on the interest, and they just roll the CD every two years, they don't cash it in, and if this became unclaimed after seven years, you'd be divesting a lot of people of their savings."

Parke: "Okay. They are notified. Let's say that the CD is in a bank. That bank says, by notice to the last previous address, they must say, 'We are now turning this property

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over to the State of Illinois.' Under this legislation that I have introduced, at the end of five years the state has a responsibility of publishing in the newspaper that this money will be distributed into the account. And so, therefore, it is something that is published once by the bank to the last previous address, and then by the State of Illinois in the newspaper to the last previous address, letting them know that...the best way they can...that there is an asset..."

Johnson: "So the revenues that are realized are ones that are realized from interest, as opposed to the property itself. Is that right?"

Parke: "It is...The answer is that it's both because the interest goes into the General Revenue Fund, but the assets itself goes into the unclaimed property fund."

Johnson: "Has the Illinois Retail Merchants Association signed off on this Bill now?"

Parke: "It is my understanding that they have some questions, but it is not something that is...that they have said to me that they wanted to be changed, and the reason for that is that it's only a small part of the total amount actually...is included in there. It's..."

Johnson: "I know, and I don't mean to be argumentative, Representative Parke, but I know at one point on this issue, the Illinois Retail Merchants had grave concern about it in terms of how it would affect their retail operations and what they were required to do. And I think it's certainly of relevance to me whether they're for or against this Bill now."

Parke: "They did have a question about it, but they have not come to me and said that we...They said, 'We understand the delicacy of all the people signing off on this, and that

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though they're not pleased with the total form that it's in, they understand how tenuous this agreement is, and that they are not going to fight it as far as I know."

Speaker Young: "Further discussion? Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. I rise in support of the Gentleman's Bill. On the question of the Retail Merchants, I can tell you that they did not appear in opposition to the Bill when this measure was heard in the House Revenue Committee. I think several points are worth underscoring. First, that the Uniform Commissioner of...Commissioners of Law are recommending a shift from seven years to five in unclaimed property statutes across the nation. Illinois is not out of step if we pass this Bill. Secondly, an individual who owned property that is affected by this Bill does not lose the ownership of that property by virtue of this shift from seven years to five. The issue in the seven-to five-year shift is the question how long does the state hold it, not whether the individual owner continues to have an opportunity to reaccess his or her own material, whether it's a traveler's check or a bank account, an insurance proceed or what have you. So, we're not undercutting anybody's ownership of their property rights if we pass this Bill. Finally, I would remind the Members of this Assembly that the immediate effect of this provision is to pump \$50 million into the state's pension systems. I wouldn't argue to you that \$50 million is enough to make those systems financially sound, but I certainly would remind you that at the current level of funding, those systems are not in good shape at all, and every \$50 million helps. We can provide \$50 million this year to those funds if, and only if, we pass Senate Bill 1949. I encourage you to vote 'yes'."

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Speaker Young: "Representative McCracken."

McCracken: "Just to rise in support. You know, that seven year figure, Representative Matijevich, I suspect was arbitrary at the time. It probably came from the seven-year requirement to declare legal death when you can't find somebody. And five years is a good amount of time as well."

Speaker Young: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker. Will the Sponsor yield to a question? Representative Parke, isn't it true that there is a list maintained of the unclaimed assets that are transferred on a permanent basis and that regardless of where those funds are transferred, if a person makes a legal claim, those funds are available?"

Parke: "That is absolutely true, and not only for the individual themselves, but for the heirs of that individual who the property belongs to."

Wolf: "Thank you. Mr. Speaker, to the Bill, I rise in support of this legislation. I think the fact that the...moving from the seven to the five years, I believe, is really immaterial. I don't see why it couldn't be moved to three years. The fact that we're transferring some \$50 million to the pension funds I don't think is that significant in view of the total unfunded liability. I would move for passage of Senate Bill 1949."

Speaker Young: "Representative Ropp."

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

Speaker Young: "He indicates he'll yield for a question."

Ropp: "Representative, does this Bill actually deal with safety deposit box and the fact that you may not visit that box in a period of seven years, and now you want to move it to five, does that affect safety deposit box?"



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Parke: "Yes, it does affect safety deposit boxes."

Ropp: "The point is, I think it was interesting, just this last week I happened to go to my own safety deposit box and the Gentleman says, 'You know, you haven't been here for two years,' and I said, 'Yes, that's right.' He says, 'If, in fact, you're not here in seven years, we're taking everything out of your box because that's a state law.' I said, 'Yes, I understand. I try to help a lot of people recover those assets, even though it's difficult to ever find the names.' I think shortening this up to five years is too short. If I have family heirlooms, if I have family jewels, family rings or watches that I put in there, to put those things at the disposal of the state in a shorter period of time, that you would lose them forever if, in fact, you move and you can't find the address, I think it's...Seven years, I think, is obviously not a long time, but certainly shortening it is too short, even though the state is attempting to find money to put into the pension system. I think it is a sad state when we have to look to this method, and what we're attempting to do is hoping that we can't find the people, because if we find the people, then the state's not picking up the money. So, we're hoping we can't find all these people so we can put that money into the pension system as well as not allowing them to accrue any interest after the seven years which you want to shorten to six...to five, which allows the state to accrue the interest, not the citizens that we are attempting to serve. Seven years is plenty long. Five years is obviously too short, particularly when you may not even go to your safety deposit box. What if your will is in it? And then you end up...Does the state have a big bank somewhere where they're putting all these wills and

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keeping my great-grandfather's watch that came over from Germany in 1812? I mean, I know..."

Parke: "Well, let me, let me...let me answer a couple of things. First of all, we have no intention of taking your family jewels, Representative Ropp."

Ropp: "I appreciate that."

Parke: "You're welcome. And that is because if there is no activity on that safety deposit box for seven years, they would have opened it long before they got to the seven-or five-year period, because you normally rent your safety deposit box for a 12-month or a 24-month period. So, in fact of the matter is, if there's no activity in that safety deposit box for five years, that bank would have already gone in and tried to find the owner, so, quite frankly, that's not the case."

Ropp: "No, I...I can, in fact, pay my rent without going in to open that box, or to sign in. Because I do not sign in that I even want to look at that box, without signing in once in seven years, I've lost that."

Parke: "The...You're absolutely right, but if you have paid a five year in advance or a ten year in advance, that's activity, and it's not unclaimed property. You have shown activity with that box."

Ropp: "The Gentleman at the bank told me I had to actually physically come in and sign the statement that I wanted to go in to look at my box. He said that...or he did not imply that merely paying my rent on that box was sufficient evidence that there was activity. I physically had to come in and open up that box and take a look at it."

Parke: "Perhaps, Representative Ropp, this gentleman or lady, whoever you were dealing with, was not aware of the law. The law, as being told to me by the staffer, that is

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incorrect, and I would suggest that you have him contact the Department of Revenue, and we'll work with them."

Ropp: "Okay, I guess in closing, I think five-years - even though five is my lucky number - I think five-years is too short. Seven is sufficient."

Speaker Young: "Representative Stepan."

Stepan: "Mr. Speaker, I move the previous question."

Speaker Young: "The Lady has moved the previous question. The question is, 'Shall the previous question be put?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Representative Parke, to close."

Parke: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is a critical Bill at a critical time, and we have too long had a history as a state of not contributing to our pension systems. This is a legitimate attempt to start to find a way of starting to fund these pension systems. I hope this is just the beginning, and that when this state finds that we're in a better fiscal position that we all rise together as a Body and work and find a way to start properly funding our pension systems in this state. I would ask for passage of this Bill."

Speaker Young: "The Gentleman moves for passage of Senate Bill 1949. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Representative Black, to explain his vote."

Black: "Thank you very much, Mr. Speaker. I'm not sure I'm going to have to explain this vote at all. I just simply rise and support the Gentleman's motion. On the very day that the retired teachers are here, this Bill makes eminent good sense, and if you remember Representative McNamara's Bill that makes this a continuing appropriation, that way

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nobody's going to be able to get into this money. It is indeed going to go to the pension fund. It's a good Bill. I commend the Sponsor."

Speaker Young: "Representative Homer, to explain his vote."

Homer: "I think the record should show clearly that the provision that Representative Ropp was discussing (that is safety deposit boxes), that the five-year period does not start until the expiration of the term of lease or the rental period has concluded. I think that's a reasonable time period. This Bill will result in \$50 million to the pension system now, and \$14 million a year thereafter. It ought to be supported."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 2 voting 'no', 1 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Government and Operations, Third Reading. Senate Bill 1588, Representative Edley. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1588, a Bill for an Act to amend the State Prompt Payment Act. Third Reading of the Bill."

Speaker Young: "Representative Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly, we've had this kind of legislation up a couple of times during this Session. Last Session we passed some similar legislation. This...in this Bill, what we would do would be to require that the state pay either a 1.25% monthly interest penalty or five points over the prime. That's the only difference from the other prompt pay Bill, which required a 2% penalty, interest penalty. It passed out of the Senate on a 38 to 5 roll call, and I'd appreciate a favorable roll call."

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Speaker Young: "The Gentleman moves for passage of Senate Bill 1588. On that question, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. The Sponsor of the Bill is correct. I think we all probably know how we're going to vote on this Bill. It's been well debated. I simply again rise to point out one of the difficulties of the Gentleman's Bill. If, and...not if, but when we get our fiscal house in order, I would gladly Co-Sponsor such a measure with the Sponsor of this Bill, but Ladies and Gentlemen of the House, the fiscal house of the State of Illinois is not in order, and to put this Bill into effect would simply make the situation worse, not better. Four percent of nothing is still nothing. Six percent of nothing is still nothing. In the fiscal note filed to this Bill, the Department of Central Management Services said, and I quote, 'The State Employees Benefits Program alone would cost an additional \$600,000 per month based on this interest payment.' Now let's not kid ourselves. In normal times, Republicans would be sponsoring this Bill and clamoring to have the Representative sponsoring this Bill add us as Co-Sponsors. I think it is something that he, as a businessman, believes in strongly. As I come from a small family business background, I believe in it strongly, too. The state should pay its bills, and I think all of us are working toward that end in two very difficult budget years, but to penalize general revenue tax dollars which simply are not there, to say we're going to pay you interest on a bill that we are woefully delay...woefully inadequately paying, is a hoax on top of a hoax. We do not have the money to pay the interest. We should, and maybe we should debate why we don't. In normal times I would be the first

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Co-Sponsor on this Bill, but if you add at this time, if you add, this Bill to our fiscal problems, you are adding \$72 million in cost to the Department of Public Aid and well over \$12 million in cost to the Department of Central Management Services and I don't know how much more to the Department of Transportation, and all of the other departments in state government that simply ask, 'Don't put this burden on us at this time.' Let's revisit it when we get our fiscal house in order. I don't enjoy standing in opposition to what is a reasonable Bill, if we were but, in reasonable times. It's for that reason and that reason alone that I ask you to vote 'no' on this Bill that would require us to pay dollars in interest and penalties that we simply don't have."

Speaker Young: "Further discussion. Representative Curran."

Curran: "Thank you, Mr. Speaker. Mr. Speaker, I rise in support of this legislation for exactly the reasons that Representative Black gave for being against it. Representative Black suggested that the interest that will be paid just on the State Employees Benefits portion will be \$600,000 a month. Well, somebody pays that interest, folks. It's either the state employees, or it's going to be the state. It's either the people who we purport to be able to pay the bill sometime, or it's us. What we have been doing in this state, is we've made Illinois a laughingstock in this nation. A laughingstock of a deadbeat, and what this Bill will do, is will take us off of the deadbeat class and move us into the prompt, or at least adequately paying class. This Bill will cost nothing if we pay our bills on time. This will cost nothing if we are responsible managers of the money that the citizens of this state give to us, and we have to do this so that we

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stop being...stop being the laughingstock of any financial manager in this nation when they look at how long it takes for us to pay our bills. My only regret is that this is not 2% a month, and 24% a year. Thank you."

Speaker Young: "Further discussion. Representative Klemm."

Klemm: "Thank you, Mr. Speaker. You know, we've been fighting this Prompt Payment Act for such a long time and everybody is saying we're having a financial problem right now - we can't pay our bills, and that's probably true - but I remember (and I've been down here long enough when we had sufficient dollars), in fact we had one year where we had close to a billion dollars of new money and we enacted a temporary income tax, and at that time we still did not pay our bills on time. We refuse to end up having the departments respond to the same type of responsibility that we ask our individuals and our businesses in Illinois to respond to the state. Not only do we charge them interest when they're one day late, but we charge them severe penalties to never do it again, and yet we stand here and we say that what we're going to do is not pay our people who, in fact, are charging us more than it's costing us on the interest. In the real world, when you get outside, as my small business does who does business with other states of the Union, when we know that those states do not pay their bills promptly, the only recourse I can do on a bid is to increase the price of my product because I have to cover my business expenses. So, what do I do? I have to, along with other suppliers, end up instead of a 90¢ head of lettuce to the Department of Corrections, they'll charge them in bid 93¢ or 94¢ because they know they won't be paid for three, four or five months. So, we say first of all it's going to cost the department millions of dollars. It

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would cost the department nothing if they paid their bill on time. There would be no expense, first of all. Secondly, imagine what we could save in the billions of dollars of contracts that this State of Illinois sends out to its...for bid across this country, across the State of Illinois. The Department of Corrections, look what they spend on food and papers and everything else and multiply that across every state department that sends out bids in our budget of \$20 some billion. Now think of how much 1 or 2% added on because of businesses have to add that cost to it. And what's it then costing the taxpayers? Three, four, five times more than any interest would have cost you in the first place. So, when we had the dollars we refused to pay it. When we don't have the dollars, we say we can't pay it. There is no attempt in this General Assembly collectively for all of us to try to resolve it, and force government finally to live up to its obligations. This is one attempt. I've disappointed that the Speaker won't call some of the other Prompt Payment Bills on the agenda that would allow... - and we had Amendments - that would allow two years, that it wouldn't go into effect until 1994. Two years to allow the state to get its budget back in order cause we accept, and...we understand the responsibility, but they won't do it, so what you do is have a Bill that is difficult to comply with (I understand that, as Representative Black has indicated), but there are other attempts and there's other approaches, but collectively they don't want it done. And I think that's a shame. It's a shame that you and I don't say, 'enough already'. I think we should vote for this Bill. I am. I wish you'll join me."

