

STATE OF ILLINOIS
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Speaker McPike: "The House will come to order. The Chaplain for today is Pastor Dorothea Russell of the Mazon Verona United Methodist Church in Mazon, Illinois. Pastor Russell is a guest of Representative Weller. The guests in the balcony may wish to rise and join us for the invocation."

Pastor Russell: "Greetings. Thank you, for the privilege of joining you today. In the welter of work and the totally awesome responsibilities that lay upon these folks, Lord of the Universe, we ask that You help them to retain their perspective by remembering the totally awesomeness of the power with which You created the world in which we lived. You formed the seas. You pushed up the mountains and You breathed into humankind our very souls, our lives, body, mind and spirit. Pour, generously, Your wisdom, Your grace and Your mercy upon these who search for truth and justice and the means by which truth and justice might be made available to each and every one of our citizens. Keep each one humble in these sacred rooms and halls, they're so familiar to them that they may take them for granted. In the eons of history, Illinois is a little more than a newborn babe, so let us be patient with her as she matures from her sometimes childish and wayward ways. Humankind was ejected from the first Eden, but we are mindful that the power of the universe has blessed us with another Eden right here in Illinois. We have all the beauty of spring full-blown in the heartland and the promise of crops, the richness of our factories, the pleasure of our homes and hospitals, the schools for our children. We have the means to care for the lost, the lame and the lonely. Truly, You have richly blessed us, so grant each one here, this day, the compassion to handle the causes of the people with courage and perseverance. And, oh, Lord, hear the humble

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prayers of thanksgiving in the hearts of each one of us.
Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance this morning by Representative Karen Hasara."

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

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

Matijevich: "Mr. Speaker, on this side of the aisle, we are all here. We're ready."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Let the record reflect that...Representative Klemm is absent today due to illness. We'd hope that he is out of the hospital. He contracted a viral...infection of some kind over the weekend and was quite ill, and I know all Members of the Body would join with me in extending our deepest sympathy to Representative Jane Barnes on the death of her daughter. The funeral will be 6:00...the visitation is 6:00 to 9:00, Thursday night. The funeral 2:00 o'clock, Friday at Schmaedeke Funeral Home. I'm sorry the funeral at 11:00 a.m. Saturday at Schmaedeke Funeral Home in Palos Park."

Speaker McPike: "Mr. Klemm and Representative Barnes are excused absences. Take the record, Mr. Clerk. 116 Members answering Roll Call, a quorum is present. A message from the Senate."

Clerk O'Brien: "A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of Bills, following title, to wit; House Bills #38, 67, 69, 70, 97, 118, 175,

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177, 178, 179, 180, 204, 284, 314, 358, 367, 493, 508, 515, 526, 599, 677, 678, 718, 734, 751, 786, 857, 968, 970, 971, 1006, 1101, 1134, 1162, 1207, 1230, 1256, 1268, 1270, 1285, 1296, 1340, 1365, 1415, 1431, 1446, 1475, 1483, 1498, 1506, 1601, 1609, 1615, 1620, 1629, 1644, 1750, 1912, 1950, 1955, 2013, 2021, 2106 and 2110. Passed the Senate as amended together with the attached Amendments and the adoption of which I'm instructed to ask concurrence of the House of Representatives. Passed the Senate as amended June 18, 1991. Linda Hawker, Secretary."

Speaker McPike: "...the Democratic side is over here. Yeah, a traitor. God bless America, Senator Dunn. Calendar, Second Reading."

Clerk O'Brien: "Consent Calendar. Second Reading, Second Day. Senate Bill 51, a Bill for an Act to amend an Act relating to county superintendents of highways, together with Committee Amendment #1. Senate Bill 56, a Bill for an Act to amend the Illinois Act on the Aging, together with Committee Amendment #1. Senate Bill 190, a Bill for an Act concerning Kaskaskia Commons. Senate Bill 203, a Bill for an Act to amend Illinois Municipal Code. Senate Bill 265, a Bill for an Act to amend the Counties Code. Senate Bill 386, a Bill for an Act to amend the Code of Civil Procedure. Senate Bill 427, a Bill for an Act to amend the Criminal Code. Senate Bill 505, a Bill for an Act to amend the Township Waterworks Act, together with Committee Amendment #1. Senate Bill 549, a Bill for an Act to amend the Downstate Forest Preserve District Act together, with Committee Amendment #1. Senate Bill 758, a Bill for an Act to amend the Illinois Alcoholism and Other Drug Dependency Act together with Committee Amendment #1. Senate Bill 759, a Bill for an Act to amend the Alcoholism and Other Drug Dependency Act. Senate Bill 912, a Bill for an Act to

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amend the Fire Protection District Act. Senate Bill 986, a Bill for an Act to amend the Municipal Code, together with Committee Amendment #1. Senate Bill 1037, a Bill for an Act to amend the Illinois Act on the Aging. Senate Bill 1066, a Bill for an Act to amend the Parenting Act. Senate Bill 1205, a Bill for an Act to amend the Family Practice Residency Act. Senate Bill 1223, a Bill for an Act to amend the Infant Mortality Reduction Act. Senate Bill 1343, a Bill for an Act to amend the Counties Code. Second Reading of the Senate Bills."

Speaker McPike: "Human Services, Second Reading, appears Senate Bill 130, Representative Black. Mr. Black. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 130, a Bill for an Act to amend the Child Care Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. There should be a Floor Amendment?"

Speaker McPike: "Committee Amendment? Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. I've checked with your side of the aisle. This is a technical Amendment saying that this Act may take effect upon becoming law. If it does...I've told your side of the aisle, we're going to hold this Bill; we're trying very hard to work something out. I can't guarantee that we'll work something, but we're doing our best, but I would like to accept at this technical Amendment so this Bill ready to move if we can

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reach agreement."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 435, Representative Phelps. Mr. Phelps. Senate Bill 500, Representative Homer. Mr. Homer. Senate Bill 628, Representative Manny Hoffman. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 628, a Bill for an Act to amend the Emergency Medical Services System Act. Second...this Bill has been read a second time previously. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Senate Bill 651, Representative Bugielski. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 651, a Bill for an Act to amend the Department of Aging Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "There has been a request for a fiscal note, Representative. If you can get that filed today, we can move it to Third Reading. The Bill will remain on Second Reading. Senate Bill 705, Mr. DeJaegher. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 705, a Bill for an Act to amend the Act on Aging. Second Reading of the Bill. The Calendar is err...is in error. There is a...Committee Amendment #1 has been adopted."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed?"

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. Senate Bill 1009, Representative

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DeJaegher. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1009, a Bill for an Act to amend the Illinois Act...Illinois Act on the Aging. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

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

Speaker McPike: "Third Reading. Senate Bill 1125, Representative Morrow. Charles Morrow. Constitutional Officers, Second Reading, Senate Bill 271, Representative Martinez. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 271, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Martinez, do you want to hear the Bill at this time or do you want to take it out of the record?"

Martinez: "Take it out."

Speaker McPike: "Take the Bill out of the record. The Bill's out of the record. Agriculture and Environment, Second Reading, Senate Bill 326, Representative Hicks, 326. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 326, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

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

Speaker McPike: "No Floor Amendments. Third Reading. Representative Hoffman. Manny Hoffman. Chairman...Chairman would like to represent...would like to recognize Mr. Hoffman for his second day in a row. Mr. Hoffman."

Hoffman: "Yes, Mr. Speaker."

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Speaker McPike: "How can we help you, Sir?"

Hoffman: "...Bill...Senate Bill 628. I would like that be brought back to Second Reading, if I could. That's the Amendment that I've been waiting for."

Speaker McPike: "This is the Bill that we moved to Third Reading yesterday and brought back to Second Reading?"

Hoffman: "Ah, yes it is..."

Speaker McPike: "Is this the Bill that we moved to Third Reading this morning?"

Hoffman: "Yes, but I'm waiting for the Amendment..."

Speaker McPike: "Would you like for us to bring it back to Second Reading, again?"

Hoffman: "I certainly would, Mr. Speaker. Thank you very much for your courtesy."

Speaker McPike: "Representative Hoffman asks leave to return the Bill to Second Reading. No objections...leave as granted. Senate 628 is on Second Reading, again. Senate Bill 923. Bill 923, Representative Kulas. Out of the record. 924. Read the Bill, Mr. Clerk. 924."

Clerk O'Brien: "Senate Bill 924, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Senate Bill 947, Representative Currie. Madam Currie. Representative Hannig, on 979. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 979, a Bill for an Act to amend the Insurance Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. 989, Representative Kulas. Out of the record. 1048, Representative Hannig. 1071, Representative Hannig. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1071, a Bill for an Act to amend Natural Resources Act. Second Reading of the Bill."

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Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk Leone: "No Motions filed and no further Amendments."

Speaker McPike: "Third Reading. 1231, Mr. Kulas, 1231. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1231, a Bill for an Act concerning diesel powered motor vehicles. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. 1241. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1241, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. Senate Bill 1295, Representative Hultgren. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1295, a Bill for an Act to amend the Solid Waste Planning Recycling Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is by Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. There was an objection raised in committee to a portion of the Bill that came over from the Senate...Floor Amendment #2 is offered...pursuant to an agreement made with the committee at the time and Representative Kulas...may remember it...the discussion that we had at that time. It's offered at the request of the committee and deletes certain portions of the Bill which were objectionable to the City of Chicago and other municipalities."

Speaker McPike: "Mr. Clerk. Is there any discussion on Amendment #2? Is there any discussion? Seeing none, the question

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

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 1296, Representative Parke. Mr. Parke. Gary Parke. Is Mr. Parke here? 1296, Mr. Clerk, Read the Bill."

Clerk Leone: "Senate Bill 1296, a Bill for an Act to amend certain Acts in relationship to solid waste. Second Reading of the Bill. Amendment #1 and 2 were adopted in committee. The Calendar only indicates Amendment #1. It's Amendment #1 and 2 were adopted in committee."

Speaker McPike: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Mr. Parke, are you seeking recognition?"

Parke: "I'm sorry, Mr. Speaker, what did you say?"

Speaker McPike: "Are you seeking recognition? Your light is flashing in my face."

Parke: "Just...that...if you can move it down to Third, I'd appreciate it."

Speaker McPike: "Third Reading. Senate Bill 947. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 947, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Ms. Currie, whenever you're ready, Ms. Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This Amendment would exempt until the time that is already

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established under the Federal Clean Air Act Amendments, exempt fire extinguishers that use halon from the provisions of the Bill and would bring other portions of the Bill into the same order as the Montreal Accords."

Speaker McPike: "Question is, 'Shall the Amendment be adopted?' Mr. Black on that question."

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

Speaker McPike: "Yes."

Black: "Representative, what...what are you doing...Is the material still in here on...chlorofluorocarbons (CFC), in other words, the refrigerant for air conditioners?"

Currie: "Yes, but what's changed in this Amendment is that the halon that is used in fire extinguishers would continue to be able to be used until such time as an alternative is available. This Amendment was drafted with the help of the Manufacturers' Association and the Illinois Retail Merchants' Association to make sure that the deadlines are...those same deadlines, as apply, through the Montreal Protocols and in the Federal Clean Air Act."

Black: "Okay, in other words...you've changed this on vehicle air conditioning system. You've said that the recapture system and recycling system, which as you know are very expensive, will be required whenever practical. Is that the change?"

Currie: "Yes."

Black: "Okay..."

Currie: "And that was the recommendation from the manufacturer."

Black: "Okay, the only thing I don't understand is in one section you're saying whenever practical you should recapture and recycle these air conditioning chemicals, but if somebody doesn't have a system and releases the chlorofluorocarbons into the atmosphere, he could be fined...\$500."

Currie: "I think with the Amendment that...that won't happen. My

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understanding of that Amendment is that it would preclude the fine for someone for whom the recovery system was not a practicable alternative."

Black: "Alright. Okay. Thank you."

Speaker McPike: "Representative Kulas."

Kulas: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Kulas: "Representative Currie. Barbara, is this the Amendment that we talked about in committee that...on dealing with the fire extinguishers?"

Currie: "Yes."

Kulas: "And it removes...the fire extinguishers out of the Bill."

Currie: "Well, it extends the deadline for them until the deadline that is set by the Federal Clean Air Act and the Montreal Accords."

Kulas: "Okay, thank you."

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

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

Speaker McPike: "Ms. Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This Amendment was also discussed in the House Energy and Environment Committee. What the Amendment would do would be to say if the Pollution Control Board finds that it would be an economic hardship for a particular kind of business to comply with the requirements of this Act, then the Pollution Control Board shall provide an exemption. The original language was made and many of the members of the committee felt that we ought to be a little clearer about our requirements of the board, so I move for its adoption."

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Speaker McPike: "Mr. Black. Representative Black."

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

Speaker McPike: "Yes."

Black: "My only concern about this Amendment, having grown up in this business, and I appreciate what you're doing here exempting the small businessman or woman from having to invest in this very expensive recycling and recovery equipment. I guess my concern is with the commercial air conditioning repair person...The machines that I've seen are very, very heavy and very clumsy, and most of the...most of the air conditioning systems in this part of Illinois are rooftop units, and it can be very, very difficult to get that recovery system up onto a roof without benefit of a crane which is simply beyond the means of most service businesses. Are you...I guess I don't know how you're defining the exemption here like, 'small repair shop'...and I congratulate you on that Amendment, but what if a business employs 50 service men or women and all of their units are on top of a roof, four or more stories high, how do they get that equipment up there?"

Currie: "Mr. Black, I don't know. I just haven't a clue, but my understanding is that they do get the equipment up there."

Black: "Okay, well."

Currie: "And let me just remind you that all the Amendment does, the exemption language is in the Bill as introduced. The Amendment merely says that if in the event the Pollution Control Board finds that the imposition of their requirements would impose undue economic hardship then the Pollution Control Board shall, rather than may, provide an exemption."

Black: "O...Okay. Thank you very much, Representative...I really appreciate your patience, and I appreciate what you've

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tried to do here, Mr. Speaker and Ladies and Gentlemen of the House, this is a Bill you may want to take a look at. I commend the Representative. It is...It will be a matter of federal law, and we will have to comply, and she's done an outstanding job of trying to ease the...pain, if you will, on some of these people, but these machines are extremely heavy, are extremely expensive. I live in a home and an apartment that has air conditioning. I don't want to without that air conditioning. It's something..."

Speaker McPike: "Mr. Black."

Black: "It's something..."

Speaker McPike: "Mr. Black. Mr. Black."

Black: "...you have to be very careful on this Amendment."

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

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Tenhouse, 1303? Representative Hartke, 64, 1364 and 65. Mr. Peterson, (W.), 1427. Read...Out of the record. We may not get back to these Bills. Banking, Second Reading, 988, Mr. Parke. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 988, a Bill for an Act to amend the Illinois Savings Association Banking Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. Lou Jones in the Chair."

Speaker Jones: "Senate Bill 1192, Representative Rice. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1192, a Bill for an Act to create the Illinois Consumer Credit Reporting Agencies Act. Second Reading of the Bill."

Speaker Jones: "There is a request for a fiscal note. Out of the

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record. Representative Rice, we're looking for it. Page 20, Senate Bill 1273, Representative Hensel. Out of the record. Page 12, Senate Bill 195, Representative Keane. Out of the record. Page 16, Senate Bill 796, Representative McPike. Out of the record."

Speaker Madigan: "Speaker Madigan in the Chair. Ladies and Gentleman, we have a distinguished guest this morning, so if the Members could please be in their chairs and if the staff would retire to the rear of the chamber or the side of the chamber, and if Representative McPike would take his seat...So, if the Members could be in their chairs; staff retire to the rear of the chamber. We're are pleased to have with us the Canadian Counsel assigned to the City of Chicago. Mr. G. Douglass Valentine was born in Calgary, Alberta. He attended the University of British Columbia in Vancouver and received a B.A. degree in economics. 1982 he joined the Canadian Foreign Service and served in Dusseldorf, Bogota, Rio de Janeiro, Tehran and Dallas as a trade commissioner; 1974 to '75 he was the director of the Assessment Bureau, Foreign Investment Review Agency in Ottawa, and from 1983 to '85 he was director General of the South American Bureau in Department of External Affairs, also, in Ottawa. Mr. Valentine has served as Canadian Ambassador to Columbia from 1980 to 1983 and most recently as Canadian Ambassador to Saudi Arabia, from 1985 to 1989. He assumed his current position as Council General of Canada in Chicago on October 13, 1989. He is married to Beverly Alexander and has three children. It is my pleasure to present to you Mr. G. Douglass Valentine."

Valentine: "Thank you, Mr. Speaker. It's a great honor to address the House in the City of Springfield. It's my third visit to Springfield, and I'm not going to take too much time but I would like to point out a few facts of the

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relationship between Canada and the great State of Illinois. Canada came to Illinois just after the Chicago fire, probably seeking low-price real estate, but I'm not sure of that in our history books. We started off with looking for immigration and many of our western Canadians are originally from the Midwest of the United States. We opened our COUNSULATE GENERAL in 1947, and in 1990 the State of Illinois, of course, opened an office in Toronto. We are very pleased with that and both offices are deeply involved in trade and tourism. Canada wants to remain very close, of course, with Illinois, and we are greatly involved in investment, tourism and trade. All five Canadian Banks are located here, and there are a number of Canadian manufacturing companies in the State of Illinois and many more coming. We are, of course, great exporters to Illinois and vice-versa. We export hockey players mainly, not too many basketball players, but the game of basketball was invented by a Canadian, and we're going to celebrate that this December 100 years ago. We, of course, did export a great baseball player which is very rare for Canada and the great Fergie Jenkins who came down here and played in Chicago. Trade, of course, is our most important aspect, and I want you to know that Illinois exports to Canada with only 25,000,000 people up there over \$5,000,000,000 worth of exports from Illinois. This accounts according to DCCA, to about 100,000 jobs, and also they tell me that about every four cents in every dollar goes into the State Treasury, so that's \$200 million of income for the State of Illinois Government from exports to Canada. Free trade is increasing, and we're getting better and better at it, but I want to point out to you my concern over your Bill 143, the Domestic Product Procurements Act which seems to be rather eliminating Canada from bidding on

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things in the State of Illinois. This, we feel, is somewhat contrary to the free trade that is going on in the world today, and we hope you will take the steps necessary to allow North American trade to prosper; we also feel that the government of Canada has opened up its procurement and many, many Illinois firms are now exporting services and goods to the government of Canada since the free trade agreement. We, of course, are concerned over the cultural relations, also, and the law that is coming into that has been passed in Washington which keeps out some of our cultural entities in...coming into the United States in limited quantities. We are talking to Washington on that. The next thing, of course, is the free trade agreement with North America involving Canada, U.S. and Mexico, and we hope that will be passed soon so we all can prosper through that. I will comment only a moment on health care which I know is of interest to the State of Illinois as it is to most Americans. The Canadian plan works for Canada. It is not perfect, but we will be pleased to give you the information we have in the event of interest to you in the future. The air agreement now being negotiated between Canada and the United States should open up tourism possibilities for Illinois and Canada in the future to an even greater extent and we should cooperate through DCCA in bringing over tourists from Asia and Europe to visit both Canada and the United States through this air agreement. To sum up, and I won't take any more of your time, I want to assure you that Canada is your closest neighbor, your best friend and ally, a strong admirer of things American and your best customer, bar none. My hope is that the friendly relationships we have will continue and that you will not put anything in the way to destroy a great relationship which can only grow bigger. Thank you very

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much, Mr. Speaker and Ladies and Gentleman."

Speaker Madigan: "Representative McPike in the Chair."

Speaker McPike: "Senate Bill 158, Representative LeFlore. Bob LeFlore. Government Operation, Second Reading, Senate Bill 796. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 796, a Bill for an Act to amend the Illinois Development Finance Authority Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. Senate Bill 799. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 799, a Bill for an Act to amend the Illinois Development Finance Authority Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions or Floor Amendments?"

Clerk Leone: "No Motions or Floor Amendments."

Speaker McPike: "Third Reading. Government Operations, Second Reading, Senate Bill 535, Mr. Richmond...Richmond. Bruce Richmond, Senate Bill 763. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 763, a Bill for an Act to amend the Illinois Development Finance Authority Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions or Floor Amendment?"

Clerk Leone: "No Motions filed. Floor Amendment #2 is being offered by Representative Wennlund."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. Floor Amendment #2 alters the method of payment to the...a fund manager and provides that the...management fee is based on a percentage that cannot exceed 40% of the proceeds and prohibits a management fee plus a percentage, so you can't get both and double dip. I ask for the adoption of the Amendment."

Speaker McPike: "Yeah, take the Bill out of the record. The Bill's out of the record for...momentarily. Senate Bill

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837, Mr. Trotter. Representative Bugielski, either Bill? Mr. Trotter on 837. A fiscal note requested. Mr. Capparelli on 908. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 908, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "There are no Committee or Floor Amendments. Take the Bill out of the record. Senate Bill 1455. Senate Bill 1076. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1076, a Bill for an Act to amend the Forest Preserve District Tax Levy Validation Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. Insurance, Second Reading of 1059, Mr. Curran. Mr. Curran. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1059, a Bill for an Act to amend the State Employees Group Insurance Act. Second Reading of the Bill."

Speaker McPike: "There's a request for a fiscal note, Mr. Curran. Is there any Amendments filed, Mr. Clerk?"

Clerk Leone: "There are no Amendments on file at this time."

Speaker McPike: "There are no Amendments, but there is a request for a fiscal note. You'll inform the Chair when it's filed. We can move it to Third Reading whenever its filed. Mr. Balthis, 1310. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1310, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. Mr. Balthis."

Balthis: "Mr. Speaker. There was an agreement...the Amendment was trying to be prepared to work out between the departments. Can we put this on Third Reading if the agreement is worked out and move it back to Second?"

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Speaker McPike: "Sure."

Balthis: "Thank you."

Speaker McPike: "Senate Bill 1338, Paul Williams. Municipal, County and Conservation Law, Mr. Steczko. Representative Giorgi. Mr. Giorgi. Zeke Giorgi. Brunsvold. Brunsvold. McAfee. Mr. McAfee. How about 593? Williams, Hartke. Check Mr. Hartke, 661. Mr. Morrow. Charles Morrow. Paul Williams. Zeke Giorgi. Andy McGann. Representative Burke. Mr. Burke, 1033. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1033, a Bill for an Act to amend the Clerks of the Court Act. Second Reading of the Bill. There are no Committee Amendments or Floor Amendments."

Speaker McPike: "Third Reading. 1033, Mr. Saltsman. Mr. Wait. Mr. Wait is not here. Brunsvold. Ropp. Mr. Steczko, Giorgi, Brunsvold, Williams, Hartke, Morrow, McGann, Saltsman, Wait and Ropp. Are any of them here? 661, Mr. Hartke, you're the only one here. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 661, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Mr. Hartke. Any Amendments, Mr. Clerk?"

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

Speaker McPike: "Keane, Hartke. Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. Amendment #1 deletes everything in the Bill. It was a shell Bill or a vehicle Bill. It provides that the sheriff of each county in this state shall be a warden of any new jail facilities constructed or otherwise acquired in the county and shall have the custody of all prisons in that facility except when otherwise provided in Division 3-15 for the Counties Code. Move the acceptance of the

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Amendment."

Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. Parliamentary inquiry: Is Amendment germane?"

Speaker McPike: "Yes, Mr. Wennlund. Question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?" Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Public Utilities, Real Estate Law, Mr. Shaw. Representative Schakowsky, 1053. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1053, a Bill for an Act to amend the Rental Property Utilities Service Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. Transportation, Representative Giorgi, 585. 585. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 585, a Bill for an Act to amend the Regional Transportation Authority Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Amendments?"

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

Speaker McPike: "Mr. Weller. Representative Weller."

Weller: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Floor Amendment #1 offers an opportunity for townships currently within the Transportation Authorities to disconnect themselves from the RTA via referendum if they're not currently receiving service. Basically, Ladies

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and Gentleman of the House, this Amendment offers those townships which are particularly rural townships in Will, Kane, Lake and McHenry counties to disconnect since they're not receiving service, but currently paying taxes. If you look at the record these townships have paid millions of dollars in RTA sales taxes without receiving any service from the RTA. This would allow them to disconnect, and I would ask for an 'aye' vote."

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

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

Speaker McPike: "Mr. Weller."

Weller: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. Since the decision of the House was not to allow these townships to disconnect via referendum, I think the next logical choice, if they're going to have to stay within the Regional Transportation Authority District, is to say let's give 'em a refund. If you are not receiving service, let's allow the townships not receiving service to have a refund which then they could use on local transportation needs, such as improving their roads, and also give them the opportunity to provide some dollar rides, some additional services for their taxpayers that are not receiving any service from the RTA. I would ask for an 'aye' vote."

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

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. Mr...Mr. Obrzut, 1016. Read the Bill, Mr. Clerk."

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Clerk Leone: "Senate Bill 1016, a Bill for an Act to amend the Illinois Aeronautics Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "There is a request for a fiscal note. Representative Matijevich, 1061. Mr. Ronan. Mr. Ronan. Mr. Ronan. Al Ronan. Representative Ronan. Al Ronan, 1093. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1093, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk Leone: "No Motions filed. No further Amendments."

Speaker McPike: "Third Reading. Thank you, Mr. Ronan. Veterans, Second Reading, Mr. Granberg. Read the Bill, Mr. Clerk. Read the Bill. 37, Senate Bill 37."

Clerk Leone: "Senate Bill 37 offered by Representative Granberg, a Bill for an Act in relationship to the compensation of Persian Gulf veterans in Illinois. Second Reading of this bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk Leone: "There are no Motions filed."

Speaker McPike: "I have a request for a fiscal note on this Bill. Children and Family Law, Representative Preston. Mr. Preston is not here. Mr. Davis. Ms. Davis. Representative Davis. Monique Davis. Representative Stepan. Ann Stepan. Ms. Stepan, 791. Read the Bill, Mr. Clerk. Read the Bill."

Clerk O'Brien: "Senate Bill 791, a Bill for an Act concerning substance abuse counseling for minors. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Government Operations, Senate Bill 535. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 535, a Bill for an Act to amend the

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State Police Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Deuchler. Representative Deuchler. Bob Olson. Representative Olson. Read the Bill, Mr. Clerk, 874."

Clerk O'Brien: "Senate Bill 874, a Bill for an Act to amend the Child Care Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Third Reading. Any Motions?"

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

Speaker McPike: "Third Reading. Page 28 of the Calendar under Concurrence is House Bill 375. Mr. Ryder has leave to handle the bill. Leave's granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 375, a Bill for an Act making appropriations together with Senate Amendments #1,2,3 and 4."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I would...move to concur with House Bill 375, Senate Amendments 1,2,3 and 4."

Speaker McPike: "Mr. Ryder, on appropriations Bill, would you briefly explain the...Amendments."

Ryder: "Give me a moment, and I'll be glad to do that. The effect of Senate Amendment #1 to this Bill...makes supplemental appropriations and adjustments and accounts...as was indicated in our House Amendment #3. It did reduce GRF from Department of Rehabilitation Services, reduced inner agency services...reduced gaming laws and...some others. Senate Amendment #2 made corrections in style, format, spelling and references. Senate Amendment #3 specifies that the appropriation for a grant to the Chicago Academy for Math and Science. This is the State Board of Education and not the Board of Higher Education

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and finally Senate Amendment #4 transferred a 1,200,000 education assistance fund from the Illinois Student Assistance Commission Merit Recognition Program to the Monetary Award Fund. Senate Amendment #5 failed."

Speaker McPike: "Is there any discussion? On that, Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Hultgren: "Does this still have the money in it for...the marina in East Peoria?"

Ryder: "I didn't hear that, David."

Hultgren: "Does this still have the money for the marina in East Peoria?"

Ryder: "Yes. The answer is yes."

Hultgren: "Thank you."

Speaker McPike: "This is final passage. Question is...Question is, 'Shall the House concur in Senate Amendments #1,2,3 and 4 to House Bill 375?' All in favor vote 'aye', opposed 'no'. Preston, 'aye'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 109 'ayes'...On this Motion, there are 109 'ayes' and 1 'no'. And the House does concur in Senate Amendments #1,2,3 and 4 to House Bill 375. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 580, Children and Family Law, Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 580, 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. No Floor Amendments."

Speaker McPike: "Third Reading. Senate Bill 718. Read the Bill,

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Mr. Clerk."

Clerk O'Brien: "Senate Bill 718."

Speaker McPike: "Representative Preston. These Bills are on Third Reading. Did you want to do Third Readings today? We haven't done any so far; do you wanna do these?"

Preston: "Yes."

Speaker McPike: "Yes. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 718, a Bill for an Act to amend the Clerks of Court Act. Third Reading of the Bill."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker. I know of no opposition to Senate Bill 718. What the Bill does is it exempts from the requirement of filing fees and petitions concerning orders for child or spousal support. Right now, when the spouse does not pay his or sometimes her obligations and there's a petition when the other spouse has to go back to court for enforcement..."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in..."

Preston: "Yes, that was what I was saying."

Speaker McPike: "Now, wait a minute. Representative Wennlund has a question."

Wennlund: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Wennlund: "What type of impact will this have on the county clerks from a revenue standpoint?"

Preston: "Well, first of all, it's court clerks, Representative, not county clerks. There is a very small cost. I spoke with a Aurelia Pucinski, the Circuit Clerk in Cook County, who is very much supportive of this because this is something that...usually it impacts on women who are not receiving support and yet to go and get their orders enforced, they have to pay...a court filing fee. That's

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not true in other matters where other motions are brought up, but in these motions right now the law does provide for a filing fee; this says there won't be a filing fee. There will be a cost to the court system. It's a small amount, but it's something that is far outweighed, in the opinion of myself and the Circuit Court Clerk in Cook County. It's far outweighed by the necessity of doing away with this...filing fee requirement."

Wennlund: "Does this Bill only apply in Dupage and Cook counties?"

Preston: "...Cook and DuPage, yes, it does."

Wennlund: "Thank you very much."

Speaker McPike: "Question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 108 'ayes' and no 'nays'. And Senate Bill 718, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1393. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1393, a Bill for an Act to amend an Act concerning termination of parental rights. Third Reading of the Bill."

Speaker McPike: "Mr. Preston. Mr. Preston."

Preston: "Thank you, Mr. Speaker. What...Amendment #1 was adopted in committee which makes this a shell Bill...We want to send...there is still work going on in the Juvenile Court Act in adoption with Members of the Senate and some of the interested groups, including DCFS, so..."

Speaker McPike: "Question is..."

Preston: "...keep it alive."

Speaker McPike: "Yes. Question is, 'Shall this Bill be pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the

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record. On this Bill, there is 113 'ayes' and 0 'nays'.
Senate Bill 1393, having received a Constitutional
Majority, is hereby declared passed. Mr. Steczo. Mr.
Steczko's light is on. Someone please turn Mr. Steczo's
light off. Thank you. Balanoff, Senate Bill 915. Read
the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 915, a Bill for an Act to amend
various Acts relating to safe school zones. Second Reading
of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Mr. Homer, 930, Senate Bill 930,
Mr. Homer. Read the Bill, Mr. Clerk. Out of the record.
Mr. Ropp, 1107. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1107, a Bill for an Act to amend the
Parental Responsibility Law. Second Reading of the Bill.
No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Mr. White. Jesse White.
Giorgi's, 1217. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1217, a Bill for an Act to amend the
Juvenile Court Act. Second Reading of the Bill. No
Committee or Floor Amendments."

Speaker McPike: "Third Reading. Mr. White, you have two Bills,
1215...Do you want that read? 1215 or 1443? 1443. Read
the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1443, a Bill for an Act to amend the
Child Care Act. Second Reading of the Bill. No Committee
Amendments."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions. Floor Amendment #1 offered by
Representative Preston."

Speaker McPike: "Mr. Preston. Take the Bill out of the record.
Mr. White, how about 1215? Representative Currie. Ms.
Currie. Criminal Law, Second Reading, Representative
Weaver. Mr. Weaver here? Mr. McGuire. McGuire. Mr.

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DeJaegher. Mr. DeJaegher. Mr. Petka. Mr. Petka. Mr. Jay Hoffman. Mr. Regan. Read the Bill, Mr. Clerk. Mr. Regan is here. It's 278."