Speaker Young: "Representative Hicks."



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Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I couldn't agree more with the last two speakers. They are exactly on track. They're saying the exact right thing about this Bill, what it truly means to the people of Illinois. You know, we are doing an inservice to not only the people of Illinois, but anybody who does business with Illinois when we don't pay on time, Representative Klemm couldn't have been closer on track than I've seen in a long time. Representative Klemm, you're exactly, exactly right. It does cost more business. I don't know any other better way of saying that, Dick. Excuse me. But, Representative Curran, you're exactly correct. This is a good Bill. People ought to be voting for this Bill. Representative Edley, I commend you on a very fine Bill. It's something that we shouldn't have to do, though. That's reality. We shouldn't have to do this. We shouldn't have to have legislation like this. We ought to just be paying our bill, paying them on time, doing business in a business-like manner, which most of you campaign on every day, saying, 'I want to run state government like a business.' But that's not what we do. It's a shame we have to put through Bills like this, but the reality is, if we're going to get people paid in this state, we have to do it. Thank you."

Speaker Young: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Apparently, many Members of this House were not listening to the real Speaker yesterday. Apparently, many Members of this House want to ignore what Speaker Madigan had to say yesterday about the condition of the State of Illinois. He reminded us that the checkbook balance yesterday was a million-six. He also reminded the Members

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of this House, that there was some \$600 million plus in unpaid bills. Now, if we can't pay \$650 million in unpaid bills, how are we ever going to pay the interest on it that you're trying to heap on it? The Speaker reminded us yesterday that it was necessary to cut \$40 million out of the Developmentally Disabled and the Mentally Ill's budget because we couldn't afford to do it, but yet now you want to add in another \$84 million that it could cost the state if this state is not in any better condition in the coming year than it is now. That is contradictory. Imagine how your two votes are going to look to the voters back home in the fall. You voted to spend another \$84 million in interest, but yet you voted to cut the Developmentally Disabled and the Mentally Ill \$40 million. Did you listen to the cuts that were contained in the Speaker's budget? How can we make those cuts, how can we vote in favor of those cuts in a budget with those draconian cuts in it, and yet come back here today, one day later, 24 hours later, and vote to spend another \$84 million. It simply is irresponsible, even though it may be desirable. It is irresponsible. We have no alternative but to cut this year. We can't be adding on and adding on and adding on to an already trashed and slashed budget that the state is facing. It's an irresponsible vote, and it's a contradictory vote, and a 'no' vote is the only answer."

Speaker Young: "Representative John Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this excellent piece of legislation. As one of the previous speakers indicated, we in the State of Illinois ought to really be ashamed of ourselves to even need to think about such a piece of legislation, but if...if the State of Illinois will not pay

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its bills on time, the least we can do is pay interest to those who are creditors of the State of Illinois and what's sauce to the goose is sauce to the gander. If you or I or any of our constituents or business people out there don't pay their income taxes on time, or their withholding taxes on time, the State of Illinois not only wants interest, but wants a penalty. If they can charge us interest and penalties if we don't pay on time, and they don't want to hear any excuses from us - that we're having difficult times, the cash flow is poor, the economy is down, receipts are down- they don't want to hear any of that. All they want to know is, 'Where is our money? If you haven't paid it, you owe us penalties and interest.' What we're saying, is sauce for the goose is sauce for the gander. If the state won't pay its bills, the state ought to pay interest to its creditors. I hope there'll be a lot of 'aye' votes on this legislation."

Speaker Young: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. You know, in this business we often introduce pieces of legislation that attempt to maybe embarrass people or to, oh, embarrass parties and so forth. I think that's the case of this particular Bill. However, I can also say that people say we need to operate the state like a business. Well, that's true. There are certain kinds of operation that you operate a business, that you can operate State Government. But let me ask you: Is there a business that deals with people who are homeless? Are there businesses who deal with people who have committed crimes? Are there businesses who deal with public transportation? Or state highways? Or national security? Or national defense as they do in the Federal Government? It isn't the same. The

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thing that is extremely important, though, is that we ought to be fair and that's why the support of this Bill is important, because we tell people for one reason that when you're delinquent on your income tax as a public citizen, the state will require your interest payment as well as maybe even a penalty. Now why do we always say okay, the state can do one thing, but the public has to do something else? I have voted against this in past times because I truly felt that we didn't have this \$72 million or \$80 million that is required to pay this interest, and what this is going to do, Sponsor of the Bill, will even further delay the payments to our providers in the State of Illinois because unless we cut whatever the interest rate is going to be out of the current budget somewhere else, we're just going to add to the increase. So, we're in a situation where we either have to attempt to hold the line in spending, or to be fair, and I guess as a public servant, we always come back to the fact that we should attempt to be fair and honest, and that's why I am for once changing to vote for it because I think then, that we ought to cut the \$72 million somewhere else, and I think I would have some ideas as to where to cut it, rather than some of the proposals that were mentioned yesterday. I do not think we ought to have a two-tier system in State Government - one that affects the state, the other one that deals with the same kind of business practices affect the public. I'm going to support this this time. Thank you."

Speaker Young: "Representative Flinn."

Flinn: "Mr. Speaker, I've heard enough, and I think everybody else has. I move the previous question."

Speaker Young: "The Gentleman has moved the previous question. The question is, 'Shall the previous question be put?' All

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those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the previous question is put. Representative Edley, to close."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. Let me first say that this is not a partisan Bill. This is not a Republican-Democrat Bill, and even those who have risen in opposition to this and saying (I'm sure they are well intended), but like my grandfather told me many years ago, the road to hell is paved with good intentions. And applied to the state, the road to bankruptcy has been paved with good intentions. It's time to get real. One of the previous speakers said in business you couldn't operate this way. You can't operate by not paying your bills for very long. You can't operate by stiff-arming suppliers because you'd be out of business. All except for the State of Illinois. If we act responsibly, this Bill costs nothing. Not a dime. Not a dime, and I'm sure you're like me. I'm embarrassed. Embarrassed to go back to the district and say, 'We've got a billion dollars in unpaid bills.' I feel like I should be carrying around a tin cup. A tin cup. It's time for us to stand up and act fiscally responsible just like we demand of our taxpayers of this state, just like we demand of the businesses who pay our sales taxes. It's time to act responsibly and if we don't - we're grown ups - you've got to pay a penalty. This is a good Bill, and I would ask for a favorable roll call."

Speaker Young: "The question is, 'Shall Senate Bill 1588 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open, and this is final passage. Representative Hoffman, one minute to explain your vote."

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

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House. It was said earlier, 'How would this look at home?' I'll tell you how it looks at home right now. Pharmacies are closing; small businesses are closing, suppliers are getting no business. That's how it looks at home right now. When we borrowed \$500 million in January, do you know what interest rate we paid? Two percent. Two percent. We can do that now. We can quit borrowing from our people at home. If this Bill passes, maybe we'll do the responsible thing: Go borrow the \$650 million, get a plan to pay it off, pay off the people in our district and only pay 2% interest. We need this Bill. Vote 'aye'."

Speaker Young: "Robert Olson, one minute to explain your vote."

Olson: "Thank you, Mr. Speaker. I wanted to ask the Representative a question. I wonder if he would stand and just wave his arm at me. Does the interest start immediately, after 30 days, after 60 days? What did he say? I couldn't understand you, but if this interest starts immediately..."

Edley: "It doesn't start immediately. It starts 60 days."

Olson: "Sixty days. Okay. Thank you."

Speaker Young: "Representative Phelps, one minute to explain your vote."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this. I don't know about you, but I think the general public of this state have looked at the state in having a 'big I, little you' attitude, and this is one of the areas in which we have proven it the most. The audacity of some instances in my district where the people who own the nursing homes could not pay their income tax because they had over-extended themselves in loans and they weren't paid for over six to seven months, and yet the...We were going to penalize them with a major

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interest for not paying income tax on time. So this is the kind of attitude in which we're dealing with. It's a good Bill."

Speaker Young: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 81 voting 'yes', 12 voting 'no', 23 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1589, Representative Edley. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1589, a Bill for an Act to amend the State Prompt Payment Act. Third Reading of the Bill."

Speaker Young: "Representative Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. This is a similar Bill, although it focuses the 2% interest penalty to medical providers. Currently, we have delineated the late payment...prompt payment provision for medical providers. This one...This legislation reinstates that. Similar topic, same kind of responses, and I would ask for a favorable roll call."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 1589. On that question, Representative Black."

Black: "Thank you very much, Mr. Speaker. I think maybe we could just play a tape of the last Bill. I have no grand illusions that we'll defeat this one anymore than we did the last one. I just would remind you of what Representative Wennlund said, as pointed out by Speaker Madigan yesterday, you got a million dollars in the bank, you owe \$700 million, and this Bill says that Public Aid would owe \$72 million in interest payments effective 60 days after this Bill passes on bills they can't even pay. Who are we kidding? What you cut yesterday, you're putting right back in the budget in interest payments. The state

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doesn't pay it. The taxpayers do. If you want to pontificate on the Bill, put your name on a tax increase. You can't pay what you don't have."

Speaker Young: "Further discussion? The question is, 'Shall Senate Bill 1589 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open, and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 80 voting 'aye', 12 voting 'no', 25 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Committee Report."

Clerk O'Brien: "The Committee on Rules has met and pursuant to Rule 29(c)3, the following Bill has been ruled exempt on June 18, 1992, Senate Bill 216, signed John Matijeich, Chairman."

Speaker Young: "Senate Bill 1618, Representative Cowlshaw. Read the Bill, Mr. Clerk. Senate Bill 1618."

Clerk O'Brien: "Senate Bill 1618, a Bill for an Act relating to affairs of the Illinois Mathematics and Science Academy. Third Reading of the Bill."

Speaker Young: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Chairman. Ladies and Gentlemen of the House, this Bill came out of the Senate committee unanimously and came out of the Senate unanimously and came out of the House committee unanimously. As far as I know, there is absolutely no opposition to it. It has two sections: The first one increases the Mathematics and Science Academy's imprest account from \$10,000 to \$15,000 in order to accommodate the difficulties they're having in paying referees and umpires because the state cash flow problem has begun to affect them, and, secondly, it begins to treat the Academy like a



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public university in its ability to purchase supplies under rules and regulations approved by the Department of Central Management Services in order to save the Academy some money. That's all the Bill does and I would appreciate a favorable roll call."

Speaker Young: "The Lady moves for passage of Senate Bill 1618, and on that question, Representative Davis."

Davis: "Representative Cowlshaw, I'm sorry, but I was in some discussion here with my seat mate, Grace Mary Stern, and I'm not sure if I heard you correctly. Did I hear you say that this was to pay coaches or something?"

Cowlshaw: "Representative Davis, every public university and every community college, as well as the academy, has an imprest account, which is used to pay referees and umpires at sports events. Now, because of the fact that we are... the state is very slow right now in paying its obligations, the academy has simply asked that the imprest account, they be permitted to have a total of \$15,000 in that account rather than just \$10,000 which is what the current law provides in order so that they may pay these referees and umpires at athletic events on time. I would remind you, as well, however, that universities have a \$200,000 imprest account."

Davis: "This isn't a university, Representative. This is...We're talking about a high school. We're talking about a school where these children are in an elementary, I'm sorry, a high school setting. This is not a college, so let's not confuse those. I would like to know from you where you get those dollars? Where are those dollars coming from? Where are those additional dollars coming from?"

Cowlshaw: "This a part of the Academy's regular budget. Now the entire amount of money spent from the imprest account will

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not increase any more than it would have been otherwise, but because the state is so slow in paying its bills, the academy would like to have an additional amount of money up front to pay referees and umpires at athletic events on time. Now, I..."

Davis: "I understand...Wait, Representative. I do understand that we're very concerned with paying umpires and paying referees - I mean I do definitely understand that - even if some people don't get to eat or even if some people remain homeless, we must have a part of this budget to pay for these umpires and these referees at a high school level. Now let me ask you this: What is the cost of educating a student at the Math and Science Academy?"

Cowlshaw: "I haven't the slightest idea, and it has nothing to do with this Bill."

Davis: "Let me ask you this: How many graduates have we had so far?"

Cowlshaw: "I haven't the slightest idea, and it has nothing to do with this Bill."

Davis: "I'd like to know how many of them have remained in Illinois and what production or how they are producing for the State of Illinois?"

Cowlshaw: "I haven't the slightest idea, and it has nothing to do with this Bill."

Davis: "Well, my vote will have nothing to do with this Bill. You know, I'm just...I really think that the public has a right to know what is the cost of educating students at the Math and Science Academy and of what benefit it is to the rest of the State of Illinois. Now do they go to California and work for some large industry there or are they great researchers and scientists producing for the State of Illinois? We do not have that documented. Now, I

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know that the Bulls needed the best referees that they could find, but I'm not too sure that we need this great large budget for the Math and Science Academy referees."