Clerk O'Brien: "Senate Bill 278, a Bill for an Act to create the Open Parole Hearings Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Anthony Young and Williams."

Speaker McPike: "Representative Young. Anthony Young. Representative Paul Williams. Mr. Regan."

Regan: "Mr. Speaker, I move to table the Amendment, please."

Speaker McPike: "Gentleman moves to table Amendment #1. All in favor say 'aye', opposed 'no'. Question is, 'Shall Amendment #1 be tabled?' All in favor say 'aye', opposed vote 'no'. Mr. Regan."

Regan: "Mr. Speaker...this is the second day the Roll has been called and no one's here. The Amendment actually endangers victims and witnesses that go before the parole board. It may well-intended, but the Amendment is a dangerous Amendment, and I would urge...some...green votes up there, please. Other than that I would love to have Representative Young come out of wherever he's at and present this. It's getting late in the day, late in the Session."

Speaker McPike: "Mr. Black."

Black: "Yeah, thank you very much, Mr. Speaker. To explain my vote on this Amendment. This Amendment opens up..."

Speaker McPike: "Ah, Mr. Black. Mr. Black. Representative Williams is here. We could probably proceed with the Amendment now."

Black: "Okay."

Speaker McPike: "Alright, the question on the tabling Motion is

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44 votes 'aye', 68 votes 'no'. And the Motion to table is defeated. Now, Representative Williams is here to present the Amendment. Proceed, Mr. Williams."

Williams: "...It was...This Amendment attempts to provide that the state's attorney's Office, when they be providing information would also provide the...attorney for the defendant...or the convicted individual a copy of the statement that would be used with the inmate under all sorta sense of fairness to the inmate to allow him to have an opportunity to understand what, in fact, is being said and used against him in relates to parole. It is our belief that when you provide an impact statement to the...on behalf...from the victims or witnesses that in essence you intend to put a certain prejudice against that individual when it comes to parole hearings, and that that inmate should at least be allowed an opportunity to see the statement, to respond to the statement and to be informed as to what...It is almost as the same as being informed as to what his accusers might say against him at a regular trial. We believe this is...Amendment that deals with fairness and it should be adopted."

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

Black: "Yeah, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Gentleman's Amendment, and I know it's noisy in here, but I really think that many of you should pay particular attention to this. What you are doing is opening the files to a convicted criminal and letting that criminal have access to what is in that file, specifically, the victim impact statement. What you're doing with this, is you're opening, literally, Pandora's box to allow that convicted criminal access to that file. This...I'll give you an example. This just happened in my district. The criminal

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had access to a file and people were writing the prisoner review board asking that this prisoner not be paroled because of a murder he had committed. That prisoner got access to that file and wrote a letter to everyone who had written the prisoner review board stating that he would hope that they not write any more letters because he had changed. What that did was to say all those people who wrote letters said, 'I'll never write another letter because that man now knows where I live, and if he gets out, I fear for my safety.' I really think that you better take a long look at this Amendment because if you do it, you're starting down a path that will open a file that the prisoner review board compiles to a convicted criminal and his or her attorney, and that access can be used to certainly advance the cause of that convicted criminal. I would urge a 'no' vote on this Amendment."

Speaker McPike: "Representative Regan."

Regan: "Thank you, Mr. Speaker. I wonder if we could get just a couple of whacks on the gavel, please? Thank you. Just two? I should have said a few. Thank you very much. ...As well-intended as this is...an indication that goes for fairness, what this will do was absolutely damage the Parole Board (sic - Board) Hearings Act, and the State Illinois Prisoner Review Board is totally opposed to this Amendment. Opening up the files to criminals, so they can intimidate witnesses that come to parole hearings, is certainly not the right direction to take in this age of gangs. The person may not be paroled, but he goes back and he talks to his buddy. With one phone call, these witnesses could be in dire trouble. I would really urge a 'no' vote on this Amendment."

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

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'ayes' have it, and the Amendment's adopted. The Amendment's been adopted. Yes. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Cowlshaw in the Chair."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I would like to present... The Speaker said that I should do that. Thank you very much for your attention. There are two people who are guests of ours here today that I would like to introduce to you. These people are...are brought here to have this opportunity to be introduced to you by Representative Deuchler, Senator Etheredge and myself. First, I would like to introduce Dr. Ernest Malamud, who is the director of Sci-Tech, which is a science museum located in Aurora. Dr. Malamud is right here on my left; and then I would like to introduce to you Mr. Bill Grosser, who is a science teacher at Naperville North High School and who has developed chemistry demonstration projects for Sci-tech that have been so outstanding that they have made him a member of their honor roll at Sci-tech, and we have previously had adopted a Resolution here in the House and one in the Senate commending Mr. Grosser for his extraordinary contributions to chemistry education in Illinois. I would ask you, as my colleagues, to welcome this wonderful teacher and give him a round of applause. Thank you."

Grosser, Bill: "I appreciate the...the time that you've all given us. I'm just one of many people at Sci-Tech that are working extremely hard to try to influence the future of the children of this country. I think one of the most important things we can do is prepare kids for tomorrow and, especially, in the field of science. Sci-Tech

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is...doing an outstanding job. In only one year, they've probably touched the lives of over 40,000, 50,000 kids, and you see kids walk in there saying, 'I'm going to be a fireman, and they walk out saying, 'I'm going to be a chemist, and that's a pretty good impact, I think, to have on the kids. But again, I appreciate the time and the...the awards here and...again, I'm just one of many people there at Sci-Tech and in the educational community as a whole working real hard to...to keep improving education. Thank you. Yes, definitely come to the museum."

Cowlishaw: "If you get anywhere near Aurora, please come and visit Sci-Tech. You will certainly be welcome. Thank you, Mr. Speaker."

Speaker McPike: "Representative McPike in the Chair. Mr. Preston."

Preston: "Thank you, Mr. Speaker. I would just like to introduce for our Members, we have some honored guests, Terry O'Brien and Nancy Drewshean, Commissioners to the Water Reclamation District of metropolitan Chicago."

Speaker McPike: "Representative Currie, 468. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 468, a Bill for an Act in relation to a sentencing in juvenile dispositional review task force. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

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

Speaker McPike: "Third Reading. Munizzi, 781. Ms. Munizzi. Representative Munizzi. Read the Bill. Read the Bill."

Clerk O'Brien: "Senate Bill 781, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee or Floor Amendments."

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Speaker McPike: "Third Reading. Mr. Homer on 822. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 822, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Mr. Phelan on 1045. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1045, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Mr. Shaw. Mr. Hartke, 1147. Manny Hoffman, House Bill 1209. Now, are you sure?... Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1209, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Representative Laurino in the Chair."

Speaker Laurino: "House...Senate Bill 1227, Representative White. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1227, a Bill for an Act to amend the Controlled Substance and Cannabis Nuisance Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Third Reading. The Chair proceed to...page 12, Constitutional Officers, Second Reading. Senate Bill 271, Representative Martinez. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 271, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Parcells on Amendment #1 to House...Senate Bill 271. Representative Parcells. Amendment #1 to Senate Bill 271. Proceed, Ma'am."

Parcells: "Thank you, Mr. Speaker. This Bill...this Amendment would take a certain section out of the Bill which would have allowed for driver's license to be given even if there had been some violations of the Liquor Code. I think it's agreeable with the Sponsor of the Bill to remove that because that is an Act having nothing to do really with the problem of illegal aliens in getting a driver's license, and this would say that that part would be removed, and, therefore, if they have a liquor violation, the same...laws would apply to them that apply to the rest of us. I would ask for your 'aye' vote on Amendment #1 to House...Senate Bill 271."

Speaker Laurino: "Further discussion? Seeing none, all those in favor indicate by saying 'aye', opposed, 'nay', opposed 'nay'. The 'ayes' have it. The Amendment's adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Proceed to page 13 of the Calendar. Senate Bill 443, Representative Giorgi under Municipal, County and Conservation Law, Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 443, a Bill for an Act concerning the regulation of electricians. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Third Reading. The Chair will now go to Criminal Law, Second Reading, Senate Bill 1272,

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Representative Cronin. Out of the record. Senate Bill 1291, Representative Leitch. Representative Leitch? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1291, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Third Reading. Senate Bill 1302, Representative Davis. Out of the record. House (sic Senate) Bill 1377, Representative Leitch. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1377, a Bill for an Act to amend an Act relating to immunity from criminal prosecution. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Third Reading. Chair proceeds to page 15 on the Calendar, Elementary and Secondary Education, Senate Bill 645, Representative Terry Deering. Representative Deering, do you wish this Bill to be called? Senate Bill 645. Out of the record. Senate Bill 724, Representative Cowlshaw. Senate Bill 725, Representative Giorgi. Out of the record. Senate Bill 973, Representative Hannig. Is Gary Hannig on the floor? Out of the record. House Bill...or Senate Bill 1225, Representative DeJaegher. Out of the record. Oh, I'm sorry. Senate Bill 1225, Representative DeJaegher. Didn't see you, Sir. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1225, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Speak through your microphone, Sir, I cannot hear you."

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DeJaegher: "Mr. Speaker, the Amendment has not been distributed to the best of my knowledge."

Speaker Laurino: "It's being distributed, Representative. Proceed with the Amendment."

DeJaegher: "Just a minute. Take it out of the record, Mr. Chairman."

Speaker Laurino: "Out of the record. Proceed to page 22. Senate Bill 1435, Representative Lang under Health Care. Representative Lang. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1435, a Bill for an Act in relation to visitation of patients in health care facilities. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments?"

Clerk O'Brien: "No Motions filed. Floor Amendment #2, offered by Representative Regan."

Speaker Laurino: "Representative Lang, for what reason do you rise, Sir? Representative Regan on Amendment #2 to Senate Bill 1435. Proceed."

Regan: "Thank you, Mr. Speaker and Members of the House. Amendment #2 just puts an age limitation on the Bill, in reference to who is 18 years of age or younger. It is agreed. I'd urge its passage."

Speaker Laurino: "Representative moves for the adoption of Amendment #2 to Senate Bill 1435. Further discussion? Seeing none, all those in favor will indicate by saying, 'aye', opposed, 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Page 13 of the Calendar, Higher Education, Second Reading, Senate Bill 453, Representative Curran. Read Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 453, a Bill for an Act to amend the

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Public Community College Act. Second Reading of the Bill.
No Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Floor Amendment #1, Representative Curran, on
Senate Bill 453."

Curran: "Simply a technical Amendment adding one word, the word
'and'."

Speaker Laurino: "Representative Wennlund, for what reason do you
rise?"

Wennlund: "Has the Amendment been printed and distributed? We
don't have a copy of it."

Speaker Laurino: "Representative Lang, we're going to take the
Bill out of the record. The Amendment has not been
distributed. Out of the record. Page 19, Senate Bill
1097, Representative Keane. Out of the record. Senate
Bill 1353, Representative Turner. Representative Turner?
Are you on the floor? Out of the record. Page 12 of the
Calendar, Professional Regulations, Senate Bill 131,
Representative Curran. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 131, a Bill for an Act to regulate
the conduct of balloon dart games. Second Reading of the
Bill. No Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Curran. Representative
Wennlund, for what reason do you rise, Sir?"

Wennlund: "Has the Amendment been printed and distributed? We
don't have a copy."

Speaker Laurino: "Out of the record. Senate Bill 312,
Representative Steczo. Senate Bill 312. Out of the

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record. Senate Bill 325, Representative Levin. Ellis Levin. Is he on the floor? No. Out of the record. Senate Bill 407, Representative Novak. Out of the record. Senate Bill 689, Representative Mautino. Senate Bill 689. Out of the record. Senate Bill 835, Representative Hicks. Out of the record. Senate Bill 961, Representative Novak. Out of the record. Senate Bill 962, Representative McPike. Out of the record. Senate Bill 963, Representative Steczko on 963. Out of the record. Senate Bill 964, Representative Balanoff. Out of the record. Proceed to page 12. Representative...Homer on Senate Bill 125 under Civil Law. Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 125, a Bill for an Act to amend the Aeronautics Act. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1...Amendment #1 was tabled. Floor Amendment #2, offered by Representative Homer."

Speaker Laurino: "Representative Homer, on Amendment #2 to Senate Bill 125."

Homer: "Thank you, Mr. Speaker. This...Bill, the underlying Bill, has to do with...with piloting aircraft, subjecting them to rigorous...driving under the influence statute. The Amendment provides that before an officer can subject a pilot to...a analysis of their blood alcohol that they must first have probable cause to believe the person is in violation of the Act. This was an Amendment that was discussed in committee and was added at the suggestion of the committee members. I would move its adoption."

Speaker Laurino: "Further discussion? Seeing none, Representative Homer moves for the adoption of Senate...Amendment #2 to Senate Bill 125. All those in favor indicate by saying, 'aye', opposed, 'nay'. 'Ayes'

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have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Representative Novak, for what reason is your light...flashing?"

Novak: "Yes, Mr. Speaker, point of personal privilege. I'd like to welcome the 4-H group and their parents from Iroquois County, the Ashkum Chargers. You want to stand up in the audience, please? Thanks for coming out."

Speaker Laurino: "Welcome to Springfield. The ethnics...the ethnics are getting a little crazy. Senate Bill 182, Representative Granberg. Out of the record. Senate Bill 502, Representative Hasara. Out of the record. Senate Bill 587, Representative Hoffman. Out of the record. Senate Bill 714, Representative Lang. Out of the record. Senate Bill 812, 812, Representative Currie. Out of the record. No, no, read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 812, a Bill for an Act to amend the Human Rights Act. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Parcels, on Amendment #1 to Senate Bill 812."

Parcels: "Thank you, Mr. Speaker. This would...this Amendment would say that if it's determined that sexual...that a sexual harassment suit is frivolous that the...party or attorneys of the party shall be liable for an amount equal to three times the amount of actual damages and costs sustained by the defendant as a result of the frivolous suit. As we know, there are many frivolous suits filed, and it causes a great deal of expense and harassment to those who are accused of this sexual harassment, and I

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think this would be a fair way to handle it so that those people who are thinking of filing a suit will make very sure that they have a good suit before they file it. I would ask for your...affirmative vote on this Amendment."

Speaker Laurino: "Further discussion? Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This is an effort...this Amendment is an effort to kill the Bill. If you want to vote against the Bill on Third Reading, you're more than welcome to, but I think Sponsors have the...should have the opportunity to have Bills in the shape that they wish them to be considered by this Legislature. The...the...point of this Amendment would be to treat allegations of sex...sexual harassment in the work place differently from the way we in this state treat all other complaints lodged against employers, landlords and what have you. It seems to me that there is no reason to do so in this area as against all others, and I would ask your help in defeating this Amendment."

Speaker Laurino: "Further discussion? Representative Parcels, for what reason do you have your light on?"

Parcels: "I beg your pardon."

Speaker Laurino: "For what reason do you have your light on? Are you seeking recognition?"

Parcels: "Oh. I just wanted to ask for a Roll Call vote."

Speaker Laurino: "Representative Parcels moves for the adoption of Amendment #1 to Senate Bill 812. All those in favor will indicate by voting 'aye', all those opposed will vote 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Amendment having received 42 'ayes', 70 'nay', and 1 voting 'present', fails. Further Amendments, Mr. Clerk?"

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

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Parke."

Speaker Laurino: "Representative Parke on Amendment #2 to Senate Bill 812. Is Representative Parke on the floor? Proceed, Representative Parke."

Parke: "I am awaiting, Mr. Speaker, the Amendment so that I can look at it. Do we have a copy of the Amendment? Thank you, Mr. Speaker. Amendment #2...requires that...that if you're going to pass this legislation that there should be...appropriate...appropriations to provide for the additional costs of this legislation. I think it's only fair that, if we're going to pass this on, that we ought to be able to provide funding for it, and I would ask that the Body support this Amendment."

Speaker Laurino: "Further discussion? Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This is a frivolous Amendment, and, if the earlier Amendment had been adopted, then I think I should be able to charge Mr. Parke the costs of this frivolous proposal. If you want to vote against this Bill on Third Reading, please feel free to do so, but let's make sure that the Bill is in good shape when it gets to Third Reading. This Amendment deserves to be defeated."

Speaker Laurino: "Further discussion? Seeing none, all those in favor indicate by saying 'aye', opposed 'nay'. Amendment #2 is defeated. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Amendment #3 would allow for the court to impose sanctions, in its discretion, where it finds any of the following three instances: that the suit was frivolous, not filed in good faith, or was filed for an improper purpose. Under current law, generally lawsuits

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are...governed by what we call Rule 11 or Section 611 of the Illinois Code, which allows the court to enter sanctions for frivolous litigation. This is similar to that. It would apply specifically to the sexual harassment suits, since that is a new cause of action being created by the underlying Bill. Again, the court must impose it...the court is the only party which may impose it and can do so, in its discretion, where the requirements of the Amendment are met. I move its adoption."

Speaker Laurino: "Further discussion? Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. This really is Amendment 1...all over again; in fact, I'm surprised the Gentleman didn't choose to withdraw it, so I would trust that this Amendment will receive the same...the same lack of support that Amendment #1 did. It does exactly the same thing."

Speaker Laurino: "Further discussion? Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Just to close, I ask for a Roll Call vote, and, in response to the opposition to this Amendment, let me...explain. This Amendment is different from Amendment #1 in that Amendment #1 specified the sanction as being 'triple cost'...'treble cost', similar to a concept used to punish or deter illegal activity, such as in an anti-trust case; this, however, is not that animal. This is only an allowance of the court to enter sanctions to compensate the party against whom a frivolous lawsuit has been brought. That is all this Bill does. As a matter of fact, current litigation is controlled by a similar statute, which requires this same result or allows this same sanction, so, it is wrong to say that this is similar to Amendment #1. This has a precedent in current law and there's no reason not to treat these lawsuits the same as others would be treated under the law. I move its

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adoption, and I ask for a Roll Call."

Speaker Laurino: "The Gentleman moves for the adoption of Amendment #2 to Senate Bill...Amendment #3 to Senate Bill 812. All those in favor will indicate by voting 'aye', those opposed will vote 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Amendment, having received 49 'ayes', 63 'nay' and 1 voting 'present', fails. Further Amendments?"

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

Speaker Laurino: "Representative Bob Olson. Amendment #5...4, I'm sorry."

Olson, R.: "Thank you, Mr. Speaker. Amendment #4 deals with the timing of filing a complaint of sexual harassment. A charge of sexual harassment against an individual, be that individual a man or a woman, could cost that person the loss of a job, just the fact that the charge was made. It would be wrong to have too long a time period before that charge is followed by an actual complaint filed. This Amendment says that, 'The complaint shall be filed within 30 days'. The word frivolous has been used on occasion on the previous Amendments and by the...the...Sponsor of the Bill itself. This is to stop the possibility of a frivolous charge costing someone employment when, in fact, a complaint might never be filed. I think this is a good Amendment. I urge its passage."

Speaker Laurino: "Further discussion? Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I don't think the explanation...made real sense of what this proposal would do. It would apply a different time period for filing charges in this area of employment discrimination and employment problems than for any other

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kind of a charge that an employee might have against an employer. A charge of sexual harassment is not filed against another employee but against the employer, in fact. We already have language in the current statute that applies the right to file that charge for most employees in this state, without a time limit. I know of no problems with the current practice of the Human Rights Department and Human Rights Commission, in respect to these kinds of complaints from employees against employers, and I think the 30 day time limit would seriously restrict the current opportunity that employees enjoy, if they have a legitimate complaint of sex harassment or any other kind of problem that they wish to file against an employer, so I would urge your 'no' votes on this Amendment."

Speaker Laurino: "Further discussion? Representative Olson, for what reason are you seeking recognition?"

Olson, R.: "Thank you, Mr. Speaker. Representative Currie, I couldn't hear your remarks, but I'm sure they were well-taken and well-presented. I would only reiterate that it would seem unfair to be charged of sexual harassment, which would be a matter of a...of the opinion, I guess, of that person so being harassed, only to find at a later date that a complaint was not filed because the person had a change of heart, a change of mind. We could be damaging the livelihood of the individual who the...complaint was charged against, and I do not believe that 30 days is an unreasonable request to say that a complaint must be filed. I urge a 'yes' vote on this, and I ask for a Roll Call vote."

Speaker Laurino: "The man moves for the adoption of Amendment #4 to Senate Bill 812. All those in favor will indicate by voting 'aye', those opposed will vote 'nay'. The board is open. Have all voted who wish? Have all voted who wish?"

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Take the record, Mr. Clerk. This Amendment, having received 43 'ayes', 66 'nay', and 0 voting 'present', fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Senate Bill 1423, Representative Churchill. Representative Bob Churchill. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1423, a Bill for an Act to amend the Business Corporation Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Third Reading. Senate Bill 1437, Representative John Dunn. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1437, a Bill for an Act to amend the Responsible Property Transfer Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Third Reading. Senate Bill 1465, Representative Hicks. Representative Larry Hicks. Out of the record. State and Local Government, page 11, Senate Bill 42, Representative Curran. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 42, a Bill for an Act to amend the Personnel Code. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Curran."

Curran: "This is an agreed Amendment between the Republican and Democratic Members of the State Government Administration Committee, contains the subject matter of Senate Bill 42 and Senate Bill 259. Senate Bill 42, sponsored by Representative McGuire; Senate Bill 259 sponsored by Representative Richmond. I don't think there's any objection. This is an agreed Bill."

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

Black: "Thank you very much, Mr. Speaker. I'm sure it probably is an agreed Amendment, but I don't...we don't have it, and I can't find the spokesman of the committee here. Could you give us a few minutes to see what's going on?"

Speaker Laurino: "Representative Curran, we'll take this Bill out of the record. Senate Bill 45, Representative Kubik. Jack Kubik. Representative Kubik. Senate Bill 45, Sir. Out of the record. Senate Bill 61, Representative Brunsvold. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 61, a Bill for an Act to amend the Illinois Governor's Council on Health and Physical Fitness Act. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Myron Olson, Amendment #1 to Senate Bill 61."

Olson, M.: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment to Senate Bill 61 would...change the sites for this...activity to Springfield and East St. Louis. I move for the adoption of the Amendment."

Speaker Laurino: "Further discussion? Representative Brunsvold."

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

Olson, M.: "Yes, I will yield."

Brunsvold: "Representative, where are we gonna meet?"

Olson, M.: "Springfield and East St. Louis. Both are significant communities. East St. Louis needs the attention."

Brunsvold: "Okay. The Governor's Council on Health and Physical Fitness needs to meet in different places around the

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state..."

Olson, M.: "I'm sorry, I can't hear you."

Brunsvold: "...and I'm sure that East St. Louis would be a fine place for us to meet."

Olson, M.: "Are you on this council, Representative?"

Brunsvold: "Yes, Sir."

Olson, M.: "Then you have a special interest in this?"

Brunsvold: "Yes. We meet in...Springfield and we'd like to meet in Champaign where the Prairie State Games are and maybe in Chicago once in a while, when we have issues in that area. We meet four times a year."

Olson, M.: "Well, may I... ..Why do you have this great feeling for Champaign, Sir? What's wrong with East St. Louis?"

Brunsvold: "There's nothing wrong with East St. Louis. That'd be a fine community to meet, but...if we had the Prairie State Games in that area, we'd probably want to meet there."

Olson, M.: "Why don't you join me in this Amendment and..."

Brunsvold: "I...I don't believe I want to join in your Amendment, Representative. I would oppose this Amendment and ask that the chamber vote this fine Amendment down."

Olson, M.: "I think you're opposing it for the wrong reasons, Sir. Thank you."

Speaker Laurino: "Further discussion? Representative Olson moves for the adoption of Amendment #1 to Senate Bill 61. All those in favor indicate by saying 'aye', opposed 'nay'. The 'nays' have it, and the Amendment fails. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Myron Olson."

Olson, M.: "Thank you very much, Speaker, Ladies and Gentlemen of the House. Amendment #2, in view of our last discussion, I suggest that we include a few additional communities for

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this site. Marion, the home of Larry Woolard, I'm sure you'd like to have this Fitness Council meet there, along with East St. Louis, Danville and Quincy. Now, that's the way to take care of this state in its full entirety. I move the adoption of Amendment #2 to Senate Bill 61."

Speaker Laurino: "Further discussion? Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Marion, East St. Louis, Danville and Quincy are fine places to meet. In fact, my seatmate is from Marion. That's going to be very difficult for me to oppose this Amendment, but I'm still going to do it. I would ask for a 'no' vote on this Amendment."

Speaker Laurino: "Representative Black, for what reason do you seek your recognition?"

Black: "Well, I just...I just simply rise and support the Gentleman's Amendment. I didn't know he was adding Danville to this list, but let me just assure you, Mr. Speaker and Members of the Body, those of us in Danville would welcome you with open arms. We will...our civic center is ready to greet you, our Tourism and Convention and Visitors Bureau is ready to greet you, and I think our physical education teachers, some of the finest in the state, are ready to greet you. I think this is a wonderful Amendment. What a better...what better place to meet than Danville, other than Quincy and East St. Louis and what-have-you and down there in Marion with Larry Woolard? Come on to Danville, Joel. Join us."

Speaker Laurino: "Further discussion? Representative Olson."

Olson, M.: "Thank you...thank you, Mr. Speaker, I'd like to close just by saying I'm looking over at Representative Woolard, whose town entertained our Reappropriation Committee about six or seven weeks ago. I can't think of a better place to fly in and have the meeting right at the airport and go over and have some pecan pie; and then Quincy, everybody

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says you can't get to Quincy from there. Well, I'm determined to find a way to get to Quincy. Please adopt this Amendment."

Speaker Laurino: "Representative Keane in the Chair."

Speaker Keane: "The question is, 'Shall the House adopt Amendment #2?' All those in favor say 'aye', all opposed, 'no'. The 'nos' have it, and the Amendment loses. Any further Amendments?"

Clerk O'Brien: "No...no further Amendments."

Speaker Keane: "Third Reading. Senate Bill 89, Representative Currie. Out of the record. Senate Bill 650, Representative Bugielski. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 650, a Bill for an Act to amend the Illinois State Auditing Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Keane: "Third Reading. House (sic Senate) Bill 750, Representative Steczo. Out of the record. House (Senate) Bill 771, Representative Hicks. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 771, a Bill for an Act to amend the State Finance Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House (sic Senate) Bill 779, Representative Capparelli. House (sic Senate) Bill 779. Out of the record. House (sic Senate) Bill 824, Representative Hoffman. I'm sorry, 828. Pardon me, Mr. Clerk. Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 828, a Bill for an Act to create the Private Enterprise Review and Advisory Board. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Hoffman."

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Hoffman, M.: "Thank you, Mr. Speaker. This Amendment will change the makeup of the committee to add six persons appointed by the Governor to this committee. The committee, as you know, is...a committee that will review the basic function and will consider where government functions can be more effective, and what we're doing is we're adding six more members to make up this committee. We have had no opposition from AFSCME, and they understand the Amendment."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall the House adopt Amendment #1?' All in favor, say 'aye', all opposed 'no'.The 'ayes' have it, and Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. House Bill...Senate Bill 894, Representative Peterson. Out of the record. House (sic Senate) Bill 1171, Representative Curran, 1171, Representative... Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1171, a Bill for an Act to amend the State Finance Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 1189, Representative Matijevidch...I'm sorry, Senate Bill 1189, Representative Matijevidch. There's been a request for a Fiscal Note. Out of the record. Senate Bill 1202, Representative Mautino. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1202, a Bill for an Act to amend the Emergency Services and Disaster Agency Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. Senate Bill 1264, Representative Granberg. Out of the record. Senate Bill 1312, Representative Hasara. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1312, a Bill for an Act to create the Federal Building Retrocession Act. Second Reading of the

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Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Myron Olson. Withdraw Amendment #1. Any further Amendments?"

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

Speaker Keane: "Representative Hasara."

Hasara: "Withdraw, please."

Speaker Keane: "Withdraw Amendment #2."

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. We will now go to...House Bill...or Senate Bills, Revenue, Second Reading. On that order is Senate Bill 197, Representative Burke. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 197, 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 Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed and no further Amendments."

Speaker Keane: "Third Reading. Senate Bill 241, Representative Mautino. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 241, a Bill for an Act to amend an Act in relationship to public water and infrastructure projects. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed and no further Amendments."

Speaker Keane: "Third Reading. Senate Bill 455, Representative Phelps. Out of the record. Senate Bill 497, Representative Bugielski. Representative Bugielski. A Fiscal Note's been requested. Senate Bill 499,

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Representative Hartke. Mr. Clerk. Out of the record.
Skip over the next few for a minute. Senate Bill
...Representative Wennlund, for what purpose do you rise?"

Wennlund: "Thank you...thank you, Mr. Speaker. Pursuant to Rule
10(d), I am joined by six of my colleagues to
remove...Senate Bill 894 from the Order of Short Debate."

Speaker Keane: "...Your request...I'm told your request will be
timely on Third Reading, when we are debating it. Your
request will be timely on Third Reading."

Wennlund: "The Bill is still on Second."

Speaker Keane: "Senate Bill 707, Representative McGann. Mr.
Clerk, read the Bill."

Clerk Leone: "Senate Bill 707..."

Speaker Keane: "There's been a request for a Fiscal Note. Take
the Bill out of the record. Senate Bill 729,
Representative Steczo. Out of the record. Senate Bill
792, Representative Currie. Out of the record. Senate
Bill 839, Representative Hensel. Out of the record. We'll
go back to...Senate Bill 729, Representative Steczo. Mr.
Clerk, read the Bill."

Clerk Leone: "Senate Bill 729, a Bill for an Act to amend the
Illinois Municipal Code. Second Reading of the Bill.
There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. Representative Hensel, do
you...okay, on Senate Bill 839. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 839, a Bill for an Act to amend the
Counties Code. Second Reading of the Bill. There are no
Committee or Floor Amendments."

Speaker Keane: "Third Reading. Senate Bill 1095, Representative
Giorgi. Out of the record. Oh...sorry. Mr. Clerk, on
1095, read the Bill."

Clerk Leone: "Senate Bill 1095, a Bill for an Act to amend the
Senior Citizens Real Estate Tax Deferral Act. Second

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Reading of the Bill. Amendment #1...correction...there are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. Senate Bill 1329, Representative Currie. Read the Bill."

Clerk Leone: "Senate Bill 1329, a Bill for an Act to amend the State Comptroller Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed and no further Amendments."

Speaker Keane: "Third Reading. Senate Bill 1378, Representative...Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1378..."

Speaker Keane: "That's mistakenly on this...the Bill is already on Third Reading. Senate Bill 625, read the Bill."

Clerk Leone: "Senate Bill 625, a Bill for an Act to amend the Motor Fuel Tax. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. Senate Bill 627. Read the Bill."

Clerk Leone: "Senate Bill 627, a Bill for an Act to amend an Act in relationship to taxation of cigarettes. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. Senate Bill 629. That Bill is on the Order of Third Reading, also. Senate Bill 631. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 631, a Bill for an Act to amend the Service Use Tax Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. The first page of today's Special Order of Call and on page 15 of the Calendar under the Special Order of Human Services, Second Reading, appears Senate Bill 651. Mr. Clerk, read the Bill. Has the Fiscal Note been filed?"

Clerk Leone: "Fiscal Note has been filed on Senate Bill 651."

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Senate Bill 651, a Bill for an Act to amend the Department on Aging. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. Page 20 of the Regular Calendar...on the Order of Special Reading, Elementary and Secondary Education, Second Reading, appears House...or Senate Bill 1225. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1225, a Bill for an Act to amend the School Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representatives DeJaegher, Woolard, Brunsvold, Curran and Hasara."

Speaker Keane: "Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. Senate Bill 1225 was originally asked for as a shell Bill in Elementary and Secondary Education. The Illinois Education Association has prepared this Amendment, and, basically, what the Amendment says, 'No educational support personnel shall be dismissed, after their probationary period, unless they have received written notice showing just cause for dismissal, but that employee may be dismissed without receiving written notice showing just cause if the employee poses an immediate threat or danger to students or fellow employees. All newly hired educational support personnel shall be placed on a probationary period for 90 days of work,' and basically this is what the Amendment is. This has been supported by I.E.A.; this is their Amendment. I move for passage of this Amendment."

Speaker Keane: "Any discussion? Representative Mulcahey."