Speaker Young: "Further discussion? Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in opposition to this legislation. Each one of us, obviously, and, of course, represents an area with elementary and secondary school districts back home. I don't know any of them who have taxpayer dollars involved for what essentially are extracurricular activities, especially to pay...referees and umpires. The Math and Science Academy is a particular and special place created by Act and authorization of the General Assembly of the State of Illinois, but just because it was done in that manner and fashion and because it's the only institution of its type in the State of Illinois, it still does not create a situation which would authorize or should authorize the State of Illinois to, especially in times when we don't have enough money, to provide luxuries and frills for them. I think the Math and Science Academy ought to have bake sales and garage sales and all the other fund-raising activities, maybe sell candy door to door like many of our school children do to raise money for the extracurriculars just like everyone else. So, while the Sponsor may be well intended and while the notion might in some other time, in some other day, may be a good one, today and in these times it is not a good idea, and it should be soundly defeated, and I recommend a 'no' vote on this legislation. Thank you very much."

Speaker Young: "Further discussion? Representative Cowlshaw, to close."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and

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Gentlemen of the House, this is a very simple Bill, and it has nothing to do with many of the issues that have been raised here. If those issues need to be addressed, then certainly I am sure we could get some answers for people for some of the concerns that they have but let me explain that all of this...the entire Academy budget was discussed in the Education Appropriations Committee and that budget came out of that committee on a unanimous roll call. Now if you people have this kind of problem with this, it would seem to me that that was the point in the process when you should have raised your questions. This Bill simply does two very small things. Number 1, it uses some of the money that the Academy gets by charging admission to athletic events and certain kinds of arts programs. It permits them to put a larger share of that into this account so that they can pay their referees and umpires on time. Paying those adults on time has nothing to do with what the cost of the program is for the students. It has only to do with their being able to be responsible at a time when the state is not able to be responsible. That's the first thing. The second thing that this Bill does is to allow the Academy to purchase items that they need through the same account as public universities with the approval of the Central Management Services agency and that will enable them to save money. In the long run this is a Bill that saves the Academy money, and it has no direct relationship whatsoever to the tax dollars that we provide to the Academy because the imprest fund (which I'm sorry I did not know of this sooner so I could tell you) the imprest fund comes from the charges that they impose for admission to these events, both sporting events and other kinds of events that are open to the public and for...for that

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reason, Mr. Speaker, I would urge a 'yes' vote on Senate Bill 1618. Thank you."

Speaker Young: "The question is, 'Shall Senate Bill 1618 pass?' All those in favor vote 'aye', those opposed vote 'no'. The voting is open, and this is final passage. Have all voted who wish? Have all voted who wish? Representative Rice, to explain his vote."

Rice: "Mr. Speaker, when this fine institution was first established, it was stressing math and the sciences. Many of us, who are in the Chicago area, couldn't get our kids out to that institution because it had a list of folks going into it. I think it's unfair to the other students, the other youth in the State of Illinois, that now this prestigious institution is going into the athletic business. If this is so, why don't they, the parents that send those kids out there, pay for the referees and those people that have to participate in the athletics? Now, I think there should be red votes up there on that board or we decide to bring that money back into our local communities that our kids have opportunities, to not use volunteers, that we can have the opportunity to pay competent folks to referee our games instead of the City of Chicago Police Department."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question, there are 93 voting 'yes', 20 voting 'no', 5 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1732, Representative Curran. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1732, a Bill for an Act to amend the State Officers and Employees Money Disposition Act. Third Reading of the Bill."

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Speaker Young: "Representative Curran."

Curran: "Thank you, Mr. Speaker. What Senate Bill 1732 does, it amends the State Officers and Employees Money Disposition Act. What it says is that the method of calculating interest on successfully protested tax cases could be changed from the current fixed rate of 6% to a floating bench mark of the 13-week US Treasury Bill rate. I don't think it's controversial; I'll be glad to answer any questions, but I think this is simply so that neither the state nor the taxpayer ever gets caught as the interest rates gets switched from high to low. Be glad to answer any questions. Ask for a favorable roll call."

Speaker Young: "The Gentleman moves for the passage of Senate Bill 1732 and on that question, Representative Wennlund."

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

Speaker Young: "He indicates he will yield for a question."

Wennlund: "When the interest rates rise, where does the money come from to pay it?"

Curran: "If the interest rates would rise the money to pay it would be sufficient at the 6% level, but when the interest rates drop then the state would have to make up the payment that would go to these protesting taxpayers. Right now we find ourselves in the situation where the state has to make up this payment to the protesting taxpayers, so in this particular case the state gets gouged; when interest rates are high and the taxpayer could get more than 6% on that money, the taxpayer gets gouged. So as not to gouge either the state or the protesting taxpayer, what this legislation does is allows fluctuation rather than have that flat rate...flat rate which gouges the state in some circumstances and the taxpayer in others."

Wennlund: "Have there been any estimates of how much money that

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might cost the state?"

Curran: "If I have it correctly, the state accrued a deficit of nearly \$230,000 this fiscal year between the 6% mandate and the Treasurer's earnings rate simply because earnings went down when the interest rates went down."

Wennlund: "Thank you very much."

Speaker Young: "Further discussion? And the question is, 'Shall Senate Bill 1732 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open, and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no' and 0 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 2128, Representative McGann. Out of the record. Senate Bill 2190, Representative Hultgren. Out of the record. On the Order of Mandates, Third Reading. Senate Bill 1640, Representative Stepan. Out of the record. Senate Bill 1771, Representative Wolf. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1771, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Young: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker. Senate Bill 1771 is a Bill that's intended to go into conference to carry future Agreed Bill Pension legislation, and I would move for its passage."

Speaker Young: "The Gentleman moves for passage of Senate Bill 1771. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1771 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open, and this is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are

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117 voting 'yes', 0 voting 'no' and 0 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 2093, Representative McGann. Representative McGann? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2093, a Bill for an Act to amend the State Mandates Act. Third Reading of the Bill."

Speaker Young: "Representative McGann."

McGann: "Mr. Speaker, would you take it out of the record please."

Speaker Young: "Out of the record. Senate Bill 2097, Representative McGann. Out of the record. Senate Bill 2098, Representative McGann. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2098, a Bill for an Act to amend the Home Rule Note Act. Third Reading of the Bill."

Speaker Young: "Representative McGann."

McGann: "Thank you. Thank you, Mr. Speaker, Members of the Assembly. Senate Bill 2098 amends the Home Rule Act. It came out of the Senate 55 to 0. It amends it in regards to the reports on laws preempting home rule powers. Within 90 days after each General Assembly adjourns the Department of Commerce and Community Affairs will prepare and file for the Governor and General Assembly a report. This is the same as a House Bill we had to go over to the Senate previously. I would ask a favorable vote and answer any questions."

Speaker Young: "The Gentleman moves for passage of Senate Bill 2098 and on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 2098 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open, and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take



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the record. On this question, there are 116 voting 'yes', 0 voting 'no' and 0 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 2179, Representative Santiago. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2179, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Santiago."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. This is a special bilingual special education Bill. It would require teachers who provide special education services to limited English proficient students to be certified in bilingual education and it requires the Board...the State Board of Education to develop such certification. I have worked very closely with the State Board of Education on this Bill. There is support of the Bill so I ask for your favorable...consideration."

Speaker Young: "The Gentleman moves for passage of Senate Bill 2179 and on that question, Representative Wennlund."

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

Speaker Young: "He indicates he will yield for a question."

Wennlund: "This appears to be another mandate being placed on school districts in Illinois?"

Santiago: "Let, Representative...one that I...As I've said to you before I...If you look at the fiscal note, this will cost very, very little money, under, maybe \$5,000."

Wennlund: "How much?"

Santiago: "Under \$5,000."

Wennlund: "Under \$5,000?"

Santiago: "Right."

Wennlund: "And who will that cost be to? To the State Board; or... State Board. State Board of Education. But...So it

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won't cost local school districts anything?"

Santiago: "No, just the State Board of Education."

Wennlund: "And they have no objection to this?"

Santiago: "No objection."

Wennlund: "Thank you very much."

Speaker Young: "Further discussion? Representative Ropp."

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

Speaker Young: "He indicates he'll yield."

Ropp: "In our analysis, it indicates that part of the attempts here is to come up with certain kinds of standards or goals for those who are in need of...of your program? Is that right?"

Santiago: "Yes."

Ropp: "And why would those goals be any different than for any other student who is attempting to attend public institutions?"

Santiago: "Well, these are basically individuals that are handicapped twice. They are language-handicapped and also physically disabled individuals."

Ropp: "We do not have standards now for those kinds of people in the state?"

Santiago: "Not for these kids."

Ropp: "Pardon?"

Santiago: "Not for these kids."

Ropp: "So, though we are establishing a program that needs to have standards for every unique difference within our society. Is that correct?"

Santiago: "No. I'm establishing just basically for these individuals that have double handicaps."

Ropp: "Okay. Thank you."

Speaker Young: "Further discussion? Representative Santiago, to close."

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Santiago: "Yes. I would also like to make a statement that I have agreed with the State Board of Education that this Bill does not intend to include deaf or hearing impaired students. Thank you. I move for favorable consideration."

Speaker Young: "The question is, 'Shall Senate Bill 2179 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open, and this is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no' and 0 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. On the order of Agriculture and Environment, Third Reading. Senate Bill 1716, Representative Cowlshaw. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1716, a Bill for an Act to amend the Natural Resources Act. Third Reading of the Bill."

Speaker Cowlshaw: "Representative Cowlshaw."

Cowlshaw: "Yes. Thank you very much, Mr. Speaker. I'm sorry for the slight delay. Excuse me, please. This Bill was sponsored in the Senate by Senator Ethridge who as you know is a geologist. There is no opposition to the Bill whatsoever. (It hasn't been all the way along the line.) This is, in fact, endorsed by the Department of Energy and Natural Resources, and it amends the Natural Resources Act simply to authorize the Department of Energy and Natural Resources to participate in the Federal Geologic Mapping Program. That program is paid for entirely by federal funds. There is no cost to the state whatsoever, but the department does believe that it needs authorization in the law to take part in that Geologic Mapping Program. That's all the Bill does, and I urge its support."

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Speaker Young: "The Lady moves for passage of Senate Bill 1716 and on that question Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. Would the Representative from Naperville yield for a question?"

Speaker Young: "He indicates he will yield for a question."

Cowlshaw: "Most certainly."

Black: "Yes. Thank you Representative. Is the Farm Bureau in favor of this? I think this is a good Agriculture Bill you are carrying. I just want to know if the Farm Bureau is aware of this."

Cowlshaw: "I believe the Farm Bureau is not only aware of this, but I think the Farm Bureau is really supportive of anything having to do with geology."

Black: "I would agree with you, and I think that it's...I stand to commend the Sponsor of this Bill from the growing area of Naperville for working with us, farmers and those rural folks and helping us pass this Bill. Thank you, Representative."

Speaker Young: "Further discussion? The question is, 'Shall Senate Bill 1716 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open, and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no' and 0 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1750. Representative Hartke. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1750, a Bill for an Act concerning ground water protection and regulating agencies. Third Reading of the Bill."

Speaker Young: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House."

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Senate Bill 1750 as it came over from the...the Senate was merely a shell Bill, and it's a combination of about two or three months work by many parties, including the Illinois Environmental Protection Agency, the Illinois Environmental Council, Pollution Control Board, the Illinois Farm Bureau, the Illinois Fertilizer and Chemical Association and the Illinois Manufacturers Association and many involved parties. This Bill deals with the question of the ground water protection in and around fertilizer and chemical plants in the State of Illinois and is quite a complicated piece of legislation and to put this thing together took quite a bit of work by all parties. What it does is it extends the basic principle...started several years ago in House Bill 34...3649. As far as I know everyone is in total agreement on it, and I'll be happy to answer any questions."

Speaker Young: "The Gentleman moves for passage of Senate Bill 1750. On that question, Representative Peterson."

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

Speaker Young: "He indicates that he will yield for a question."

Peterson: "Representative Hartke, for the purposes of legislative intent. It is my understanding that although the Environmental Protection Agency and the Illinois Department of Agriculture will jointly develop the new regulations, the agencies will be assembling a committee or task force made up of interested parties including industry people to help research and write the new rules. Is that correct, Representative?"

Hartke: "Yes, it is. It is my understanding that the Department of Agriculture...a created...will create a committee consisting of affected interest to help address the technical and scientific aspects of the new ground water

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monitoring rules."

Peterson: "Thank you."

Speaker Young: "Further discussion? Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. This is a good Bill. It has been introduced by a fine Sponsor who has worked long and hard to bring the interested parties together to deal with the problem of pesticides. We need to, we all want to...to consume agricultural products and we want to have them come to us at low cost inexpensively delivered promptly, but we sometimes harangue about the fact that chemicals are used to produce those products and this is a Bill which would attempt to address the interface between the producers, and the environmentalists and to do it in a way that would be satisfactory to all, so I recommend a green vote on this good Bill. Thank you very much."

Speaker Young: "Representative Ropp."

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

Speaker Young: "He indicates he will yield."

Ropp: "Can you tell me whether or not this has any impact with legislation we passed a couple of years ago, which I'm not even sure is in effect that taxed so much a ton for fertilizers to be used for either research or cleanup relative to spilt chemicals on a farm?"

Hartke: "Representative Ropp, that piece of legislation was all mine and that added, doubled the fee placed on the sale of fertilizer at the wholesale level, I believe, or at the suppliers level. This piece of legislation is part of that system, but not directly with it. This is an extension of Bill 3649."

Ropp: "Didn't we do something with those fees? Either didn't we

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divert them?"