Mulcahey: "Question of the Sponsor, Mr. Speaker?"

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

Mulcahey: "Bob, how does this...how does this differ right now from the way current law..."

DeJaegher: "Well, basically...does this...gives the school boards an opportunity to...about dismissing said person, in the event that person would harass or sexually or incest or something like that, without a written dispuision."

Mulcahey: "Well, I don't think that's my question. What is existing...what is existing law state right now in the...in the case something like this should occur?"

DeJaegher: "Basically, that person would have to have a hearing, before this could take place, not...it does not necessarily do so."

Mulcahey: "Well, I...I think it's kinda...I think it's rather redundant, quite frankly. I think provisions are already set forth...regarding...the procedure that's followed. I'll go ahead and vote for it, but I think it's...I think it's redundant."

DeJaegher: "Thank you, Dick."

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

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. We'll now go to...starting at the top of...today's Calendar to Third Readings. Human Services, Third Reading, House Bill...or Senate Bill 187, Representative Schakowsky. Senate Bill 187. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 187, a Bill for an Act to amend the Nursing Home Care Act. Third Reading of the Bill."

Speaker Keane: "Representative Schakowsky."

Schakowsky: "This is a...Mr. Speaker, Ladies and Gentlemen of the

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House, this is a Bill that is supported by the Department of Public Health, which is meant to address a problem faced by residential facilities for persons with HIV disease. What it does is it would allow a limited number of facilities, which are caring for persons with HIV disease, to utilize home-health services on an intermittent basis, rather than to have more expensive hospitalization. I would urge your support of this legislation and would be happy to answer any questions."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 112 voting 'aye', none voting 'no', none voting 'present', and Senate Bill 187, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 477, Representative Levin. Out of the record. Senate Bill 821, Representative Hicks. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 821, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Keane: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 821...is a Bill that...is very similar to a House Bill that I passed dealing with ambulance payments. This Bill...actually takes care of the...assistance for...medical assistance recipients for Part B medical, beneficiaries; allows for the local providers to be able to pay part of the ambulance...reimbursement payments from Medicaid, Part B; in doing so, then we are able to be eligible for additional federal moneys to be able to be paid in that...Part B of the Medicare. I'd be happy to try to answer any

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questions."

Speaker Keane: "Representative Black."

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

Speaker Keane: "He indicates he will."

Black: "Thank you. Representative, according to our...staff, an Amendment was added to this Bill in committee that...simply makes this Bill a shell Bill. Is that your understanding?"

Hicks: "You are correct, Mr. Black. It does...do that and that's full intent of it. We have a similar piece of legislation that was passed on the House Bill. We're able to send this over...with that Amendment on it, and, if there's any corrections that need to be made in the other Bill, we'll be able to be use this for exactly the same type of things that we talked about before."

Black: "Okay, thank you."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 110 voting 'aye', 1 voting 'no'; and Senate Bill 821, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1031, Representative Munizzi. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1031, a Bill for an Act to amend the emergency services...emergency medical services."

Speaker Keane: "Mr. Clerk, out of the record. We will now go to...Constitutional Officers, Senate Bills, Third Reading. Senate Bill 393, Representative Kulas. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 393, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Keane: "Representative Kulas."

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Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 393 represents a compromise negotiated by the Illinois New Car and Truck Dealers' Association and the Illinois Credit Union League. Passage of this Bill will prevent this issue from coming back before this chamber each year, as it has done before. It reaffirms that only car dealers licensed by the state may sell cars. It, also, clarifies that credit unions and auto buying services may advertise auto purchase opportunities and solicit purchasers for licensed dealers without obtaining a license from the Secretary of State, since these activities are not considered brokering or selling cars. This provision will enable credit unions, auto purchase referral services and motor clubs to continue working with licensed dealers who voluntarily offer discount prices on their cars, and I would move for passage of this Bill."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 voting 'aye', none voting 'no', none 'present', and Senate Bill 393, having received the required Constitutional Majority, is hereby declared passed. Senate Bill...Senate Bill 978, Representative DeLeo. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 978, a Bill for an Act to amend the Illinois Pre-Need Cemetery Sales Act. Third Reading of the Bill."

Speaker Keane: "Representative DeLeo."

DeLeo: "Thank you, Mr. Speaker, Members of the House. Senate Bill 978 is a Pre-Need Cemetery Sales Act. There's been some technical changes from last year. This Bill is...has all the technical changes...was amended in...committee

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exempting state and federal cemeteries from this Act. These Amendments were agreed Amendments. It passed out of the Senate 56 to nothing, it passed out of Senate 16 to nothing. I ask for a favorable Roll Call on Senate Bill 978."

Speaker Keane: "Representative Black."

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

Speaker Keane: "He indicates he will."

Black: "Representative, our...our staff...has some notes that it was the...there's a problem with the Comptroller in the cemetery industry with this Bill, and that the intention of this Bill was to go to a Conference Committee. Is that still your intent?"

DeLeo: "Representative Black, this is the first I'm hearing about this. It's been amended so it has to go back so I'm sure..."

Black: "Alright...alright, we...we can talk about it later, fine...alright."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 97 voting 'aye', 7 voting 'no', 9 voting 'present', and Senate Bill 978, having received the required Constitutional... Representative McGann."

McGann: "Due to a possible conflict, would you please vote me 'present'?"

Speaker Keane: "Vote Representative McGann 'present'. On this Bill, there are 96 voting...Representative Walsh. Vote Representative Walsh as voting 'aye'."

Walsh: "No, 'present'."

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Speaker Keane: "On this Bill, there are 96 voting 'aye', 7 voting 'no', 10 voting 'present', and Senate Bill 978, having received the required Constitutional Majority, is hereby declared passed. The Order of Agricultural Environment, Third Reading. Senate Bill 189, Representative Matijeovich. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 189, a Bill for an Act to amend the Clinical Psychologists Licensing Act. Third Reading of the Bill."

Speaker Keane: "Representative Matijeovich."

Matijeovich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 189 is sponsored by Senator 'Babe' Woodyard and passed unanimously in that Body. It would create the...Advisory Task Force on Developing Markets for Recyclable Materials. The task force would address funding mechanisms for market development programs, evaluate financial incentives...identify specific market development options that could be implemented locally and investigate and explore potentials for developing international markets. The task force would...issue a preliminary report to the Governor and this...the General Assembly by March 1 of next year and the final report in September of next year. It is supported by the Illinois Farm Bureau, the Illinois Environmental Council and other environmental groups, and I appreciate the support on Senate Bill 189."

Speaker Keane: "Mr. Clerk, please read the Bill."

Clerk Leone: "Senate Bill 189, a Bill for an Act to amend the Solid Waste Management Act. Third Reading of the Bill."

Speaker Keane: "Representative Black."

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

Speaker Keane: "He indicates he will."

Black: "Representative, I think this is the same...the same Bill

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that we passed out of here unanimously as a House Bill. There seems to be some confusion on my side of the aisle as to...the Governor's position on that...on this Bill. I'm not aware of any opposition to this Bill, isn't this the Sierra Club Bill?"

Matijeich: "I have heard of no opposition to it, Representative Black, at all."

Black: "Well, I...you know, I offered a couple of Amendments yesterday that I think would have made this good Bill even better, but the...the copy machine broke down. Those things happen. But I...I just...from my side of the aisle, I think there's some confusion on whether or not the Governor supports this Bill, and I'm just simply not aware of any opposition to this Bill, so I...I intend to vote 'aye'."

Matijeich: "We'll...we'll find out because it'll go to his desk."

Speaker Keane: "The question is, 'Shall this Bill pass?' All in favor, vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 108 voting 'aye', 1 voting 'no', 4 voting 'present', and Senate Bill 189, having received the required Constitutional Majority, is hereby declared passed. Flinn, 'aye'. An announcement: The Democrats will have a caucus in Room 114 immediately. The Republicans will have a caucus in Room 118 immediately. Caucus for the Democrats, Room 114, caucus for the Republicans, Room 118. Representative Matijeich."

Matijeich: "Coming back or going to committee afterwards?"

Speaker Keane: "...You'll...we'll be told in caucus. You will be told in caucus."

Matijeich: "Alright, good deal. What if we don't show up?"

Speaker McPike: "The House will come to order. Representative

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Ropp."

Ropp: "Mr. Speaker, I rise on a point of personal privilege. I'd like to introduce my bride of 36 years, and we have cake over here. You're welcome to come over and have some cake."

Speaker McPike: "Representative McGann. Give Mr. McGann your attention."

McGann: "Thank you, Mr. Speaker. Members of the Assembly, if I could have the Democratic side of the aisle's attention for just a moment. Immediately after Session, I would ask the Democratic Members of the Education Appropriation Committee to meet in the Speaker's conference room. It probably won't take more than 15, 20 minutes to resolve our...our budget so we can be prepared for tomorrow morning's meeting. That'll be the Speaker's conference room immediately after Session. Thank you, Mr. Speaker."

Speaker McPike: "Under Revenue, Second Reading, appears Senate Bill 455. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 455, a Bill for an Act to amend certain Acts in relation to the use of Illinois coal. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Alright. Take this Bill out of the record. Hold it on Second Reading. Page 21 of the Calendar, Special Call. Illinois Income Tax Surcharge, appears Senate Bill 1345. Mr. Clerk, what is the status of the Bill?"

Clerk O'Brien: "This Bill's been read a second time previously and returned and held on Second Reading."

Speaker McPike: "Are there any Amendments filed?"

Clerk O'Brien: "Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

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Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Speaker Madigan."

Speaker McPike: "Speaker Madigan. Give the Gentleman some quiet."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 1345 would provide for a two-year extension of the surcharge on the Illinois Income Tax, which was adopted two years ago. The Amendment simply provides for an additional two years of the surcharge. As it did two years ago, the proposal would provide that the money collected under the surcharge would be dedicated to two sources: (1) education (2) local government. Two years ago it was the judgment of the General Assembly, in cooperation with Governor Thompson, that the idea of a surcharge on the Illinois Income Tax dedicated to education and local government was a good idea. The thought was that by providing a two-year program, we would provide that the Legislature would be in a position to exercise continuing oversight concerning the expenditure of this money and to put the Legislature in a position where it could exercise some accountability over local school districts, the institutions of higher education and the units of local government throughout the State of Illinois. Further, it was thought that this was one way for the state to, in part, reverse the trend which has developed in this country where there is a continuing withdrawal by the Federal Government of support for state and local governments, especially in the area of providing money for capital projects at the local level. It was said that this money, the money given to local governments, could be used for operations or it could be used for capital purposes. I personally recommended to units of local government that the money be used for one-time capital projects so that

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there would not be the incurring of a continuing obligation at the very beginning of the program. I, further, said that this was an opportunity for school districts and local governments, who were able to do so, to provide tax relief to their real estate taxpayers; in fact, that's exactly what Mayor Daley in Chicago did. So, as part of Mayor Daley's first budget for the City of Chicago, he was able to provide \$25,000,000 of tax relief for the real estate taxpayers of Chicago. Other units of local government did the same thing. Not all were able to do that, and that was the expectation at the time that the program was adopted, the expectation being that certain governments would be in a position to effect tax relief, others, because of their financial position, would not be able to do that. This is not offered as a panacea for the budget problems being faced by the State of Illinois today. We all acknowledge, all of us, Democrats, Republicans, Representatives and Senators, that the State of Illinois today faces a budget shortfall problem of great depth and great gravity. This is not intended to be the solution to that budget shortfall. This is intended to be a continuation of a program which was started two years ago and which, on balance, indicates that it was a good program and that it ought to be continued. In addition, the Amendment and then the Bill will provide for a restructuring of the money spent by the State of Illinois for exemptions and deductions against the Illinois Income Tax. It would provide, with relative to the personal exemption, that for...personal exemption of \$1,000, that for taxpayers who earn more than \$120,000 that they would no longer receive the personal exemption. In addition, concerning the double property tax reduction that that would be eliminated for incomes over \$120,000. The savings effected by the

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elimination of those two exemptions for incomes over \$120,000 would be used to fund a 25% children's exemption. Today, when a taxpayer claims a child's deduction against the Illinois Income Tax, the deduction is \$1,000. Under this Amendment, the deduction would become \$1,250 for each child. In addition, we would establish, for the first time, a renter's credit of 3% of one month's rent up to \$1,000 a month. In addition, we would establish, for the first time in Illinois, an earned income tax credit which would be 5% of the Federal Earned Income Tax Credit. This would provide that for families making \$10,000 a year or less that they would pay no income tax. Concerning the double property tax deduction, for taxpayers earning up to \$90,000 a year, that would remain in place. For taxpayers earning between \$90,000 and \$120,000, it would be phased out, and for taxpayers earning over \$120,000, as I stated earlier, it would be eliminated in part to pay for the institution of these new programs. In conclusion, I want to suggest this is an example of where certain commentators on the Legislature are wrong. There are certain people who comment on the operation of the General Assembly and the House of Representatives in particular, that this particular Speaker rules with an iron hand over the Democratic Members of the House. For those who understand the legislative process, for those who observe this process on a day-to-day basis, they know that that's simply not true, and I can tell you that the formulation of this plan, that the persuasion of votes was done because I and the Members of my leadership team listened to the individual Democratic Members who have advanced their ideas relative to the continuation of the surcharge, and those ideas have been incorporated into this proposal. I think this is a good, sound proposal. It was a good idea two years ago.

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It's an idea that ought to be continued, and I would recommend an 'aye' vote for the Amendment and then an 'aye' vote on Third Reading. Thank you, Mr. Speaker."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' And on that, Representative Churchill."

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

Speaker McPike: "Yes."

Churchill: "Mr. Speaker, ...would you please tell us what additional dollars will be going into education from this Amendment."

Madigan: "If you give me a minute, I'll get the exact dollar amount for you. Three hundred ninety-two million dollars."

Churchill: "That's \$392 million more than education is getting today?"

Madigan: "Three hundred ninety-two million dollars from this program. The amount that education will get in the next budget will be determined by all of us as part of the appropriations process."

Churchill: "Does this continue the special fund for education?"

Madigan: "Yes."

Churchill: "So those dollars actually flow into a special fund and then directly from the special fund right out to education, correct?"

Madigan: "Yes."

Churchill: "So, they're not subject to appropriation?"

Madigan: "They will be subject to appropriation."

Churchill: "...subject to appropriation. So, the dollars that are going to education today from the temporary surtax that was passed two years ago will be...and the dollars that will flow into education after the passage of this Bill, there will be a \$392,000,000 difference, and it will be greater than what we had for the past two years. Is that what you're telling me?"

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Madigan: "I don't agree with that."

Churchill: "How many more dollars are going into education as a result of the passage of this Bill?"

Madigan: "I don't think you should use the word 'more'. I think you should focus on the Bill and what it provides and, as I said, the Bill alone, as is, provides \$392,000,000 for education. The...the total amount of state money provided for education will be decided by all of us working through the appropriations process."

Churchill: "But I believe, if I recall correctly, two years ago one of the reasons that you...you passed the Bill, and I believe it was your Bill or at least your Amendment back then, was to provide additional dollars for education. So, I'm just trying to determine today if this will then provide more dollars for education or whether the dollars flowing from this Amendment are exactly the same as in the previous Bill or whether actually education will receive less dollars as a result of the passage of this Bill."

Madigan: "The idea two years ago that the surcharge of two years ago would provide additional dollars developed because, at the time, we were working with a proposed budget from Governor Thompson, which provided x dollars for education, and, at the time of consideration of the surcharge two years ago, we argued that the surcharge money ought to be added on to what the Governor had already proposed. That was two years ago. Today we're in a different situation."

Churchill: "Tell me about the...distribution of local governments. What...other than the field of education...how do dollars flow to local government?"

Madigan: "This Amendment would take the dates contained in the Illinois law today and change the dates. So, whatever Illinois law provides today, relative to the distribution of the surcharge money, would remain the same."

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Churchill: "Okay, so, there was an attempt by...people who are part of township government...to receive additional dollars out of the any potential extension of the surcharge. ...Are townships to get any more money out of this?"

Madigan: "No."

Churchill: "And library districts?"

Madigan: "No."

Churchill: "And park districts?"

Madigan: "No."

Churchill: "So, cities and counties, villages, are the only local governmental units that would receive dollars out of the local government distribution?"

Madigan: "Yes."

Churchill: "Tell me about...property tax...deductions. Now, I think you said that...this keeps the double deduction up to a certain point and then phases out that double deduction. Is that correct?"

Madigan: "The Amendment would provide for the continuation of the double deduction for taxpayers who earn up to \$90,000 a year. From \$90,000 to \$120,000 it would be a phase-out, and then after \$120,000 there would no longer be a double property tax deduction."

Churchill: "So, there would be only a single deduction or is there no deduction after \$120,000?"

Madigan: "After \$120,000 there would be no deduction."

Churchill: "There would be no property tax deduction after \$120,000."

Madigan: "For a family that earns over \$120,000."

Churchill: "Okay, so, they would not get a single deduction on their tax?"

Madigan: "Correct."

Churchill: "Have you done anything else in any other area of this Bill to help the...the real estate taxpayers of this

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state?"

Madigan: "We continued the double deduction for real estate taxes paid for a taxpayer that earns up to \$90,000. From \$90,000 to \$120,000 we provided for a phase-out, and then for a taxpayer earning more than \$120,000 we eliminate the double deduction, so that the theory of this Amendment is that for taxpayers earning up to \$90,000 a year they would continue to get the real estate tax deduction, which is a form of relief against real estate taxes paid, but, we would reach a certain point and we would say, 'Certain taxpayers just have too much money, and we're not going to give them this tax break anymore.' This is a tax break, and the question is, 'When do you eliminate the tax break?'"

Churchill: "Okay, but there have been plans that have been floated around the Legislature for the past few months that have tried to help the...residential homeowners, particularly in the high-tax areas where they're screaming for tax relief, senior citizens who can no longer afford to maintain their residences because of the fact that their real estate tax bills are higher, and this proposal that you're proposing today does nothing in addition to continue the double taxation or double tax deduction for people under \$120,000 of income per year. Nothing more."

Madigan: "The Amendment would provide that for a taxpayer earning up to \$90,000 a year they would keep the double deduction, from \$90,000 to \$120,000 it would be phased out, and then for a taxpayer over \$120,000 they would not get the double deduction."

Churchill: "Let me ask you about...the income tax deductions. ...You now change the income tax deductions, other than in the area that we just discussed, so that there is a graduation of taxation. Is that not correct?"

Madigan: "I'm not sure that that's correct, Mr. Churchill,

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although I may be misunderstanding your question."

Churchill: "A person who has...an income at one level will be paying a different percentage than a person who has an income at a different level."

Madigan: "You referring to a taxpayer above or below \$120,000 a year?"

Churchill: "That is correct."

Madigan: "Yes."

Churchill: "And is that not a graduated tax?"

Madigan: "Yes."

Churchill: "And does not the Constitution prohibit a graduated tax?"

Madigan: "Let me go back and correct my statement."

Churchill: "I thought...I thought you might."

Madigan: "It's not a graduated tax that is prohibited by the Illinois Constitution. It does provide the tax is more progressive. It does provide that."

Churchill: "Okay, so, we will differ over the definition of graduated tax. Mr. Speaker, to the Amendment, first of all, ...I realize that this Bill is on Short Debate, and I would ask that I be joined by seven of my colleagues to remove the Bill from Short Debate so that we can have a full debate on this Amendment and the Bill if it is..."

Speaker McPike: "That only applies to Third Reading, but it is the Chair's intent to recognize as many people as wish to speak on it."

Churchill: "Okay, thank you, to the...to the Amendment, I would stand in opposition to the Amendment. This...this Amendment does not provide any more dollars for education. One of the things that we're trying to do this year is to give dollars to education and yet this does not do that, and this is the basic revenue bottom-line for the State of Illinois when you continue the surtax. It does not provide

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additional dollars for other levels of government...and it singles out counties and...and villages and municipalities as only those local governmental units that are to receive additional dollars. The real estate property tax deduction phases out,...which I think is unfair, and I don't think that this Bill does anything more for the people of this state who are screaming for real estate property tax relief, and I believe, fully, that this is a graduated tax, that this Bill is unconstitutional, and...I think that the Constitution specifically prohibits graduating your tax or making it progressive as the Speaker uses those terms, and so I would rise to ask people to vote 'no' on this. Since this is a Floor Amendment, a 'present' vote doesn't do much, and I think a 'no' vote is a proper vote."

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would rise in opposition to this particular Amendment, and I'd like to focus on a couple of points. First of all, I'm not sure that...we've had a great deal of time...to look at this Amendment, probably about an hour or so. The debate which...went between...that was conducted between Representative Churchill and the Speaker indicated that the...deduction would...would kick in at \$90,000. It would appear from the Amendment...that the...the deductions would begin to be phased out...at the level of \$75,000 per year. So, there is some...disagreement on that particular point, and, perhaps, the Speaker can clarify that in his closing remarks. I'd like to also point out that...when you...this is...there is a new part of this Bill, which includes a renter's credit, which is certainly an interesting concept. This renter's credit...would..., if it was used to its maximum benefit, would...probably save the average renter about 8¢ a day, so we're not talking about a

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great windfall here. We're talking about a relatively small amount of money, and really and truly...talking about a small amount of money is probably a good thing to do in this very tough budget year, and that's one of the reasons why as we walk through this Amendment...with the various...deductions and credits..., while the...plan which has been distributed by the Majority Party would indicate that...this...particular proposal, the Family First proposal, would result in a a revenue positive of about \$1 million, the Economic and Fiscal Commission...has...looked at this particular plan and indicates that it would be a net loss of about \$3.9 million, and...in a tough budget year \$3.9 million could go to a lot of other things. I'd also point out that I would...join Representative Churchill...in the...debate on the question of the graduated income tax. The bottom line is when you include your phase-out exemptions...and deductions as income rises it changes the effective tax rates. That, my friends, is a graduated income tax. If it looks like a duck and talks like a duck or quacks like a duck, it's a duck, and I think the Constitutional Convention of 1970 was very clear and the debate was very clear on the subject that Illinois' income tax rate will be a flat rate. The debate was very, very clear on that subject, and I think the better way to address that issue is to...put the...question before the voters in this state as to whether or not we ought to have a graduated income tax, and I think...the answer to that question would be rather obvious. I might also point out that...we...we have come upon a piece of information which indicates that in 1985 Governor Dukakis signed a similar income tax law into effect...in defiance of...of the...the very clear statements of of the Massachusetts Constitution and his action was struck down by the State Supreme Court.

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So again, when you change the effective tax rate you're talking about a graduated income tax. I think this Bill is clearly unconstitutional. I would point out one final matter and that is that the Governor will not sign this Bill, and he won't sign this Bill for a variety of reasons, but for at least two reasons I would like to mention: and one is that...under the Governor's plan...the the distribution would be different and it would provide for \$100 million at the end-of-the-year balance in the...in the General Revenue Fund. In addition, it would have increased the amount of money by \$50 million to the Educational Fund. So, the Governor's plan would provide more money for education and would put our fiscal House in order. This plan does not. I might also point out that the Governor..., at this point in time, is opposed to the exemptions which have been offered by the Majority Party. And one other point, with regard to the earned income tax credit, ...I would remind the Membership that this earned income tax credit is tied to the federal...law, and the federal...the Feds will control how that law is interpreted, so we have no control over the cost of that...earned income tax credit plan. So that could end up costing us much more than it currently does. All things considered, this Bill will not be signed by the Governor...; this Bill, I think is constitutionally flawed, and I would urge the...the Members to oppose this particular Amendment."

Speaker McPike: "Representative Johnson."

Johnson: "Thank you, Mr. Speaker and Members of the House. As I'm serving...fulfilling a function that's a little different, I'm not gonna talk about the philosophy of this Bill or talk about education or the more underlying concepts but really want to address, for the Members here

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and at least for the record in case this would become law, the...application of the Illinois Constitution to this Bill. Article IX, Section 3, as Representative Kubik has already said, clearly prohibits a graduated income tax in Illinois. There are three provisions of this Bill that create a graduated tax: families making \$10,000 a year or less will pay no income tax, that's the Federal Earned Income Tax Credit aspect; double property tax deduction is phased out between \$90,000 to \$120,000 of income and eliminated for \$120,000 of gross income; and, finally, the Bill phases out and eliminates the...the \$1,000 personal exemption at gross incomes of \$120,000 or more. Now, maybe it's a good idea. Maybe it's a good idea, some feel anyway, to enact a graduated income tax in Illinois, but, if we're gonna do it, we've gotta do it by amending the Constitution of the State of Illinois and having the voters have the opportunity to vote on it. When the State Constitutional Convention...met in 1970 and revamped the Constitution that we had lived with for too long, over 100 years, they did several things that I think are germane to the record that we're creating when we're acting on this Bill. The Members of that Convention's Revenue and Finance Committees were specifically asked by delegate Ray Johnson, no relation as far as I know, whether the new Constitution could encompass a progressive graduated tax enacted by means, and this is particularly important, of targeted deductions and/or exemptions, specifically, what we're doing in this case. On behalf of the Revenue and Finance Committee delegate, David Kennedy...Kenney, that I guess later was an...administration (sic administrative) official, speaking for the committee said, 'absolutely not'. There were a number of opportunities that that committee had to consider proposals to enable the General

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Assembly to enact a progressive income tax. They were made and defeated in the committee, reported as a Minority proposal to the floor of Concon and were, again, rejected. Another delegate to that convention, Mr. Miller's, comments specifically addressed this issue when he said, 'As far as the voters are officially informed, the new Constitution said simply that no graduated income tax would be allowed.' Again, if we want to go to a progressive income tax, if we want to enact a graduated tax, then let's debate the issue as such, but let's don't do it by methods that (a) are clearly unconstitutional and (b) were addressed by Concon and rejected out-of-hand. I think we'll have plenty of opportunity, as the course of the next two weeks go along, to address the philosophical aspects of this Bill. I'm sure that both sides on the issue are well-intended, but, essentially, this Bill, as proposed, is unconstitutional."

Speaker McPike: "Representative Daniels.
Representative...Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. I think most of you know that, over the years that I've been in this Body, I've worked a lot with revenue matters. I always considered that a privilege, and I felt that I had some experience and expertise in that matter. We have a very good tax rate in this state. We have a flat tax rate and a low rate. Both parties, under Speaker Madigan, under Speaker Ryan, Speaker Redmond before that, we guarded that very jealously in the Revenue Committee. There were many, very well-meant exemptions and credits offered to that committee year after year, but we turned them down because they weren't good tax policy, and we said to people in both Parties, 'That's a good idea. Certainly it would be good to address it but to do so destroys type of tax system we have in Illinois.' A tax system that has been picked up on

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by the Feds in their effort to make the federal tax a lower rate, a flat rate with less special interest. I think it's a shame today that the Majority Party is willing to throw out something that has served this state for so long, so well, so fairly, for their own political purposes. We should not turn the Illinois income tax into a social program or a way to meet social programs, and I would remind you all that you are raising tax on the middle-class. You're going to raise this new money on the backs of the working men and women with children, and they pay the most of the tax, and I suggest that what you're planning is wrong, unfair, and it's unwise tax policy, and I think we should reject this Amendment."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. First, on the Constitutional question, I would read to you from Article IX, Section 3, 'a tax on or measured by income shall be at a non-graduated rate'. That's the language in the Constitution that several people have already referred to. The word that needs emphasis in this discussion is the word 'rate'. There is nothing in this Amendment that would graduate or change the rates of taxes that apply to individuals in the State of Illinois. For that reason, I think the proposal clearly meets anyone's constitutional standard, and I would point out that we are in a state in which the tax burden on low- and middle-income people is especially harsh. Citizens for Tax Justice tells us that Illinois is the tenth most regressive state in the nation when it comes to tax burdens for low and moderate income people. I'm especially pleased to see in this program the idea of...of back-to-backing with the Federal Earned Income Tax Credit, which is a credit that applies to low-income families with children but families that are working.

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Today families with children that are working do not pay a federal income tax at all if they earn less than \$14,000. In the State of Illinois income tax liability begins at \$4,000. The...the Earned Income Tax Credit proposal in this package, one that has been supported by Representative Daniels in the past, is one that would help ease the tax burden on people that we want to keep in the work force, people that we want to keep in a position to bring up their children happily and healthily. I think that the question whether schools are better or worse off with this Amendment or without it is a slightly odd conversation. Everybody in this chamber knows that the present surcharge automatically expires July 1, so the question isn't, 'Will the schools do better or worse under this program than they might under some other?' the question is, 'Are we going to extend the surcharge?' Are schools and local units of government going to be able to meet their service obligations as they have been able to do with our help over the last two years? Some might prefer a permanent extension of the surcharge, I might myself be one of those, but, Ladies and Gentlemen, what's on the table today is the opportunity to say 'yes' to a surcharge for two more years, for schools and for our local governments, and what's on the table today is an opportunity to say to low- and moderate-income Illinois families with children, 'We're going to shift the tax balance for the first time in your direction instead of in favor of the rich.' I urge your support for the adoption of this Amendment."

Speaker McPike: "Representative Stern."

Stern: "Mr. Speaker, Mr. Speaker and Members of the House. I rise in great ambivalence over this Amendment. My district is the one that's going to be giving the party on this. I think my district and districts like it, and there are some

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others, are the ones that are going to be hardest hit by this kind of legislation. However, mine is a district which permits me a great deal of freedom to choose how I shall vote. I have heard from them in great numbers on anti-caps; they want me not to support caps on real estate property tax, and I have agreed that I would not support caps. This legislation permits me not to support caps on real estate property tax. In my district, there are mostly homeowners, not renters, so that that particular issue is of minor importance to me. ...Mine are the constituents who will be phased out at the tops of these...various areas of impact on personal exemptions, on double property tax deductions. My constituents are hard-working, high-money earning families who are willing to undertake their obligations to society as they perceive them. I have not called them all to say, 'How shall I vote on this Amendment?' but I believe they would want me to support it because they recognize that there are important educational things that must be taken care of on the surcharge. I, for one, would definitely prefer a permanent surcharge..., and I was hoping I would have the opportunity to vote for that; so far I do not. My constituents believe that feeding and healing the hungry and sick are things that they need to take responsibility for. Housing the homeless is high on their list of personal obligations. I believe that my constituents would want me to vote 'aye' on this. Yes, we would like to have it different, but the one thing I have learned down here over the years is I am never going to get an important controversial Bill drawn to my specifications and that I am going to have to learn to settle for that which gives me the most that my constituents want. Therefore, with a somewhat hesitant hand, I shall vote 'aye' on this Amendment."

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Speaker McPike: "Representative Hasara."

Hasara: "Thank you, Mr. Speaker. Two years ago this Body passed the temporary surcharge, which, I believe, at that time was a good idea, particularly the temporary part for that time. Pilot programs are a good idea. We usually pass those when we're creating a new program that we're not sure will be effective, but the surcharge for schools was effective. Many, many schools have been taken off the financial watch list; in fact, without the extension of the surcharge, downstate schools will suffer very severely and that is one of the reasons that I cannot support this Amendment. I have faith that I will still have the opportunity to support a permanent extension of the surcharge during this Session. We are not being fair by standing up and saying we're for education, but we do not want you to be able to plan what you're going to be doing in the future. We want you to come back and beg every two years and to worry every two years about how you're going to run your schools. The other problem that I have with this Amendment is the distribution of the local government portion of the surcharge. When you're working on your own budget at home, sure you want to give money to your favorite charity, you want to give money to friends that you know may need it, but you can't do that when you can't provide for your own basic needs and those of your families. We cannot provide this year in the State of Illinois the services that we are absolutely required to do. How, then, can we say to local governments, many of whom didn't even ask for the surcharge, 'Sure, we're going to give you the same amount of money that we've been giving you all along, even though we can't even take care of the people that we're required by the Constitution or existing law to do.' For those reasons, I cannot in good conscience at this time, support

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this Amendment, and I would ask you to defeat it also, in hopes that a better plan will come up in the next two weeks."

Speaker McPike: "Representative Edley."