Hartke: "Yes, we did..."

Ropp: "Didn't we divert them and not allow them to stay in the fund that it was supposed to because the state needed money somewhere else?"

Hartke: "There were several funds set up. We did take some funds by collective agreement here of the Body from, I think, the Illinois Pesticide Control Fund."

Ropp: "Okay. Does this Bill then continue or utilize funds in any way for clean-up if there are spills or they find that there is need for a cleanup?"

Hartke: "There is a possibility that some of these funds could be used for that clean-up. That's what the idea of the extension is to agree exactly upon how much and what and that's what the committee is going to try to develop, is those policies."

Ropp: "Do they get the funds only from the registration fees here or are there additional funds required?"

Hartke: "It is my understanding that the...the fee continuation in this legislation is not only on the registration fee, but also the applications as well as continuation of the site fees."

Ropp: "Okay. Well, I'm very pleased that your efforts have brought together all these groups so that there is uniformity and concern in not only keeping the environment clean, but also allowing agriculture to do its job at producing food for the world."

Speaker Young: "Further discussion? Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. Just for the record, we have an inquiry of the Chair. We need to make certain our records do not reflect that Amendment #2 has been adopted in this Bill. The Sponsor assures me that it

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has, and I'm sure that it indeed has been, but for the record, let's just make sure that Amendment #2 is on this Bill."

Speaker Young: "Mr. Clerk, have any Amendments been adopted to this Bill?"

Clerk O'Brien: "Amendments 1 and 2 are adopted."

Speaker Young: "Yes."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of the Bill and commend Representative Hartke for working out this Bill. A year ago if anybody had told me that they would have been able to come to any agreement, I would have had serious doubts. They have put in literally hundreds of hours working on this. It's a very important issue, not only for Downstaters or farmers, but since that's where most of you get your food, it's important to all of you. It's a good Bill. It deserves your support. Thank you."

Speaker Young: "Further discussion? Representative Hartke to close."

Hartke: "Well, I think we've all heard the discussion, and I would just appreciate an 'aye' vote on this piece of legislation."

Speaker Young: "The question is, 'Shall Senate Bill 1750 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no', and 0 voting 'present'. Senate Bill 1750, having received the required Constitutional Majority. is hereby declared passed. Senate Bill 2177, Representative Hartke. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2177, a Bill for an Act to amend the



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Illinois Pesticide Act. Third Reading of the Bill."

Speaker Young: "Representative Hartke. Representative Hartke? Out of the record. On the Order of Elementary and Secondary Education, Third Reading. Senate Bill 969, Representative Curran. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 969, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Curran."

Curran: "Thank you, Mr. Speaker. We need leave to bring this Bill back to Second Reading. Yesterday at least two Members had Amendments they wish to offer."

Speaker Young: "Representative Curran, we operate by lists around here. There is a list in the Clerk's office."

Curran: "I was told...We're on the list, I believe."

Speaker Young: "Okay."

Curran: "That's what I was told. I'm sorry."

Speaker Young: "Okay, we'll take this Bill off the record 'til we get to the appropriate lists. Senate Bill 1554, Representative Satterthwaite. Representative Satterthwaite? Did we read Senate Bill 1554, Mr. Clerk? Read Senate Bill 1554, please."

Clerk O'Brien: "Senate Bill 1554, a Bill for an Act in relation to educational finance. Third Reading of the Bill."

Speaker Young: "Representative Satterthwaite?"

Satterthwaite: "Mr. Speaker and Members of the House, this is a shell Bill that we intend to put in a Conference Committee posture so that it can be held until after we come back in the Veto Session. It will be used at that time if the Task Force on School Finance has come to a conclusion on recommendations for changes in the way we fund our local schools. I would ask for support of the measure simply to put it in that posture for later use."

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Speaker Young: "The Lady moves for passage of Senate Bill 1554 and on that question, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. The Sponsor of this Bill gave her word when we discussed it in committee that this Bill would not be used until fall Veto Session and then it would be used for any recommendations forthcoming from this Task Force on School Finance and with that understanding I stand in support of passage of Senate Bill 1554."

Speaker Young: "Further discussion? The question is, 'Shall Senate Bill 1554 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open, and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', 0 voting 'no' and 1 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1772. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1772, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, Senate Bill 1772 needs to be taken back to Second Reading for purposes of an agreed Amendment. If that's alright with the Chair?"

Speaker Young: "It has to be put on the list that's in the well. We will get back to it."

Cowlshaw: "Oh, very good. Thank you, Mr. Speaker."

Speaker Young: "Senate Bill 2218, Representative Steczo. Out of the record. On the Order of Elections, Third Reading. Senate Bill 1992, Representative Lang. On the Order of Elections, Third Reading. Out of the record...Bill 2128, Representative McGann. Are you ready on Senate Bill 2128?"

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Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2128, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill."

Speaker Young: "Representative McGann."

McGann: "Hold it. Excuse me. This has to be on a list up there. I'm sorry, Mr. Speaker. Take it out of the record."

Speaker Young: "Out of the record. Senate Bill 2128. Read the Bill, Mr. Clerk. Mr. Clerk, where is Senate Bill 2128?"

Clerk O'Brien: "Senate Bill 2128 appears on Third Reading."

Speaker Young: "The Gentleman asks leave to have Senate Bill 2128 returned to Second Reading for purposes of an Amendment. Does he have leave? By use of the Attendance Roll Call, leave is granted. Second Reading. Are there any Amendments filed, Mr. Clerk?"

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

Speaker Young: "Representative Lang."

Lang: "Thank you, Mr. Speaker. It's a very simple Amendment. It merely puts this Act in accordance with the Federal Act relative to the amount of receipts. Changes it from \$1.5 million to \$5 million. This puts us in exactly the same numbers as the federal rules, and I move the adoption of the Amendment."

Speaker Young: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 2128 and on that question, Representative Black."

Black: "All right. Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Black: "Representative, I certainly don't stand in opposition, but very quickly, are you...by this language, are you changing what the definition then would be for a small business, so that more could qualify for that designation?"

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Lang: "That's correct."

Black: "Do we at the same time have to do anything about the number of employees to retain a small business definition?"

Lang: "My understanding is we do not. This...Changing it from \$1.5 million to \$5 million will put the State of Illinois' Rules and make them the same as the Federal Rules."

Black: "So, as you said, this puts us back in compliance with the federal standards."

Lang: "That's correct. That's my understanding."

Black: "Thank you very much. Good idea."

Speaker Young: "Any further discussion? The question is, 'Shall Amendment #1 to Senate Bill 2128 be adopted?' All those in favor vote 'aye', those opposed vote 'no'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. Representative McGann asks leave for immediate consideration on Third Reading. By use of the Attendance Roll Call, leave is granted. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2128, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill."

Speaker Young: "Wait, take this Bill out of the record again for a minute, Mr. Clerk. Out of the record. On page 17 of the Calendar, appears SJR...Senate Joint Resolution 157, Representative Lang. Read the Resolution, Mr. Clerk."

Clerk O'Brien: "Senate Joint Resolution 157 creates the Joint Committee on the Education Amendment. Executive Committee recommends 'do adopt'."

Speaker Young: "Representative McGann, for what purpose do you seek recognition?"

McGann: "Mr. Speaker, I rise in point of personal privilege. It

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is indeed my pleasure to announce to the General Assembly the new president of the Governor's State University, the Honorable Miss Paula Wolf. She's in the rear of the chamber. She has just been...just been appointed. The new president of Governor's State University."

Speaker Young: "Mr. Clerk, take this Resolution out of the record."

Speaker Satterthwaite: "Representative Satterthwaite, in the Chair. It's our position that we will now go to Senate Bills on Second Reading where there are not Amendments filed for consideration, and on that Order on Government Administration, Second Reading appears Senate Bill 2091, Representative McDonough. Representative McDonough, do you wish to call Senate Bill 2091 on Second Reading. Out of the record. On Human Services, Second Reading, Senate Bill 1717, Representative LeFlore. Out of the record. On Child and Family Law, Second Reading, Senate Bill 400, Representative Homer. Out of the record. On Municipal County, and Conservation Law on Second Reading, Representative John...oh, Representative...There are some Bills that were called on Third Reading earlier in the day where the Sponsor may not have been present at that time. On Government Administration, Third Reading, Representative Brunsvold. Do you wish to have 2151 called? Out of the record. Representative Currie, on Human Services, Third Reading. Do you wish to have Senate Bill 1965 called? Out of the record. Representative Steczko, on Municipal, County and Conservation, Third Reading. Do you wish to have Senate Bill 1776 called? Out of the record. Representative Hartke, on Senate Bill 1828. Out of the record. Representative Brunsvold, on Senate Bill 1862. Out of the record. Representative Capparelli, on Senate

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Bill 2200. Representative Capparelli? Representative Capparelli, do you wish to have Senate Bill 2200 called? Out of the record. Representative Capparelli, on Senate Bill 1519. Out of the record. Representative Black, for what reason do you rise?"

Black: "Yes, thank you Madam Speaker. Just an announcement to the Chair. If you give me two or three notice...two or three moments notice, I will round up some Republican Sponsors and if you'll go to that call, I'm sure the Republican Sponsors will be prepared to move their Bills in a expeditious fashion."

Speaker Satterthwaite: "Well, we certainly hope that is true because the next Bill on this Order of Call is on Insurance, Third Reading, Representative Regan, on Senate Bill 1638."

Black: "Well, it was a most expeditious time for me to arise. Thank you, Madam Speaker."

Speaker Satterthwaite: "Out of the record. On Civil Law, Third Reading, Representative Cronin, Senate Bill 1708. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1708, a Bill for an Act to amend the Sales Representative Act. Third Reading of this Bill."

Speaker Satterthwaite: "Representative Cronin. We're happy that you are ready to handle your Bills."

Cronin: "Thank you. Well, you never know when it's going to be called, Madam Speaker. Thank you very much, Ladies and Gentlemen of the Assembly. (Senate Bill) 1708 amends the Sales Representative Act. Representative Levin and I have discussed this at length. It defines sales representative as one who contracts with a principal to solicit orders, deletes language providing that the Act does not apply to sales representatives who sell products to the ultimate

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consumer, so this applies not only to wholesale - people who sell to wholesalers - but as well as it applies to those who sell to retail outlets. I would ask for your favorable vote. This is noncontroversial matter. It really should be on the Consent Calendar. Thank you."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 1708 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 1 voting 'no', 0 voting 'present'. The Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Obrzut. Representative McAfee, on Senate Bill 2134. Out of the record. Representative Laurino, on Criminal Law, Third Reading, Senate Bill 1541. Do you wish to have the Bill called on Third Reading? Excuse me, Representative McNamara, I can't see Representative Laurino. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1541, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Bill."

Speaker Satterthwaite: "Representative Laurino."

Laurino: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1541 essentially just puts this...weapons into the same category as we have now with drugs around schools, parks and public housing units and I ask for an 'aye' vote."

Speaker Satterthwaite: "Is there any discussion? Representative Wennlund."

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

Speaker Satterthwaite: "He indicates he will."

Wennlund: "Is this Bill still opposed by the Illinois State Bar

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Association?"

Laurino: "I'm not positive that they were ever opposed to it, Larry."

Wennlund: "Now if...if...someone lived within a 1,000 feet of a public park (which could very well happen with neighborhood parks) and had taken their son hunting and came home and took the shotgun out of the trunk, he could be found guilty of this crime?"

Laurino: "No, Larry. This is...has nothing to do for the sporting effects of weapons. This has to do with basically handguns and uzzies and things of that nature that are being utilized in the neighbors (sic-neighborhoods) of the City of Chicago, the State of Illinois, harming the innocent young children."

Wennlund: "And do you have to be hooded, robed or masked in order to be guilty of this offense?"

Laurino: "No."

Wennlund: "It's only illegal weapons?"

Laurino: "Correct."

Wennlund: "And is it...it's your intention not to allow this to be used for or amended in any form either here or in the Senate?"

Laurino: "This is the Senate Bill that came over exactly the way it came over from the Senate. It's on Third Reading. You don't see any Amendments being offered, so I don't know what...I mean, if we pass this, it goes right to the Governor's desk."

Wennlund: "Very good. Thank you very much."

Speaker Satterthwaite: "Representative Davis."

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

Speaker Satterthwaite: "He indicates he will."

Davis: "Representative, is this a Bill that expands the School



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Safe Zone?"

Laurino: "Essentially, yes."

Davis: "Does it expand it someplace else also?"

Laurino: "Well, what it does, is it incorporates the same concept that we have for drugs in the same...in the safe school zone to weapons essentially because of the amount of young children and people being harmed by certain people in our society that have no consideration for the well being of innocent people and, yes, it does expand the safe school zone to..."

Davis: "Does it...does it..."

Laurino: "Parks and public housing units."

Davis: "Does it in any way inhibit one's ability to have a knife or a gun or a firearm when one feels that one needs one for one's own safety or protection?"

Laurino: "If it's not illegal. Of course not."

Davis: "Does it have anything to do...Does this Bill in any way discuss the...how many feet one must be from a park, a school and a housing project and so forth with a weapon?"

Laurino: "The same as the safe school zone."

Davis: "Well, suppose I owned a piece of property and let's say my property was about 1,500 feet from a school. Would my property be as safe as that school or park?"

Laurino: "I would hope so."

Davis: "But would it be with your legislation?"

Laurino: "No, what we...I don't know why you're confused about this. It says a 1,000..."

Davis: "No, Sir, I'm not confused at all."

Laurino: "Well, then let me finish my answer. It seems you are because the Bill specifically states 1,000 feet from a school, park or a public housing unit. Now, if you're confused about another 500 feet, I don't know what or how

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else it can be defined."