Edley: "Thank you, Mr. Speaker. Two years ago was my first Session down here, and I voted against the surcharge, and I voted against the surcharge because, at that time, we were enjoying almost \$1 billion worth of natural revenue growth, and I thought that we should be setting priorities in spending before we go back to the taxpayers and ask for additional tax revenue. This Session we're faced with a completely different scenario. We're faced with a \$1.5 billion worth of adjustments to make to state government and that's with the surcharge. I'm going to be voting to support this surcharge, not so much for the funding for our school systems although it's...a...significant part of it, because I think we all realize that the bottom line comes for funding our school systems in the appropriation process. In fact, while our school systems enjoyed the additional revenue two years ago, they have not kept pace with the revenue growth over the last two years and are faced with...with enjoying less than the natural revenue growth that the state will have this year. That's why I'm supporting a temporary increase. I want to see over the next two years if education enjoys the same...percentage increases each year as the state enjoys in new revenue growth, and let me...comment briefly on the property tax question. The Governor's proposal, when I took a look at his map and...and he had it by county where the property tax...relief would come, and I looked at my section of the state, there wasn't one county that I represented that would have any tax relief. At least, under the Family First proposal, many of moderate- and working-class

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families throughout my district will enjoy some tax relief. This isn't a perfect Bill, but I think it's a good Bill, and it's a Bill that generates revenue that we sorely need. Thank you."

Speaker McPike: "Representative Pedersen."

Pedersen: "Thank you...thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker McPike: "Yes."

Pedersen: "...Recently...the...your Party Chairman announced a...a Families First tax cut plan. Do you believe that you have pretty much incorporated that plan in this...in this Amendment?"

Madigan: "We have incorporated some elements of that proposal."

Pedersen: "Some. Well, I have a...I have a list here of the...the portions...of the points in that, and I'd like to find out which ones are included, but first I'd kinda like to...lay the definition of...what conservatives and pro-family groups consider the family to be. This is from the Family Research Council. They say since 1948 the proportion of income claimed by federal income taxes has increased roughly 130% for single taxpayers, 150% for childless couples, and a whopping 2,600% for median-income families of four. Now, I think that..., as I say, it's commendable that...that you are interested in helping families and we certainly should do what we...we can do to help here in Illinois for that median-income family of four, especially if they have young children. Now, these are the points in...in your...your Chairman's statement: the first one is to target property tax relief to working families, and you talk about the \$120,000 a year and all that. Now, that particular property tax relief is really for homeowners in general, it's not just for families with children. Is that correct?"

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Madigan: "I believe your reference is to the double property tax deduction?"

Pedersen: "Right."

Madigan: "Well, so that deduction relates to real estates taxes paid, and, therefore, the answer to your question is 'yes'."

Pedersen: "It goes across the board, period, for all people who...pay...the property tax on their homeowners, on their homes. Okay. Increase the personal exemption for incomes...from 0 to \$75,000. Is there any increase in the personal exemption in this Amendment?"

Madigan: "No."

Pedersen: "Okay. You've created a new children's exemption at 25% per child, so we're really talking about \$1,000 plus \$250 for the child?"

Madigan: "Yes."

Pedersen: "Create a new renter's credit at 3% of monthly rent. That amounts to what, about, on a maximum of \$1,000 a year, we're talking about \$30?"

Madigan: "Yes."

Pederson: "And this, too, applies to all renters, not just those families with children or young children?"

Madigan: "Yes."

Pedersen: "Create a new working family tax credit at 5% of the Federal Earned Income Tax Credit. Now, we're trying to help the working poor here, does this apply just to families with children or does this apply to the working poor as a category? Anybody who has low income?"

Madigan: "As a category."

Pedersen: "As a category. Okay, thank you...Mr. Speaker. I think that...as far as this Amendment is...meant to...tell us that they're helping families, particularly families with children and, even more particularly, for families

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with young children who really have the greatest need for help, that this is...is really out of focus, and what we really need to do is go back and find a way to help those young families with little kids in a meaningful way as best we can here in the State of Illinois. So, for that, along with the other reasons, I would urge a 'no' vote on this Amendment."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Representative Currie was quite correct when she stated clearly that this is indeed constitutional, and in keeping with the provisions of Article IX, Section 3 of the Illinois Constitution. That article simply prohibits graduated tax rates. It does not say that you can't have different exemptions or deductions for people in different income categories. If it had intended to do that, it would have said that, and it does not, indeed, say that, so the constitutionality is clearly there in this Bill. Secondly, one of the previous Speakers talked about the local government portion of this Amendment as...and made the illusion to...giving money to your favorite charity or to your best friend as if local governments are not using that money for the interest of our constituents. In my case, my district's in the City of Chicago. We need police protection in the City of Chicago. We need to have the garbage picked up and the streets fixed and all of the city services performed. That's not a favorite charity; that's not a best friend. That's the bottom-line, basic needs that people in my district have. Let's look at what this Bill does give us, and it is certainly not a perfect Bill, doesn't give enough, but, then again, it is not raising taxes, it is simply extending the tax that we imposed two years ago. It gives an additional exemption for dependent

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children...for each dependent child under 18 years of age. That's new, and that's what this Amendment will give to our constituents. It gives an earned income tax credit that will benefit low-income working families with dependent children, and it gives a renter's credit. Yes, Representative Pedersen is correct. The maximum renter's credit is only \$30 a year. That's not very much. I have a lot of renters in my district. I'd be very happy if that dollar amount was much higher than that, but, you know, I can't think of another instance since I've been here where we have given anything, anything at all, to renters. This is the first time in my memory that we are giving some benefit to renters of any kind. It's only \$30 a year. That is some benefit that didn't previously exist. The State of Illinois, we have heard from every sector, cannot survive without this surcharge being...the surtax being in place and being continued. This Amendment does that. It gives some tax relief, where that tax relief is most badly needed, and I think it is clear that this is better than not having this proposal, and I urge an 'aye' vote. This does a great deal more than we've ever done before in Illinois, and I think we ought to pass this Amendment."

Speaker McPike: "Representative Harris."

Harris: "Thank you, Mr. Speaker. Two brief questions of the Sponsor, please?"

Speaker McPike: "Yes."

Harris: "Mr. Speaker, two quick questions, if I may. On the dependent child exemption, is it your intention that that also would phase out at the income...at a certain income level?"

Madigan: "Yes."

Harris: "So, that is also lost. What about...help me out on the property tax deduction...exemption, your intention there."

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It starts to phase out at \$75,000?"

Madigan: "Ninety."

Harris: "At \$90,000."

Madigan: "It starts to phase out at \$90,000, \$90,000 gross, \$75,000 adjusted."

Harris: "And goes up to...where does it...where does it...where is it completely lost?"

Madigan: "One twenty gross."

Harris: "Okay, thank you very much. Ladies and Gentlemen, to the Amendment, there really are some good aspects to this Bill. The renter's credit makes sense, and it makes sense for a lot of people who have, for many years, contacted me and said, 'Look, I pay my property taxes through my rent, but I don't get any break, but I'm paying property taxes,' so they've actually...addressed a serious problem. It's only \$30 a month, as one of the...or \$30 a year as one of the previous speakers said, but that's worth something, and that's probably a valuable idea. The exemption for children is also, or the increased exemption for children, is also a good idea. That's indeed what we should be giving increased exemptions for and that is children. It's the growing families in this state who actually bear a greater tax burden, in many instances, than all of the senior citizens that we've talked about and all of the poor. The growing family that has to provide for diapers and formula and clothes for all those growing little kids has a tough time of it, and they've addressed it, and it's a good idea. But what else have we done? You know, it sounds simplistic but it's true that the problem in the State of Illinois is not a revenue problem. Revenues for FY'91 were higher than revenues for FY'90. Projected revenues for FY'92 look to be higher than the revenues for FY'91. The simple point is we don't have a revenue

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problem, we have a spending problem, and we should be looking tougher at the spending problem than at the revenue problem, but that's not going to occur, so we'll address the Amendment we have before us. Even though there are some good aspects to this Bill, the good aspects point up and join with the bad aspects to show one thing: This is a serious tax policy question, a very serious tax policy question, which we're addressing in roughly an hour to an hour and a half. Let's just look at the standard deduction. One of the previous speakers made reference to the fact that the standard deduction in the whole tax form in Illinois is simple, direct. You take your deductions, you apply a flat rate, and it's done with. You know, there's something really valuable about that. Look at what the Federal Government does. Does anyone in this chamber believe that the federal tax form and all that they do at the federal level make sense, when more and more people every year have to go to an accountant or a C.P.A. to get their taxes done? Ladies and Gentlemen, that is the direction in which we are moving with this type of a Bill. There is no question about it. As for the standard deduction, let's look at what the Federal Government does on the standard deduction. The Federal Government ties the standard deduction to the consumer price index, so, as the cost of living goes up, you get a greater deduction. Every year your deduction increases, and they don't tie it to income level. It's the same for everyone, straight across-the-board. We're changing that here, a serious matter of tax policy. Now, you know, you can sit here and say, 'Well, if you have trouble with defending what they've done on where the exemptions start to phase out,' (namely, at \$75,000 or \$90,000), 'then all you're doing is defending the rich,' and that's a philosophical difference between my

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friends on the other side of the aisle and me. You know, the old tax the rich, soak the rich, has been shown in recent years not to work, it's not applicable, it's unfair, but, in this instance, when you start at \$75,000, folks, you ain't (sic aren't) rich, and I don't have to defend the rich. Now, it doesn't apply to me. My income isn't above that, but I'll tell you there's a lot of people, not only in my district but throughout this state, where the one spouse is working and, maybe earning \$40,000 or \$45,000 a year, and the other spouse is working and earning \$30,000 or \$35,000 a year and all of a sudden they have a gross income of \$75,000, but maybe they have two kids in school, maybe they have a kid in college, and, you know something, they don't feel rich at that income level. So, don't tell me that we're soaking the rich when we start at \$75,000 because we're not. \$75,000, really, in this day and age, is middle-class. So, let's just look at the property tax. The Sponsor indicated that it starts to phase out at \$90,000 adjusted gross income..."

Speaker McPike: "Would you try to bring your remarks to a close?"

Harris: "I will, Sir. Look at the Bill, page 21. It starts to phase out at \$75,000, according to my reading. He indicated that his intention is to eliminate it completely at \$120,000. If you multiply it by the factor in the Bill, it phases out completely at \$100,000. Sure, we're giving some breaks. The idea of giving a...an income...a child exemption increase is a good one, but all of a sudden you start losing it at \$75,000, or wherever it is, because we're not sure. Is that fair? Is that equitable? I'm here to tell you it isn't. Serious tax policy being made in less than an hour (sic is) not the proper approach to take. The people who want property tax relief want property tax relief across-the-board. Those folks, in lots

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of districts, while they benefit from the double deduction, when they start losing it, it's no longer property tax relief. This is an unfair, inequitable approach and ought to be rejected on that basis. Thank you."

Speaker McPike: "Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Very briefly, because I know you're all getting pretty bored with the procedures here, I'd like to approach this from an educational standpoint because the majority of my life has been spent in education, either from the receiving end or from the giving end, and, as one of the few Republicans who voted for the original surtax two years ago, I don't think there's any question about my commitment to education, but my concern about this Amendment centers around two points: one is that is temporary in nature. Anyone from education who you can talk to or who you can access their information from can tell you that the problems that we have in education are not temporary, so all we're doing is postponing another tax vote two years from now because the need is obviously there, but I think the largest concern that I have about this...this Amendment is that there are no guarantees about educational funding in here. Certainly, we established that...that this will send the money to the Education Assistance Fund much like it did two years ago and over the past two years, but let me tell you what's been going in committees here lately. In the Education Appropriations Committee we have been asking those educational institutions that bring their budgets before us to consider a \$100 million give-back. \$100 million, roughly 6% of their budget, and guess how much money they get from the surtax: approximately 6% of their budget. As Yogi Bear once said, 'This is like deja vu all over again.' Does it remind you of the lottery? It's

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exactly what the procedure is. On the one hand we will pass the surtax putting money into the Educational Assistance Fund; on the other hand, we will remove 6%, or roughly an equivalent amount, from general revenue, and, therefore, education is worse off than they were two years ago, and there's one area that we haven't even begun to develop and that's the retired teachers. We have a two year broken promise with them that this Bill doesn't even begin to address. I think what we need to ask ourselves is, 'Why do we pass a Bill out that only does part of the job?' and I think we (sic you) need to ask yourself, as you get ready to cast your vote on this Amendment, is a partial solution the best that we can do? I don't think it is. I think we've got time enough to fashion the kind of a...of a 2% surtax or a...permanent tax that will help education from now until forever, and I think we can wait for that."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. Is this a perfect Bill? No. Does it guarantee that education gets more money? No, but it does guarantee that if we don't extend the surtax education will get less money, and so, if you really want to see that education has the possibility of maintaining a level that it currently has, we have to extend the surtax. I would personally prefer that it be extended on a permanent basis, as several others have indicated. I think that it is unfair that we fight this battle every couple of years without giving some assurance for long-term planning, but there are other positives to this Bill. The fact that for the first time we are trying to do something to address the inequities in our taxing system that now places a heavy burden on low-income people, this is a very positive sign that we are taking this first step to adjust that problem and come back to something that

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is more even-handed for the people of the State of Illinois. I think that I could design a Bill that does more of what I want; however, I don't think that I could put the votes together to get exactly what I want, and so this is a good substitute that provides a lot of the things I want and does give some guarantee that we'll be able to continue to fund, not only education, but local governments to keep our local property taxes from going up even more drastically than they have in the past. I think it is a balanced program that addresses many of the needs that we're hearing from our constituents and is a step in the right direction. It doesn't provide us with a final budget; it doesn't provide us with everything that we need to do in the legislative process. It's one more step along the way, and I urge support for getting that step behind us instead of in front of us."

Speaker McPike: "For the Membership's information, a few minutes ago we were down to two people seeking recognition. We are now back up to six people seeking recognition. Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I did not plan on speaking on this Amendment #2 to Senate Bill 1345, but I feel as though as Chairman of the Education Appropriations and so much being batted around about the educational dollars and so forth, I felt as though I would be remiss if I did not stand in support of this Amendment #2. Let us all realize one point about the dollars. As Governor Edgar's budget set forth, he proposed \$50 million more for elementary secondary education. That's all. There were some different levels allowed in the higher education budget, but over all, there wasn't that great infusion that some may believe that did occur in the proposed budget for the '92 Fiscal Year. Now, if we do

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not have this surcharge tax renewed, we are talking a loss of a minimum of \$342 million into the educational budget. We need those dollars, otherwise, there is no way we can get them from any other agencies or any other part of government. We need that \$342 million. Now, secondly, talk about the temporary...surcharge for two years. Temporary is right, because I think we have to have an ongoing accountability from the education people throughout this state and how they spend those dollars. That's important. As far as the amounts the local governments are concerned, I wonder how many of you can go back to your local governments and tell them, 'Well, they didn't give us a 5% tax, so we didn't vote for to...give moneys to local governments,' but local governments will have to increase the property taxes. Tell them that if you want to. I believe that this Amendment is a good Amendment. It helps an awful lot for education. It does its ongoing job for local governments, and all of the other good parts of it will be well-respected by the middle-class people of this state, and especially the people in my district, and for that reason, I support Amendment #2 to Senate Bill 1345."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Would the Sponsor and Speaker answer two brief questions, please?"

Speaker McPike: "Yes."

Ropp: "Mr. Speaker, in this Amendment that you have proposed, do you...that there is sufficient dollars generated in order to cover the unpaid bills that we now have in the state so that we can bring nursing home payments up to within 45 to 60 days and many of the pharmacies that need paying for senior citizen medicines in a more timely fashion?"

Madigan: "Mr. Ropp, as I have indicated in my earlier remarks, this Amendment in this Bill would simply renew what

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Illinois law provides today: that a surcharge shall be imposed and that the proceeds from that surcharge will be divided equally between two groups: (1) education (2) local governments. Concerning the large significant budget problems of the State of Illinois, I am working cooperatively with the Governor and Representative Daniels to move toward a solution to that budget shortfall, and, as a good-faith, first-step effort, I have sponsored an Amendment that would carry 13 of the Governor's 23 Bills to effect savings in state spending, and, on this side of the aisle, we are currently soliciting votes for that Amendment, and I would be so presumptuous as to ask you, on behalf of Mr. Daniels, if you would join the Roll Call."