Davis: "Well, are you saying that a person would not be safe in front of my property."

Laurino: "I don't know if they would be safe in front of your property."

Davis: "Representative, let me ask my question."

Laurino: "Okay."

Davis: "Now. If I have a piece of property that is 1,500 feet from a school or a park or a housing project, you're saying that this law does not apply to me. People have a right to carry these silencers or have these weapons in front of my property, but not in front of these other places. Is that what you're telling me? So you're saying, if they hide the gun or they hide it and then walk a few feet away from these locations, they're in a much safer condition to carry them? Is that correct?"

Laurino: "No. What it does, it enhances the...the determination for the law in these specific areas. It's still illegal to have a weapon in front of your home or property even though it's 1,500 feet away."

Davis: "Why would it be illegal to have a gun in front of my property? Why?"

Laurino: "Well, you're not supposed to be carrying a weapon that's hidden, are you?"

Davis: "You're not supposed to be carrying one."

Laurino: "Correct."

Davis: "So, in other words this legislation is not necessary."

Laurino: "We're trying to..."

Davis: "Because the laws already exist, but say you should not be carrying a hidden weapon. Is that correct?"

Laurino: "No, what we're trying to do is enhance the safe school area or safe school zone areas into these other things with

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weapons as opposed to just..."

Davis: "Every since we have discussed safe school, safe parks and all of this other safe locations, we've had the most unsafe conditions that we could of imagined. Now, the point becomes, Representative, to the Bill, is my residence or my property is just as important to me as a park is to the county or to the...or whoever is responsible for it. My home should be just as safe as a CHA place. Now if it's illegal to carry these things in those three locations, then it should be illegal in front of my property, and if it isn't, Representative, I think what we're really trying to do is creep up on gun control. This is just something to...to creep up on the limit of people owning weapons and where they can have them. It certainly does not create a safe condition in the housing projects; it doesn't create a safe condition in the park; and it won't create a safe condition in front of my property, but I object to these pieces of legislation that so-call limit our freedoms and if a person wants to hide a gun he will just go 1,500 feet from the park. Maybe he won't hide it in the park; he'll hide it by my house which is 500 feet ahead. It's a bad piece of legislation. Vote 'no'.

Speaker Satterthwaite: "Representative Stern."

Stern: "Madam Speaker and Members of the House, as one who would like to creep up on gun control, I rise actually with the same bottom line position as the Representative who just spoke. I would like to see you vote 'no' on this, not because I wouldn't like us all creeping up on it, but I do believe we already have penalties on the books for violating the safe school zone. I believe that this is enhancing the penalties for no particularly good reason and I think when you talk about a time when we are building

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prisons and boot camps and not opening them because we can't afford to, to enhance penalties in such a way that we are going to add to the prison population unduly is unwise and inappropriate. I don't know what the prison - what is it, what do they call it - impact is of this Bill, but I think it's a bad Bill in any case and not needed. I urge your 'no' vote."

Speaker Satterthwaite: "Representative Brunsvold."

Brunsvold: "Thank you Madam Speaker. Will the Gentleman yield?"

Speaker Satterthwaite: "He indicates he will."

Brunsvold: "Representative, on page 5 of the Bill, you have added, 'or in any public park'. Now is this statewide?"

Laurino: "I believe it is."

Brunsvold: "Well, the problem we had I think with the original Bill, Representative, was when you added public park, the state has parks that hunting goes in on Downstate, and we carry guns in these parks and..."

Laurino: "Joe, let me interrupt you. This is illegal weapons, not sporting weapons. The NRA is not against this particular piece of legislation, just to alleviate your concerns and questions. Okay? They actually told me that they would ...they were not taking a position once we took off and didn't add any Amendments to the original Bill."

Brunsvold: "So, this does not affect...I just want to make sure this does not affect any hunting, any gun owners, any possession of weapons, hunting weapons in any park?"

Laurino: "It's strictly illegal weapons."

Brunsvold: "Okay. Thank you."

Speaker Satterthwaite: "Representative Matijevich."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, very often in this House we vote more on perception than fact and I guess I'm going to vote for the Bill on

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perception, but I want to tell you I believe that Monique Davis has a point because, you know, when we...and I've said it before on the floor of the House, that when we start categorizing crime, we make the enforcement of crime more difficult and we make, in the eyes of those who commit crimes, start to have judgments on what is a serious crime and what is a, quote, lesser serious crime. For example, I've said before, 'Is it any more serious to kill an elderly person than it is to kill a young person?' No, the seriousness is just the same, but what do you do when we pass legislation like this in the eyes of the youths who commit those...crimes? They begin to think it is all right to carry a gun (and it may be an illegal gun) away from the school yard, but not at a school yard, when actually, what we ought to be telling young people, is that it is serious to carry a weapon anywhere: in a park, in a school yard, anywhere, and I've said it before and I'm going to get up on the floor again when we start categorizing these crimes that it's about time that we have a task force to start reforming the whole Criminal Code and make it easier to understand so that young people can understand that crime is crime. Any crime is crime and no good. The young should not begin to put a doubt in their minds, 'Is this crime more or less serious than the other?' Let's...about time get to that task force and make the Criminal Code easier to understand."

Speaker Satterthwaite: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker. I just want to say the remarks of the last speaker were very good, and I think it's serious, John, that we go back and look at and inform some of the commissions that we had that could do the job that they did and when we eliminated them, we made a big

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mistake."

Speaker Satterthwaite: "Representative Laurino, to close."

Laurino: "Thank you, Madam Speaker. Ladies and Gentlemen, the seriousness of this piece of legislation is only enhanced by the fact that the crime of murder in the City of Chicago (and probably the State of Illinois) is far higher than it has been in the last five years. This year alone we're already about 20% ahead of last year's record-setting rate and this piece of legislation is trying to put a cap on some of these people that think it's okay just to drive around your neighborhoods and use innocent people as targets, just because they think it's fun. It's not fun for the parents and...and for the children of people that are involved in these communities that need a little protection, and that's all we're trying to do is expand the safe school zone and include weapons with drugs, and I urge you to please vote 'aye'. Thank you."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 1541 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 92 voting 'aye', 13 voting 'no', 11 voting 'present'. Representative Phelps wishes to be voted 'no' and so, Mr. Clerk...thank you. On the issue, there are 91 voting 'yes', 14 voting 'no', 11 voting 'present'. The Bill, having received a Constitutional Majority, is hereby declared...Would you add Representative McDonough as voting 'aye'? Representative Trotter wishes...Representative Morrow...Representative Morrow wishes to be...Is there anyone else seeking recognition before we finish this roll call? On this question, there are 92 voting 'yes', 14 voting 'no', 11 voting 'present'. The Bill, having

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received a Constitutional Majority, is hereby declared passed. Representative Rotello, on Senate Bill 1693. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1693, a Bill for an Act to amend the Unified Code. Third Reading of this Bill."

Speaker Satterthwaite: "Representative Rotello."

Rotello: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill would allow the...a judge jurisdiction...the...having jurisdiction over a case. The...possibility of using a previous crime to enhance a penalty on a similar offense when it is a repeated offense, and I ask for consideration on this."

Speaker Satterthwaite: "Representative Black."

Black: "Yes, thank you very much, Madam Speaker. An inquiry of the Chair. Would you ask the Clerk if a Corrections impact note was filed on this Bill?"

Speaker Satterthwaite: "Mr. Clerk, on this Bill is there a Corrections impact note request and, if so, has it been filed?"

Clerk McLennand: "There is no request on file and no note has been filed."

Black: "It must have gotten lost. Thank you. Madam Speaker, will the Sponsor of the Bill yield?"

Speaker Satterthwaite: "He indicates he will."

Black: "Representative, what...what is your underlying intent for this particular enhanced penalty? What...what particular group of lawbreaker are you going after?"

Rotello: "There were incidents...instances in the Peoria area, Senator Hawkinson's district that a repeat offender on shoplifting for a number of cases could only be charged with a misdemeanor, and I think there were several cases in the double digits and that there's nothing under law that

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would allow the judge to use the discretion to enhance the penalty with a repeated offense."

Black: "Well, I can certainly understand that, and I have certain empathy for what you are attempting to do and certainly Senator Hawkinson, a Gentleman of...held in high regard in the Senate, but it's my understanding that this measure is really being aimed at shoplifters that...then the prosecutor would be able to go back into that person's record and perhaps put a shoplifter in the Department of Corrections for an enhanced period of time. Now, I don't have any personal philosophy against that. I...I guess my only concern - and perhaps you can address it - is, at what point do we stop making it very, very easy to put someone in a prison system that is absolutely overcrowded to its maximum?"

Rotello: "Well, I understand the problems that the Department of Corrections are having and, hopefully, as we wrestle with this budget, we can try to do something to alleviate the overcrowding, but I still think that this allows...It's a discretionary thing. It doesn't mandate the judge to do it and, certainly, if there are people that have a problem with a repeated offense there that they ought to face a stronger penalty than just a misdemeanor."

Black: "Well, I guessed that and maybe I should defer. I think Representative Johnson has his light on; perhaps I should just defer to an attorney, but it was my understanding, upon reading this, that it was really more of the discretion of the state's attorney that perhaps he or she could go back into that defendant's record and find a previous conviction that may or may not have had an enhanced provision and then carry that forward into this particular indictment and I guess that's what I'm concerned



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about, but not being an attorney perhaps I'll relinquish my time to someone who might be more cognizant of just what exactly it is we're asking to do here."

Speaker Satterthwaite: "Representative Johnson."

Johnson: "I...Representative Rotello. Would you be willing...I...I feel that this is a real significant change in the law and that we're doing this pretty willy-nilly here. Can you take this out of the record and let us look and see what we're really doing?"

Rotello: "Sure. We can do that."

Speaker Satterthwaite: "Out of the record. Representative Steczko on Senate Bill 1763. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1763, a Bill for an Act in relation to Sexual Assault. Third Reading of this Bill."

Speaker Satterthwaite: "Representative Steczko."

Steczko: "Madam Speaker, I'd ask leave to bring Senate Bill 1763 back to the Order of Second Reading for the purposes of an Amendment."

Speaker Satterthwaite: "Representative Steczko have you placed that Bill number on a list for that purpose?"

Steczko: "It has been placed on the recall list. Yes."

Speaker Satterthwaite: "We will get to that at a later time then. Mr. Clerk, take the Bill out of the record, please. Going back to Municipal, County and Conservation Law, Third Reading. Representative Capparelli, on Senate Bill 2200. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 2200, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this Bill."

Speaker Satterthwaite: "Representative Capparelli."

Capparelli: "Thank you, Madam Speaker. Senate Bill 2720 is the same as House Bill 1720 that passed out just before. What it does, it clarifies that purely interstate trucks -

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1606. Out of the record. Representative Keane, on Senate Bill 1796. Out of the record. Government Operations on Third Reading, Representative McGann, on Senate Bill 2128. Out of the record. Representative Hultgren, on Senate Bill 2190. Mr. Clerk, read the Bill. Representative Hultgren? Representative Hultgren."

Clerk McLennand: "Senate Bill 2190, a Bill for an Act..."

Speaker Satterthwaite: "Excuse me, Mr. Clerk. Representative Hultgren is seeking recognition."

Hultgren: "Madam Speaker, I have a Motion on file with regard to this Bill. Would it be appropriate to consider it at this time?"

Speaker Satterthwaite: "I think we'll wait until we get to Motions for that. Thank you. Out of the record. On the Special Order of Mandates, Third Reading. Senate Bill 1640, Representative Stepan. Representative Stepan? Do you wish to have the Bill called? Out of the record. Representative McGann, on Senate Bill 2093. Out of the record. Representative McGann, on 2097. Out of the record. On Elementary and Secondary Education, Third Reading. Representative Curran, on Senate Bill 969. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 969..."

Speaker Satterthwaite: "Excuse me...excuse me, Mr. Clerk. Okay, Representative Curran. I believe this is on the list for calling at another time. Representative Steczo, on Senate Bill 2218. Out of the record. On Elections, Third Reading. Representative Lang, on Senate Bill 1992. Out of the record. Okay, those of you who have put in requests for Bills on Third Reading that need to be brought back for purposes of Amendments, we have now gotten to an Order of Call where some of those Bills have been reviewed and are

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ready for call. Representative John Dunn, on Senate Bill 120. Okay, he has requested that that Bill be placed in Interim Study and the form...appropriate form has been filed. Representative Mautino, on Senate Bill 689. Out of the record. Representative Hartke, on Senate Bill 1606. Is the Gentleman in the chamber? Out of the record. Representative Steczko, on Senate Bill 1766. Mr. Clerk, has the Bill been read a third time yet?"

Clerk McLennand: "The Bill has not been read a third time."

Speaker Satterthwaite: "Please read the Bill."

Clerk McLennand: "Senate Bill 1766, a Bill for an Act to amend the Public Utilities Act. Third Reading of this Bill."

Speaker Satterthwaite: "Representative Steczko, asks leave to bring the Bill back from Third Reading to Second for purposes of an Amendment. Seeing no objection, leave is granted, Representative Steczko, and the Bill is on Second Reading."

Steczko: "Thank you, Madam Speaker. I have filed Amendment #1 to Senate Bill 1766. The Bill, as it came over from the Senate, amended the Public Utility Act and addressed the question of energy efficiency and electric rates, and in the Senate, the Bill originally was a study and when the Senate finished their deliberations on the Bill, turned the study language into an investigation of rates for electric services regarding alternative rate structures for electric public utilities. What Amendment #1 does, after discussions with the retail merchants and many many others, turns the language of the Bill back into a study. With this Amendment added, there is no opposition to the Bill. Madam Speaker, I would move for its adoption."

Speaker Satterthwaite: "Is there any discussion on the Amendment? Representative Black."

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Black: "Thank you very much, Madam Speaker. Will the Sponsor yield?"

Speaker Satterthwaite: "He indicates he will."

Black: "Representative, in this...in the underlying Bill, would this...Is it the intent of this Bill to make certain that any alternative energy source that might be used by a motor vehicle would not be exempt from sales tax?"

Steczo: "Mr. Black, the underlying Bill deals with compressed natural gas, and although it's not affected by the Amendment, what the underlying stipulates is that for the purposes of use in automobiles that compressed natural gas should not be considered in a public utility sense, and that provision has absolutely no opposition."

Black: "Okay. So, it has nothing to do with that. You'll recall, we've debated many times on the floor, the wellhead exemption."

Steczo: "Okay. It has nothing to do with wellheads. Nothing."

Black: "Okay. All right, thank you."

Speaker Satterthwaite: "Any further questions? Representative Steczo, to close."

Steczo: "I just move for the adoption of the Amendment, Madam Speaker."

Speaker Satterthwaite: "You've heard the Gentleman's Motion. All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Cowlshaw on Senate Bill 1772. Mr. Clerk, has the...The Lady asks leave to bring the Bill back from Third to Second Reading for purposes of an Amendment. Seeing no objection, the Bill is on Second Reading. Mr. Clerk, are there Amendments filed?"

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Clerk McLennand: "Floor Amendment #2, offered by Representative Cowlshaw."

Speaker Satterthwaite: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Madam Speaker. Would you please withdraw Amendment #2?"

Speaker Satterthwaite: "Withdraw Amendment #2. Further Amendments?"

Clerk McLennand: "Amendment #3, offered by Representative Cowlshaw."

Cowlshaw: "Thank you very much, Madam Speaker. Ladies and Gentlemen of the House, Amendment #3 to Senate Bill 1772 continues to include the provision for appointing a parent to the advisory board of the Residential...Community and Residential Services Authority and also adds the language from a Bill that passed out of this House unanimously and out of the committee over here unanimously, but got caught in the Senate Rules Committee, and that's the Bill that provides that...that high schools may provide a credit towards...for high school students if...for volunteer service provided to the community, and I move for the adoption of Amendment #3."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is 'Shall Amendment #3 be adopted?' All in favor say 'aye', opposed, 'nay'. The 'ayes' have it. Amendment #3 is adopted. Any further Amendments?"

Cowlshaw: "Madam Speaker, I believe the board is wrong. It should say this is now on Second Reading."

Speaker Satterthwaite: "Yes, the Bill was brought back to Second Reading, and Amendment #3 has been adopted. Are there any further Amendments?"

Clerk McLennand: "No further Amendments."

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Speaker Satterthwaite: "Third Reading."

Cowlishaw: "Thank you, Madam Speaker."

Speaker Satterthwaite: "Representative Brunsvold wishes to have Senate Bill 1955 brought back to Second Reading for purposes of Amendment. Is there...Seeing no objection, the Bill is on Second Reading. Mr. Clerk, are there Amendments filed? (Senate Bill) 1955."

Clerk McLennand: "Amendment #2, offered by Representative Brunsvold."

Speaker Satterthwaite: "Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. Could you indicate the Amendment number on this one, please?"

Speaker Satterthwaite: "Mr. Clerk, what happened with Amendment #1 on the Bill? Is it adopted?"

Clerk McLennand: "Amendment #1 was adopted in committee. This is Floor Amendment #2. LRB number is LRB 8712198RWCCam11."

Brunsvold: "Thank you. This Amendment #2 was requested by Conservation, and it simply would marry the language of the Federal Government regarding migratory birds and the hunting of the migratory birds, to our present conservation law, and I ask for the adoption of Amendment #2."

Speaker Satterthwaite: "Is there any discussion? The question is, 'Shall Amendment #2 be adopted on Senate Bill 1955'? All in favor say 'aye', opposed, 'nay'. The 'ayes' have it, and Amendment #2 is adopted. Any further Amendments?"

Clerk McLennand: "Amendment #3, offered by Representative Brunsvold."

Speaker Satterthwaite: "Representative Brunsvold."

Brunsvold: "This Amendment was brought to Conservation by the fur...fur trappers, and in that...this Bill, 1955, we have now a Habitat Stamp proposal, and under this proposal the Fur Stamp would be eliminated. Well, the moneys that the

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Fur Stamp would generate are allocated to certain areas like education. The Fur Bearers'...Fur Trappers' Association would simply like to change some of the percentages from 50, 35 and 15 to 10, 45 and 45 to more reflect this money to go to educational purposes, and I know of no objection to the Amendment and ask for the adoption."

Speaker Satterthwaite: "Representative Ropp."

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

Speaker Satterthwaite: "He indicates he will."

Ropp: "Representative, I'm glad that there's unanimous agreement on all these, but didn't we just approve the Fur Bearers Stamp last year, or the year before."

Brunsvold: "I was the Sponsor of that Bill, Representative. Yes, we did two years ago, same time we had the Pheasant Stamp."

Ropp: "Okay. But does it seem a little bit unusual to change the legislation so often? I mean wasn't there..."

Brunsvold: "Well, I think Conservation has run into a situation where we have a Pheasant Stamp, we have a Fur Stamp and now we're probably gonna go to...maybe go...some group would want a Turkey Stamp, or a Deer Stamp, and there is only room on the back of that license for four stamps, two of them taken by Migratory and two by the Pheasant Stamp, if you buy one; and the Fur Stamp if you buy one. Conservation feels that one Habitat Stamp to cover all the areas in which the Fur Stamp money would go, be guaranteed to the fur trappers for their purposes, the Pheasant Stamp moneys would be guaranteed to the..to the Pheasants Forever chapters. Would be more appropriate than having a lot of different stamps."

Ropp: "In other words, the licensure fees will still be so designated to those specific...hunting groups?"

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Brunsvold: "Right. The Pheasants Forever moneys that are allocated to those chapters for habitat will remain the same and probably grow, and the fur trappers also are under the same situation, and they agree with this. This Amendment simply is gonna redirect some of that money."

Ropp: "Okay, and does this still allow someone to come up with the artistic designing of a Habitat Stamp or whatever?"

Brunsvold: "Yes. There will be a Habitat Stamp in which there will be, I'm sure, sales of...of the prints and that whole scenario, so that they can raise money dealing with the Habitat Stamp, and there's a lot of different ideas that Conservation has regarding that."

Ropp: "This is kind of interesting and maybe a change in government policy, to attempt to be efficient for a change. Good idea."

Brunsvold: "Thank you."

Speaker Satterthwaite: "Representative Black."

Black: "Yes, thank you very much, Madam Speaker. Will the Sponsor yield? Representative, there seems to be some confusion, particularly on this side of the aisle. It's my understanding that your Bill - and I'm not going to address just this particular Amendment - but let's clear something up here before it gets out of hand. It's my understanding that the Bill, as amended, is no longer opposed by Pheasants Forever. In fact, I...Is it fair to say they now support it?"

Brunsvold: "Yes. I have a letter here, when we get to the Bill I'll read, for everybody's a..."

Black: "Okay. There was some confusion because of an earlier letter..."

Brunsvold: "Yes."

Black: "And, as far as I know, this is pretty much an agreed



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process."

Brunsvold: "Yes, exactly."

Speaker Satterthwaite: "Representative Burzynski."

Burzynski: "Thank you, Madam Speaker. I would encourage a 'yes' vote on this particular Amendment. It is seemingly noncontroversial at this time, and all the language has been worked out, and I would encourage an 'aye' vote. Thank you."

Speaker Satterthwaite: "The question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', opposed, 'nay'. The 'ayes' have it, and Amendment #3 is adopted. Any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Obrzut, are you ready on Senate Bill 1892, bringing it back from Third Reading to Second for purposes of Amendment? Out of the record. Representative LeFlore, on Senate Bill 1511, on Second Reading. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1511, a Bill for an Act in relation to trade schools. Third Reading of the Bill."

Speaker Satterthwaite: "Representative LeFlore."

LeFlore: "Madam Speaker, we moved that Bill from Second to Third earlier today."

Speaker Satterthwaite: "Mr. Clerk, are there Amendments filed?"

Clerk McLennand: "No further Amendments filed."

Speaker Satterthwaite: "Third Reading. Representative Black, for what reason do you rise?"

Black: "Thank you very much, Madam Speaker. An inquiry of the chair. So that there's no confusion on whether or not Senate Bill 1511 could be heard today, I don't believe it was just taken back to Second Reading, was it? It was on Third with Amendment #2 passed today, is that correct?"

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Speaker Satterthwaite: "I understand that Amendment #2 was adopted earlier today."

Black: "Earlier, okay."

Speaker Satterthwaite: "But the Bill had remained on Second Reading. At this time, we simply moved it from Second to Third."

Black: "All right. I'm sorry. It's hard to hear. I thought you had moved it back to Second again, that's what I wanted to make sure we were straight on. Okay."

Speaker Satterthwaite: "Representative Parcells, on Senate Bill 1635. The Lady requests that Senate Bill 1635 be brought back to Second Reading for purposes of an Amendment. Hearing no objection, the Bill is returned to Second Reading. Mr. Clerk, are there Amendments filed?"

Clerk McLennand: "Amendment #1, offered by Representative Lang."

Speaker Satterthwaite: "Representative Lang."

Lang: "Thank you, Madam Speaker. The Amendment to Senate Bill 1635 contains several items, all of which passed the House on House Bills 4187 and 4188 by well over a hundred votes. They have an uncertain fate in the Senate, and that's the purpose for the Amendment. These are the proposals of the Clerks' Association dealing with certain fees, the issue of expungement. There is a minor change in the expungement provision that we passed before, at the request of the State Police, which is agreed, and I move adoption of the Amendment."

Speaker Satterthwaite: "Mr. Clerk, has this Amendment been printed and distributed?"

Clerk McLennand: "Yes, it has."

Speaker Satterthwaite: "The Amendment has been printed and distributed. Is there discussion? The question is, 'Shall Amendment \$1 be adopted?' All in favor...Representative

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Johnson, would you put your light on if you need recognition? Representative Johnson."

Johnson: "Well, first of all, I don't think anybody here has the Amendment. It's been printed and distributed; it hasn't been distributed over here, and if we don't have it, I, at least, would like to ask a couple of questions."

Speaker Satterthwaite: "Would the Republican Pages see if they can find an Amendment for Representative Johnson, and perhaps Representative Black, whoever needs it?"

Johnson: "That's all right, I'm not gonna object to that. I just want to find out what it does. Representative Lang, tell me, in a little more detail, about the fee structure. God, is this the Amendment, a 54-page Amendment? Tell me what it does to the fee structure, and tell me how it changes the expungement law. Does it make for more fees?"

Lang: "No, the only additional fees in here... There really aren't any additional fees, but it's in the Fee Statute. There's a \$3 surcharge that's going to go on...\$3 transaction cost for each restitution payment made to the clerk. There's also provisions in here allowing for the clerk to take certain payments and fees by credit card. That's really the only changes, Representative, in the fees. As to expungement, we passed out of the House and over to the Senate a provision allowing for expungement in the case of a pardon, and the only changes this makes to that is a provision that not only should the court records be expunged, but the State Police's records as well, and it was at the request of the State Police."

Johnson: "Okay, thank you."

Speaker Satterthwaite: "Representative Black."

Black: "Yes. Thank you very much, Madam Speaker. If it's within the realm of the rules, I need to ask not the Sponsor of

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the Amendment a question - although he can certainly comment - I need to ask the Sponsor of the underlying Bill to clear up some confusion that we have. Representative Parcels, staff says that the committee agreed that a technical Amendment will be offered on the floor. Do you consider Amendment #1 to be technical in nature?"

Speaker Satterthwaite: "Representative Parcels."

Parcels: "No, I don't consider it technical. I consider it several Bills, but I don't remember ever saying that we were gonna offer a technical Amendment. At what point was that supposed to have been said? Not in the committee. When it left committee, it was going to be as it was, and then the Sponsor of the Amendment asked me, and I asked the Sponsor in the Senate, if this would be acceptable, seeing as how it had flown out of here with over 100 votes, and was acceptable to the Sponsor in the Senate. I said fine, he could put it on our Bill, but you're all able to take your own opinions on it, but I think it's fine."

Black: "Okay, all right. So, in other words, you do not regard this Amendment in any way, shape or form as a hostile Amendment."

Parcels: "No, I do not."

Black: "That's what I'm trying to get to. All right, thank you very much. Madam Speaker, now could I ask the Sponsor of the Amendment a question? Representative, it does many things. As Representative Johnson pointed out, it's a 54-page Amendment, and I don't know why we didn't have it, but, very briefly, as you explained, this has all been in....we've already seen most of this language in a previous Bill that passed out of here. Are you putting this on because that Bill was held up in Rules in Senate?"

Lang: "The Bill in the Senate was held up in Rules. It is out of

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Rules now, out of committee and on the floor, but as you know, Representative, sometimes Bills have an uncertain fate in the Senate, and I promised the Clerks' Association we would try to move this. So, I would like very much to adopt the Amendment, pass this Bill back to the Senate for concurrence, and I would ask your help to do that."

Black: "That was House Bill 4188, correct?"

Lang: "And 4187, Sir."

Black: "All right, and it also has the credit card language, if you want to pay your fines and fees?"

Lang: "That's correct. As you know, the original Bill, Senate Bill 1635, dealt with credit cards. This Amendment changes that somewhat, with both the House and Senate Sponsors' approval and adds the additional language."

Black: "All right. Yeah. We stand in support of your Amendment. Thank you very much."

Speaker Satterthwaite: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed, 'nay'. The 'ayes' have it. Amendment #1 is adopted. Any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Satterthwaite: "Third Reading. The Lady asks leave to return the Bill to the Consent Calendar. Is there leave for that action? Seeing no objection, the Bill will be returned to the Consent Calendar. Representative Phelps, on Senate Bill 2057. Out of the record. On Elementary and Secondary Education, Third Reading, Senate Bill 2218, Representative Steczo. Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 2218, a Bill for an Act to abolish the Regional Board of School Trustees in Educational Service Regions having 2 million or more inhabitants. Third Reading of this Bill."

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Speaker Satterthwaite: "Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. Senate Bill 2218 is a Bill which calls for the abolition of the office of the Cook County Regional Board of School Trustees. This is a board of trustees that exists in Cook County - and certainly in other parts of the state as well - but their main performance, their main job, duty, their main job description is to handle boundary disputes in the Cook County area as they arise. The Regional Board of School Trustees has not done what we would call a commendable job in Cook County. Considering the fact that they have just this one item that they address and deal with. We of the Legislature, for instance, last year passed Senate Bill 1191, which was a Bill to allow certain detachments and certain de-annexations et cetera in the Cook County area, in terms of making school districts more coterminous. The Regional Board of School Trustees in the time that they've had to handle the most minor of these disputes, simply has failed to do the job that they were supposed to do, or they are charged to do by statutes. Therefore, Senate Bill 2218, in the Cook County area, abolishes the Regional Board of School Trustees, takes their function and gives their function to the township school trustees which we have in Cook County, which no other county in the state does. That's what this Bill does, Madam Speaker. I would answer any questions and, if not, would ask for 'yes' votes on Senate Bill 2218."

Speaker Satterthwaite: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Madam Speaker. Will the Sponsor yield?"

Steczko: "Sure."

Speaker Satterthwaite: "He indicates he will."

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Cowlshaw: "Representative Steczo, do you recall when this Bill was heard in committee which groups or organizations that are education-related, filed witness slips as being opposed to this legislation? Do you recall which ones those were?"

Steczko: "Sure."

Cowlshaw: "Would you be willing to tell us which they were?"

Steczko: "Representative Cowlshaw, I will do that, and I will also mention why they were opposed as well, okay?"

Cowlshaw: "Thank you."

Steczko: "As I recall, most of the school management groups, the School Board Association, SCOPE. and those types..."

Cowlshaw: "EDRED?"

Steczko: "EDRED, School Administrators, expressed opposition to this Bill. The reason why, however, has nothing to do with the Bill itself. The reason that those groups expressed opposition was because one or two of those groups have problems with the existence of the office of the school township trustee and the school township treasurer, which we in Cook county have, and which no other county in the state has. Their thought is, by giving those offices more power, then it's going to make it more difficult to abolish them at some point in the future. I would submit to you that I'd find it pretty tough to base whether or not I should abolish or not abolish an office on the fact they can settle boundary disputes. That is not one of the most overriding issues that one can think of to justify the existence of an office. So, in this case, it's being done out of convenience. In fact, if those offices at some time are abolished, there will be policies and procedures to be able to have other people handle those chores as well. So, it was opposition, but not really meant for this Bill. It was actually related to another side issue altogether."

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Cowlishaw: "Representative Steczo, did you consider the possibility if you want to shift this responsibility away from whoever has it now and abolish the entity that presently has it, did you consider someplace else besides the school...the treasurers, as the person to whom you might shift this responsibility?"

Steczko: "We are not, Representative Cowlishaw, shifting this to the school treasurers. We are shifting this to the township school trustees. There seems to be only two places that you can go. You can go downward actually to the township school trustees, or you can go upward to the state board of education. Generally when there are boundary disputes, annexations, detachments et cetera, the State Board of Education is an agency that had actually the final say. They're the Appellate Court, or Supreme court in those cases. I don't want them to be the jury too. So, in that respect, the only place you can go is either the township school trustees or the school boards, and the school boards, of course, have a vested interest as well. So, it seems that in this case it's very well placed, being in the hands of the township school trustees."

Cowlishaw: "Thank you very much, Representative Steczo. Madam Speaker, I think it was important for all of us here to be aware of the fact that there is opposition to this Bill, and the source of that opposition and the reasons therefore, and I think that Representative Steczo has covered that very capably, and now that you have all of the information, I'm sure each of you can make up your own mind, but I just wanted all of the facts to be disclosed. Thank you very much."

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker, Ladies and Gentlemen of the



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House. Representative Steczo is exactly right. As the Sponsor of Senate Bill 1191 in the House last year, that exactly what happened. They just absolutely and totally refused to meet or take any action whatsoever, even though in fulfillment of statutory duties, they served no purpose whatsoever. Even when requested, and requested pursuant to existing law, they take no action whatsoever and refuse to take any action and they ought to be abolished. This is an excellent Bill, and we ought to have a 'yes' vote on it."

Speaker Satterthwaite: "Representative Hoffman."

Hoffman: "Thank you, Madam Speaker. Ladies and Gentlemen, I stand also in support of this Bill. One of the school districts in my own area, where the children had gone together in grammar school, were not able to go to the same high school because of some boundary changes. Even after a referendum, this school...this board refused to acknowledge the referendum and the fact that they should change districts. I think this is an important Bill, and I'm going to vote 'yes' on it."

Speaker Satterthwaite: "Representative Kubik."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I obviously rise in support of this particular proposal. As one who has been very strongly associated in the effort to abolish the township trustee position, frankly, I think this is a good compromise. I'm not excited about the township trustees, but I believe as long as they exist, they should have some responsibilities and this seems to be the most logical place to put those responsibilities. The reason I think it's the most logical is that, as Representative Steczo outlined, we need to allow for a jury to look at the issue of boundary disputes because ultimately, the state board does sign off or oppose

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boundary disputes. So, it just doesn't seem right to give them all of the authority, and this gives an elected group of people an opportunity to look at boundary disputes. I might also point out that on the Regional Board of Trustees, I am personally acquainted with at least one of the members of that board, and he's in favor of abolishing this group. So, there are people on that board who believe that this board is useless, doesn't serve a purpose. The responsibilities would be placed in a better position under this particular proposal. I rise in support and would hope all of you would support Senate Bill 2218."

Speaker Satterthwaite: "Representative Steczo, to close."

Steczko: "Thank you, Madam Speaker. I would only indicate that in our experience, the Regional Board of School Trustees in Cook County has set new standards in ineptness, and I think under those circumstances, they should be abolished and their responsibilities should be placed with somebody who can actually do the job, perform it well and in the best interests of the citizens of Cook County, and I would ask for a 'yes' vote."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 2218 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes', 4 voting 'no', 1 voting 'present'. The Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Currie, are you ready on Senate Bill 1965? Mr. Clerk, read the Bill."

Clerk McLennand: "Senate Bill 1965, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Currie."

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Currie: "I ask leave to return this Bill to Second Reading for purposes of an Amendment."

Speaker Satterthwaite: "The Lady asks leave to return the Bill to Second Reading. Seeing no objection, the Bill is on Second Reading. Mr. Clerk, are there Amendments filed?"

Clerk McLennand: "Floor Amendment #1, offered by Representative McAfee."

Speaker Satterthwaite: "Representative McAfee."

McAfee: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. Amendment #1 is a Bill we passed out of the House that also increases for serious physical harm, the fine Ttype A violation from \$5,000 to \$10,000, and there was no opposition."

Speaker Satterthwaite: "Is there any discussion? If not, the question is, 'Shall Amendment #1 be adopted?' All in ...Representative Black."

Black: "Thank you very much, Madam Speaker. Will the Sponsor yield?"

Satterthwaite: "He indicates he will."

Black: "Representative, it's my understanding that this is...While this is a clean-up Amendment, it's seems as if you are increasing the fine for a Class A violation involving only some pretty serious matters, but not less than \$10,000, is that what you're doing? What was it before that?"

McAfee: "It was \$5,000 before the Department of Public Health, along with the staff, indicated this would probably take care of some of the serious type of violations that evolved and occurred involving some of the patients in nursing homes. Therefore, there needed to be an increase in the fine to \$10,000."

Black: "Now, you know, this probably sounds like a pretty silly

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question, but did the Department try to work this out in any way, shape or form with the long-term care industry? Are they pretty much in agreement that this kind of a serious violation warrants this kind of a serious fine?"

McAfee: "Oh, I think, Representative, at the time we had the testimony at the committee level in the House which passed outa here on the Consent Calendar, there was no opposition, no slips put in, and the Department of Public Health also put in a slip with clarifying language. We do have a definition which is in a later Amendment as well.

Black: "Well, I was just gonna ask you, a definition of what?"

McAfee: "For 'serious bodily harm'."

Black: "Okay, that's the definition, and you're gonna take care of that in...in another Amendment?"

McAfee: "The one that follow (sic-follows)."

Black: "Okay, thank you very much. Thank you, Madam Speaker."

Speaker Satterthwaite: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed, 'nay'. The 'ayes' have it, and Amendment #1 is adopted. Any further Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Representatives McAfee and Currie."

Speaker Satterthwaite: "Representative McAfee."

McAfee: "I would like to withdraw the Amendment, Madam Speaker."

Speaker Satterthwaite: "Withdraw the Amendment. Any further Amendments?"

Clerk McLennand: "Floor Amendment #3, offered by Representatives Currie and McAfee."

Speaker Satterthwaite: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. This Amendment supplies the definition that Representative Black just referred to, describing the situations in which the

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fine would apply, as when death, serious mental or physical harm, permanent disability, or disfigurement results. These words were recommended by the Department of Public Health. Additionally, the Amendment offers to fix a technical problem with the Bill that has had to do with tanning facilities that passed last year, that left out the dollars that go into the appropriate fund for enforcement of the Act, moneys that are collected from fines, as well as from fees. I know of no opposition to the Amendment, and I would appreciate your support."

Speaker Satterthwaite: "Any discussion? Seeing none, the question is, 'Shall Amendment #3...Representative Black, you're slow on your switch today.'"

Black: "Oh, Madam Speaker, not as slow as you are looking at my switch, in all due respect. Would the Sponsor yield?"

Speaker Satterthwaite: "She indicates she will."

Black: "Representative, I...What we're trying to get to the point of a definition of 'serious physical harm'. I mean, I don't understand what the definition is? Does it mean if I fall out of bed but I'm okay, I'm sure the shock and trauma of falling out of the bed or the wheelchair could be construed as 'serious physical harm'? That's the only thing that I'm concerned about, is that the definition of 'serious physical harm' seems to be somewhat vague."

Currie: "Representative, this language is already in the law. We've been dealing with this language in the nursing home law for many, many years. What we're trying to do here, is to make sure that the penalty is invoked only when this has happened, when there has been an occurrence of this kind of serious harm."

Black: "Okay, in other words the original language in the Amendment this is where was 'great bodily harm', and you

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are now taking it back to the way it is in the statute book, correct?"

Currie: "That right's, and clarifying that these things have to have happened before the fine would be invoked."

Black: "Okay, all right. I thank you for your patience, Representative. The department certainly stands in support of your Amendment and the Bill and so do I."

Currie: "Thanks."

Speaker Satterthwaite: "Representative Matijevich."

Matijevich: "Well, Madam Speaker, I'm gonna support the Amendment, but I listened closely to Representative Black, because Representative Black is an expert witness on falling down. Remember, he fell down in that Committee Room, and I was listening, he's an expert witness, but I'm glad now he supports the Amendment."

Speaker Satterthwaite: "Representative Currie, to close."

Currie: "Thank you, Madam Speaker, I hope for approval of this Amendment."

Speaker Satterthwaite: "The question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', opposed, 'nay'. The 'ayes' have it. Amendment #3 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Go back now to Senate Joint Resolution 157, Representative Lang. Mr. Clerk, do we need to read the Resolution?"

Clerk O'Brien: "Senate Joint Resolution 157 creates the Joint Committee on Education Amendment. Executive Committee recommends 'be adopted'."

Speaker Satterthwaite: "Are there any Amendments?"

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

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Speaker Satterthwaite: "Representative Churchill. Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. What this Amendment would do would be to say that there would be two co-chairmen of the commission. One would be appointed, excuse me, by the Speaker of the House and the President of the Senate, and one would be appointed by the Minority Leaders of each."

Speaker Satterthwaite: "Representative Lang."

Lang: "Thank you, Madam Speaker. We stand opposed to this Amendment. There's no need for the Amendment. It's a joint committee - four Members from each side - and the designation of the chairman in the original Joint Resolution is sufficient. We don't need co-chairs. It's a simple committee. It's gonna have its report to us within one week, and I would ask all Members on this side to vote red."

Speaker Satterthwaite: "Is there further discussion? Seeing no one seeking recognition, the question...Representative Black."

Black: "Speaker, an inquiry...Excuse me, would the...would the Sponsor yield?"

Speaker Satterthwaite: "He indicates he will."

Black: "Thank you very much. Representative, is there anything that would set some kind of a terrible precedent about having co-chairs on such an important Amendment?"

Churchill: "We have had co-chairs in past circumstances on other types of commissions. This is a commission that will...will eventually write...the various pros and cons language that will go before the public on the submission of the Resolution on school funding, and this is a very significant thing. It is a...a commission which will

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attempt...to write a non-partisan, but explanatory, pro position; a non-partisan, but explanatory, con position. Since this is not a...it's not a partisan issue in terms of pro or con. It's just a...a question of the language that's being used. This is a commission that ought to have an equal sharing of power on the commission. It's only being set up for that one purpose. It's not something that is gonna last forever, and, therefore, it's something that probably we should share equally in the responsibility of...putting this language together."

Black: "Well, thank you very much, Representative, Madam Speaker and Ladies and Gentlemen of the House. Since this is indeed an important question that will be submitted to the voters - and the time frame, the time frame, for this to be put together is very, very critical - I would think that both sides would want co-chairs in case one happened to be absent, the orderly business of this very important commission could continue, because the time frame to get the explanation of this Constitutional Amendment printed and on the ballot is very, very short indeed. So, Madam Chairman, I simply rise to support the Gentleman's Motion. My counterpart on the Democrat side urged everyone to vote red, so, obviously, he is joining me in calling for a Roll Call Vote, and I would urge Members on both sides of the aisle to vote 'aye' so that the committee will indeed have co-chairs and can get about their task in a most expeditious manner."

Speaker Satterthwaite: "Representative Matijevich."

Matijevich: "Well, Madam Speaker, having served on one of these committees in the past, what happens is you...you have some pretty quick meetings and you really...try to get at what the language of the pros and cons should be, and it doesn't



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make sense to me in...in what amounts to much like our committee process that we're gonna have two chairmen. Who's gonna...who's gonna handle the meeting? I'm the co-chairman. Representative Black's a co-chairman. We both walk in the room. Who the hell's gonna start the meeting, me or Black? We're gonna have a big argument. 'You start it. No, I'll start it.' What the hell do we need two chairman for? One chairman for a meeting is all...enough. We gonna have an equal number of Democrats and Republicans. Nobody's gonna have an advantage. All we need is one chairman to direct the meeting. You talk about confusion. All you're gonna add is confusion, and we operated quite...quite well in the past with one chairman. Why, all of a sudden, do we need two? It makes no sense to me. So I would think you should you vote 'no' on this Amendment, that's for sure; and 'aye' on the Resolution."

Speaker Satterthwaite: "Representative Churchill, to close."

Churchill: "Thank you, Madam Speaker. We have a lot of commissions around this place. I know the Economic and Fiscal Commission has co-chair. I'm...I'm one of the co-chairs from the Republican side, and Senator Luft is the co-chair from the Democratic side. JCAR has co-chairs. There're a lot of instances...of our...our Bodies around here that have co-chairs. It doesn't create any confusion; there's no problem in terms of who starts a meeting or when a meeting starts. What it means that the two co-chairmen sit down and they jointly agree what's going to happen in the terms of the progress of doing the business of that particular legislative Body, and that's all that this is - it's an attempt to say that the Republicans and Democrats will work together to create this language for the Constitutional Amendment. It's not gonna be a partisan

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language. It's gonna be non-partisan or bipartisan language...and let's start this thing off right. Let's have a co-chairman from each one of the parties so that...the two people can get together and make an agreement on what the language is that's gonna go before the voters of this state. I would urge an 'aye' vote and ask for a Roll Call Vote on this particular Amendment."

Speaker Satterthwaite: "The question is, 'Shall Amendment #1 to Senate Joint Resolution 157 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 47 'yes', 69 voting 'no', 2 voting 'present', and the Amendment fails. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Representative Lang, on the Resolution."

Lang: "Thank you, Madam Speaker. We all know what the Resolution does. It creates a committee to discuss the language for the ballot on the Constitutional Amendment on Education Funding. I move adoption."

Speaker Satterthwaite: "The question is, 'Shall Senate Joint Resolution 157 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', 4 voting 'no', 1 voting 'present'. The Resolution, having received the required Constitutional Majority, is hereby declared passed. Are there Members in the chamber who have Bills on the Special Order, Third Reading Calendar, who wish to have their Bills called now? On today's Calendar, Special Order, Third Reading. Representative Hartke, you're not interested in Senate Bill 1606 at this time? Thank you.

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Anyone with a Bill on the Special Order Calendar, on Third Reading. Representative Schoenberg? On Senate Bill 1565, Representative Schoenberg. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1565, a Bill for an Act to amend the Air Rifle Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Schoenberg."

Schoenberg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1565 maintains that it's unlawful to transfer an air rifle to a person under 13 years old, and adds that it is unlawful to transfer an air rifle unto a person 13, 14, 15 years of age, without the written consent of that person's parent or guardian. So, in other words, anyone from age 13 through 16 it would require written consent. This Bill passed without any opposition in committee 17 to 0, and on Third Reading in the Senate was 51 -1 -0. There seems to be unanimity among all parties on this issue, and I would urge for your favorable support."

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker, will the Sponsor yield?"

Speaker Satterthwaite: "He indicates he will."

Wennlund: "Representative, what is the...How is the air rifle, the term 'air rifle', defined?"

Schoenberg: "The term 'air rifle' is defined as...as it is currently defined in Chapter...in the Air Rifle Act. It merely changes Section 2. The current definition is maintained. What we merely do, is that under the current definition we require those children from ages 13 through 16 to have written parental consent."

Wennlund: "So, there's no change in the definition whatsoever through this? Now is a BB gun an air rifle?"

Schoenberg: "This is purely for an air rifle. I've been

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in...Senator Cullerton in the Senate, and myself have spoken with all parties who are concerned to alleviate any false concerns that they might have had that the definition might be expanded to any kind of firearm beyond an 'air rifle' as you and I know it. This is strictly for an 'air rifle', and I believe I was asked by a colleague from the other side of the aisle, in committee, if this was going to be changed to make the definition of what this is broader, and I said, 'absolutely not'. That this is strictly an air rifle as currently defined in the Act."

Wennlund: "Well, is what we...The Daisy Red Ryder BB gun that you and I and, maybe not you, but I grew up with - I know Representative Olson grew up with one - when I was probably six or seven years old. Is that what you and I know as the typical BB gun, which operates by air. (Even I've had 'em where you hand pump 'em. I've had um where you come with CO2.) They operate by air and force a projectile out. Is that...Does that fall within the definition of an air rifle?"

Schoenberg: "Sir, does that currently fall under the definition of the Act? Because we don't change it."

Wennlund: "I'm asking you."

Schoenberg: "I don't know. Sorry for the delay. There are BB guns within the definition. So, this merely requires the parental consent, but it would include that, yes."

Wennlund: "Thank you. Ladies and Gentlemen of the House, to the Bill. Now maybe in the city you folks didn't grow up with a BB at gun age six or seven or ten or nine, like I did, (and I know many of the people, Representative Hartke probably grew up with a BB gun when he was six or seven years old. I'm positive. I know Representative Deering did.) You bet, and a Daisy Red Ryder, too, and I tell you

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what: It's part of growing up in Illinois and in the United States. One of the first presents I bought my son when we was six years old was a Daisy Red Ryder BB gun, and I don't think that we really ought to be prohibiting anybody from giving a gift and making a criminal out of a father who gives a BB gun to his kid who happens to be ten or seven or six or whatever, and that's...that's just what this Bill does. It makes it unlawful to give or to transfer a BB gun to your kid. Well, for crying out loud, the movie 'A Christmas Story' couldn't have been made then because that kid was not 13 years old when he got his Daisy Red Ryder BB gun. You know, we go too far in the State of Illinois and in this General Assembly at times in restricting what kids can do and what kids can't do; what they have to learn; and what they don't have to learn; and what about some just old common sense, and it's up to the parents to teach that kid that, 'yeah, that BB gun might ricochet. It might come back and break your glasses even, like it did in the movie.' But this is something that is as precious to a kid as his bicycle, and as common to a kid as his bicycle, and we shouldn't be here restricting the sale or the transfer of a BB gun from either a father, or an uncle or a grandfather or anybody to a kid. These are commonly sold in every hardware store across the nation, and it's something that this General Assembly just tries to go too far in restricting the use of. This is a bad Bill, and it ought to be defeated."

Speaker Satterthwaite: "Representative Deering."

Deering: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Being as the previous Speaker used my name in debate, I just want to clarify something. When I was growing up, I had a Daisy BB gun because I wasn't big

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enough to wrestle bears, so I had to do that."

Speaker Satterthwaite: "Representative Homer."

Homer: "Well, Madam Speaker, I've probably debated this Bill long enough. The speaker before last, I think, was reading a different Bill, or reading more into this Bill than is there. This Bill applies only to situations where a dealer sells an air rifle to a child under the age of 16, and all that it says is that before a dealer can do that, that the child, under 16, must have written permission from the parent or guardian. If the parent or guardian buys the air rifle and gives it to the child, there's nothing wrong with that, or if the parents sends a written note of authorization with the child to the store to buy the air rifle, there's nothing wrong with that. I don't think this Bill is too restrictive. I grew up in a rural area too, Representative Wennlund, and had a BB gun, but I think my parents probably bought it for me and gave it to me, so there's no undue restriction here. This Bill should be supported."

Speaker Satterthwaite: "Representative Black."

Black: "Thank you very much, Madam Speaker. Since my colleagues name was used in debate, I would certainly yield my time to him."

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "In response to the previous speaker, I want to read you the second paragraph of the Bill. 'It is unlawful for any person, "any person", to sell, give, lend or otherwise transfer to any person under the age 13 any air rifle'. That means 'anybody'. It's not limited to dealers. In the first section it refers to dealers. There's a like section in the second paragraph that says that it's unlawful for 'any person to sell, give, lend or transfer an air rifle to

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a...any person under age 13'. That includes a transfer from a father to his son. It certainly includes a transfer from an uncle or a grandfather, or from Mr. Deering to his son when he's age six. He's guilty of a violation of the provisions of this Act. We go too far. This Bill goes too far, and it should be defeated."

Speaker Satterthwaite: "Representative Doederlein."

Doederlein: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I just want to draw your attention to the fact that air guns is an Olympic sport, that in 1988 the Olympic Game, that Robert J. Froft, an American, won the...well, he won 4th place, and he scored 591 out of a possible 600 points, firing off hand at a distance of ten meters. Froft put all but nine of 60 shots in a bulls-eye of a dime. So, and he came in 4th. So we might be disqualifying some of our olympic sport shooters from becoming American champions."

Speaker Satterthwaite: "Representative Burzynski."

Burzynski: "Thank you, Madam Speaker. Being in the Consumer Protection Committee when this came in front of us, I supported this particular piece of legislation. However, at this time, I think with all of the questions that have arisen out of the language in the text of the legislation, I certainly would have to oppose it at this time. But I also heard Representative Red Ryder's name mentioned in debate. I didn't know whether he wanted to speak to the issue or not. Thank you."

Speaker Satterthwaite: "Representative Schoenberg, to close."

Schoenberg: "Madam Speaker, Ladies and Gentlemen of the House. Many of the arguments which we heard in relation to this are arguments that are traditionally used in the context of larger debate on gun control issues. If these arguments

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were relevant, I would think that the NRA would have been opposed to this, but they're not. The NRA did not oppose this. So those of you who feel that the wool's being pulled over your eyes with relation to this matter, it simply isn't the case. All this requires is written consent, and I would urge you all for an 'aye' vote. Thank you."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 1565 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 49 voting 'yes', 62 voting 'no', 3 voting 'present'. Representative Schoenberg requests...Postponed Consideration."

Schoenberg: "Yes, thank you."

Speaker Satterthwaite: "Is there any other Member present with a Bill on Special Order, Third Reading, wishing to have their Bill called? Representative Wolf, on Senate Bill 1923, on Pensions, Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1923, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Wolf."

Wolf: "Thank you, Madam Speaker. Senate Bill 1923 is slated to go into Conference and will carry future pension legislation on an Agreed Bill basis. I would move for its passage."

Speaker Satterthwaite: "Is there any discussion? Representative Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. It's been the agreement in the past few years that nothing would go into these Pension Bills without agreement on both sides. So I would see no problem supporting



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Representative Wolf on those kinds of commitments. Thank you."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 1923 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'yes', 0 voting 'no', 6 voting 'present', and the Bill, having received the Constitutional Majority, is hereby declared passed. Is there any Member in the chamber with a Bill on Third Reading on today's Special Order Calendar, desiring to have a Bill called at this time? On Special Calendar. Representative Homer, on Senate Bill 400? The Bill is on Child and Family Law, Second Reading. Representative Homer."

Homer: "Thank you, Madam Speaker. My purpose in requesting this Bill be considered at this time is so that it can be read a second time previously and that the Amendment that we have just filed, which has not been printed and distributed, can be adopted tomorrow and that the Bill can then be called on Third Reading tomorrow. So, at this time, I would ask that the Bill be read a second time, but that it be held on Second Reading."

Speaker Satterthwaite: "Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 400, a Bill for an Act concerning domestic violence. Second Reading of the Bill."

Speaker Satterthwaite: "The Gentleman asks to retain the Bill on Second Reading. Representative McPike, in the Chair."

Speaker McPike: "All right, one last time. Does anyone have a Bill on Third Reading, on Special Orders of Call that they would like to be heard at this time? Anyone? Agreed Resolutions."

Clerk O'Brien: "House Resolution 2199, offered by Representative

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McNamara; 2200, McNamara; House Joint Resolution 151, Daniels; House Joint Resolution 152, Giglio; House Joint Resolution 153, Peterson; and Senate Joint Resolution 143, Dunn."

Speaker McPike: "Representative Matijevich."

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

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

Clerk O'Brien: "House Resolution 2201, offered by Representative Deets, with respect to the memory of Dr. Hiram T. Langston."

Speaker McPike: "Representative Matijevich moves for the adoption of the Death Resolution. All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Death Resolution is adopted."

Speaker McPike: "Representative Brunsvold now moves that the House stands adjourned until tomorrow at the hour of 9:00 a.m. All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The House stands adjourned."

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