Ropp: "The other question that I think is very most important part of this whole Amendment is and that is the proposal for just another two-year extension. Mr. Speaker, that seems to me like a proposal for leap-frog funding of state government, and I guess I'm asking you why is that you feel we need to have this kind of a method of funding state government when we need to create some stability so that people can determine where they're going as a result of the state's strong financial condition?"

Madigan: "Again, as I indicated in earlier remarks, one of the arguments on behalf of the adoption of the surcharge two years ago for a two-year period was that it would give the state government and, in particular, the Legislature, the opportunity to exercise oversight concerning the expenditure of this money and the ability to exercise greater accountability, in terms of how the money is spent by the recipient agencies."

Ropp: "Okay, thank you, Mr. Speaker. To the Amendment, Ladies and Gentlemen of the House, it is very clear that I think if there were a vote to be taken today there would be

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sufficient votes to make this proposal a permanent tax, rather than a temporary one. It is not fair for this Body to continue to tell education that we think we'll give you money only for two more years. We think we will give nursing homes enough money only for maybe 120 to 160 days in that delinquency. That's a sad state of affairs. This Body should not operate its financial budget in that manner. I would propose that this Bill, this Amendment, be defeated because clearly the Governor will not sign it, and we will still be back here. It seems to me that this Body ought to be one who is considering long-term needs for our state both, not only for education, for those who have taught and are in retirement, for those who provide and need human service care in the State of Illinois. It is a sad day when we tell everybody that we're only going to provide revenues for just two years, that we're still testing you as a pilot program. This pilot program was effective. It was very clear that schools needed the money, that, in some cases, municipalities needed it. It does not seem that we need to provide a full 50% to municipalities when the State of Illinois needs some of these other dollars for social programs. It is my strong feeling that if this is passed once again, in order for school districts throughout the state to provide a quality education for all students, that, once again, their own property taxes, through referendum, will either have to go up or those students will suffer. I think that's a tragedy. I think that's something that we should not do. We still have enough days in this Body till the end of June to deal with this in strong integrity, and I hope that we will not continue to leap-frog fund state government."

Speaker McPike: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I've

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listened to much of the debate and am somewhat interested in listening to the comments from a then-freshman Representative, Representative Edley, and he stood up on the House floor just a few moments ago and said, 'Do you realize in 1989 we had a billion dollar surplus?' A billion dollar surplus! Do you realize that in 1989 we passed a \$750 million tax increase? Now, let's see, a billion dollar surplus, a \$750 million dollar tax increase, with new revenues coming in, is a billion \$750 million, but today we're a billion \$700 million in debt. Now, wait a second, you mean in a two-year period we've had a swing of \$1.75 million surplus to a \$1.7 billion deficit? Think of that. Think of what has happened in this state in the last two years. Think of the havoc that's been created because of this thing called a temporary surcharge that was passed for education and municipal governments to save our children's future, to provide money for them so that we could find some stability in the funding of our educational system. You know, I just don't understand, and I was just talking to my friend, soon-to-be Congressman Ewing, I'm sure, and he said, 'Lee,' he said, 'you know what else is interesting? The Omnibus Reconciliation Act of 1990,' now that's a long name, you remember that one, 'in 1990, that was the tax increase that they passed in Washington last year where everyone said we had this major deficit that we have to solve.' It was going to furnish \$40 billion in deficit reduction. You know it did the reverse. For every dollar that Congress raised in taxes, they spent \$1.85. I sit there and say, 'What are we doing?' What are you doing? What's the Majority Party doing in this General Assembly? You are the Majority Party. You have a responsibility to lead. All too frequently I stand up on this floor because I have a responsibility to point out the

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other side of the discussion, to point out when we think something is going astray, when we think someone is making a mistake. So, I stand on this floor as the loyal opposition, as the Republican leader, as a person that has to point out some of the problems that are being created, and I say to you, 'Do you know what you're doing today?' You're talking about creating havoc with the budget. You're talking about trying to apply temporary solutions to a permanent problem that you created that, in the words of one of your own Members, we had a billion dollar surplus two years ago, you raised taxes by \$750 million, and now we're faced with a billion \$700 million in deficit. Who did it? It took the Majority Party to pass those Bills, and now you come in and propose a solution. You say this is the way to go about helping our children's education. Well, I'll tell you, the way to go about solving this budget problem is to listen to a Governor that has his finger on the pulse of the people of the State of Illinois, that knows you have to cut spending in order to bring fiscal sanity to this state, and, has presented for us a balanced budget without increasing our debt, without making people pay more than they're paying today, has proposed a blueprint of operations, and you know, some of those things I don't like, but when I had studied the overall program of the Governor it made an awful lot of sense, and I sponsored some of those programs, and just recently the Speaker joined me and said, 'We will accept some of your proposed cuts. We will present a joint Amendment,' and I think that Amendment will come out soon, a Madigan-Daniels Amendment, and thank you, Mr. Speaker, because I think that is an appropriate way to go for some spending cuts, but just a short time ago I met with the other three leaders, and we proposed an approach to the Governor's budget. We analyzed

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some of his figures, and during the course of that meeting we couldn't agree on some of the budget cuts the Governor had proposed and the proposal by some of our leaders were (sic was) to add back \$672 million, \$573 thousand, \$800 back to the Governor's cuts that he proposed to balance our budget. It's not the way to represent the people of our districts and the people of Illinois. So, when I meet with the Governor, and when he tells me that he will not settle for something less than a balanced budget, you, too, ought to be...aware and concerned about what he will do with this proposal in its current form. Veto it, like that, because it must be vetoed because it's wrong for Illinois and it's wrong for our children. It creates havoc with our budget. It destroys the proposed end-of-year balance, which the Governor took out of his proposal for revenues and set in another \$106 million. It cuts education funding. Have you picked up on that yet? Do you realize that when you vote for this you are cutting education funding, Representative McGann, by \$50 million? Yes, it's true, because when the Governor made his proposal for the revenue funds he set aside \$50 million for education, but this doesn't do that. This cuts that funding mechanism, and, yes, it will require, and you will find in careful study of this ill-thought-of Amendment that it will require that we cut our budget more and will even put her deeper in debt. Now, let me talk for a minute about Family First because, as so appropriately pointed out, there are provisions that I have sponsored in this Assembly, but I will tell you that the handout that you got is wrong. The conclusion that it's a million dollar positive program is an error. Economic and Fiscal Commission, our branch, has advised me that the true cost of that program is a minimum of three point million cost to the taxpayers of Illinois, which will require us,

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once again, to find the funding elsewhere. So, Ladies and Gentlemen of the House, this is the fifth Democrat proposal that we have seen during this Session. The cost of Special Session House Bill 2 would have cost the taxpayers two point five billion over five years, first proposed by the Majority Party; the second plan was to borrow up to \$600 million with no real plans to repay the loan; the third plan was that they have a Democrat's Party Family First program, which we have before us now, and only two weeks ago there was a suggestion that there be a four-day work week for state employees; and now we come with the long-predicted solution to our problems: an extension of the 1989 tax increase passed by the Majority Party with almost all Democrat votes. Well, let me tell you, in 1989 we had a billion dollar surplus. You've spent us; you've spent us, Majority Party, into a debt of one point seven billion. The people of Illinois deserve more and expect more. I, for one, will not ignore the fact that there are several errors in this plan, the greatest of which is an omission of true and meaningful property tax reduction and relief for the people of Illinois, and hardly a one of you know that the people of this state are overburdened in this property tax scenario that we're faced with right now. So, I will hold my vote. I will vote 'no'. I will expect the Governor to veto this, if it hits his desk. You know he will. We will revisit this once again, and, at that time, I hope the Majority Party recognizes the problems created because of the passage of this program in 1989 and will do something to resolve it. I will vote 'no'."

Speaker McPike: "Representative Edley, on a point of personal privilege."

Edley: "Thank you, Mr. Speaker. I rise on a point of...personal privilege since my name was used in debate. Let me just

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clarify...and, I think this may be a misspoken term by the previous speaker, I did not say a 'surplus'; in fact, I have never been here when I've seen a 'surplus' of revenue, it was a...almost a billion dollars of natural revenue growth. We spend everything that we get is...has been my past experience, and, with relative to which party is responsible for this unbridled spending, I would remind the Members that the former Governor requested a 40% increase in income tax at that time and...and the...good sense...of the Members, at least, cut that back in half. I agree that we must control spending; that is our job, that is our challenge, and that's why I support a temporary increase. You know, fear-of-loss is probably the most consistent motivator for people, and the fear-of-loss of \$800 million of...revenue, I hope, will be enough to corral the...unbridled...spending that we've gone through the last...two Sessions."

Speaker McPike: "Speaker Madigan, to close."

Madigan: "Mr. Speaker and Ladies and Gentlemen. In closing, let me simply make two points: First point has already been made by other speakers, and it relates to the provision of the Illinois Constitution on income taxation, and it reads that 'a tax on or measured by income shall be at a non-graduated rate' so that the key word in that section of the Constitution is 'rate'. This proposal does not affect the rate at all. It deals with the exemptions and the net effect of restructuring those exemptions is to provide that the tax becomes more progressive than it is today, and the second point is an example that very clearly points out why we should restructure state spending for exemptions against the Illinois income tax. Today, with the double property tax deduction, where there is a family living in Cook County earning, it's a family of four people, they live in

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Cook County, they earn \$200,000 a year and they own a home which is valued at \$500,000; family of four, income of \$200,000, they live in a home worth \$500,000; from the State of Illinois they get deductions of \$24,000. At the same time, another family of four renting, earning \$35,000 a year, gets deductions of \$4,000, a difference of \$20,000. That's not fair. It's inequitable. It ought to be changed. Here's an opportunity to change it. I would recommend an 'aye' vote."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor, vote 'aye', opposed vote 'no'. Representative Wennlund, one minute to explain your vote."

Wennlund: "Thank you, Mr. Speaker. I rise pursuant to the provisions of Rule 36 (d), and demand, and, assuming that this Amendment will be adopted, that...since the Bill amends the title of the original Bill, I demand that the Bill be returned to the Order of Second Reading, First Legislative Day and be read by its amended title on two days before its passage. Since the Amendment, also, in amending the title does not add or delete section numbers, therefore, the provisions of this rule apply, and I make that demand pursuant to provisions of Rule 36 (d)."

Speaker McPike: "Mr. Wennlund, your request is not timely. We haven't even adopted the Amendment yet. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 62 'ayes', 40 'nos', 13 voting 'present', and Amendment...House Amendment #2 to Senate Bill 1345 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Chair is in error. The Bill is...will be returned to Second Reading. The Bill's on Second Reading. Speaker Madigan."

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Speaker Madigan: "Mr. Speaker, I move to suspend the provisions of Rule 36 (d) to permit the immediate consideration of the Bill."

Speaker McPike: "You've heard the Gentleman's Motion, and, on that, Representative Black."

Black: "Thank you very much, Mr. Speaker, an inquiry of the Chair."

Speaker McPike: "Yes."

Black: "It would be our impression that to do so would require 71 votes since he's changed the title of the Bill. We thought..."

Speaker McPike: "Sixty."

Black: "We thought that Representative Wennlund's...request certainly was...was timely. It clearly states in the rules before the Bill is advanced to Third. ...You did not rule on Representative Wennlund's...request. I believe that any of you that would want to think back, any time we have changed the title of a Bill and advanced it to immediate consideration has always required 71 votes, and I would ask the Chair to so rule."

Speaker McPike: "Mr. Black, it requires 60 votes. You've heard the Gentleman's Motion. All those in favor of the Motion vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 64 'ayes' and 45 'nos', and the Motion's adopted. There is a request for a Fiscal Note, and the Chair recognizes Speaker Madigan."

Madigan: "Mr. Speaker, I move that the Fiscal Note Act does not apply."

Speaker McPike: "You've heard the Gentleman's Motion. You've heard...you've heard the Gentleman's Motion, and on the Motion, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. After we get past...the

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incredulousness of the comment that the single-most important vote, based on the income tax and the...Family First program that the Speaker has proposed, doesn't affect the fiscal policy of the State of Illinois. I suppose the other question that I wish to ask is, 'What's the rush?' Why is it that when it's taken this long to propose this plan, that we now suddenly have to move it out on the very same day that it's introduced, less than two and a half hours after the Amendment hits the table? Is there something in here that, in the event that we had the opportunity to read and examine, that maybe we may not understand? Are we being asked, again, to say, 'Trust me 'cause this is a good idea, and we'll take care of you.' What's the rush? Why are we pushing so far to say that the most important vote on the income tax, perhaps this year, that a Fiscal Note should not apply?"

Speaker McPike: "Speaker Madigan withdraws his Motion that his Fiscal Note has been filed. Third Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1345, a Bill for an Act in relation to income taxation amending named Acts. Third Reading of the Bill."

Speaker McPike: "Speaker Madigan."

Madigan: "Mr. Speaker, the merits of the Bill were thoroughly debated while the matter was on Second Reading. I would recommend an 'aye' vote for the passage of the Bill."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Representative Daniels, to explain his vote."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. The one thing we know for sure is we'll revisit this issue again, since we know, of course, that this is not

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well-thought-out and..., as stated earlier, would cause problems, but I did, with interest, read the May 17, 1989, comments of Representative Bill Shaw when he said, 'When I ran for office I told the people of my district that I would vote for a tax increase for the children of this state.' I've told them that every time, and I say that today. I don't have any fear of voting for a permanent tax for the children of this state. We know that local municipalities need additional money, I understand that. I voted for money for the City of Chicago under previous mayors, as long as it's been good for Chicago. I have no problem with voting for taxes sending money to the City of Chicago under this mayor. I have no problem with that, and in 1989, he went on to say, 'But the problem that I have is for the little children two years from now when people will be sending letters to me and to you about their schools.' We'll not be able to open unless we pass, or extend, this surcharge that we are talking about here today, and, as you know, so many times things get bogged down in rhetoric down here, and I don't think that the children's education of this state should get bogged down in that rhetoric. What we are going to do when the labor come up and talk about the teachers need a raise, and they do, but you'll be facing this two years from now unless we extend this tax, this particular tax, two years from now. It will particularly plunge every school system across this state into bankrupt-type situation, if we don't extend this tax. Representative Shaw understood then how ill-conceived the temporary tax was in 1989. It's even worse today because, yes, we are \$1.7 billion in debt, no matter how you cut it. The Majority Party spent us into that debt. We hope that changes. We know we'll revisit this issue. We know before we leave here in a final Session, we will have another vote

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on it and, hopefully, that will be one that will carry the day with both property tax relief and appropriate funding to solve our budget situation. I vote 'no'."

Speaker McPike: "Representative Jones, to explain her vote."

Jones: "Thank you, Mr. Speaker. To explain my vote, the extension of the surcharge does absolutely nothing to ease the burden of the Governor's cuts in my district. I have to go back there. I have to run again. I have to explain to the people in my district why I voted for a tax increase that brings absolutely nothing into my district. The Governor...this Governor of this State of Illinois balanced his budget on the backs of poor people in this state and 73% of my district reaped the cuts and the layoffs from his...from our good Governor. There's no way, no way in...no conscionable way I can vote on a tax increase that will bring absolutely no relief, none whatsoever, to my district."

Speaker McPike: "Representative Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, to explain my vote. First of all, I certainly do support the extension of the surcharge, and I support the Family First program, and I believe this Bill is unconstitutional, but this Bill, as was stated by other speakers, does not solve the budget problems we face in this state, and I believe before we solve the problems for local governments and for schools, we should also deal with the elimination of the Circuit-Breaker program for senior citizens; we should deal with the elimination of General Assistance; we should deal with the elimination of the Residential Energy Assistance Program; we should deal with the elimination of bus and C.T.A. fare subsidies for students to the disabled and the elderly; we should deal with the elimination of funds for Level I trauma centers;

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and, unlike the cuts talked about on the other side, you notice everything I said was elimination. All those programs are being eliminated and I fear by passing this surcharge extension, at this time, we will do nothing to remove or restore the elimination of those programs."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 63 'ayes', 39 'nos', Senate Bill 1345, having received the Constitutional Majority, is hereby declared passed. Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen. Our plan is to adjourn to permit for the...meeting of committees, but I would ask every Democrat if they would immediately go to their office because the staff will be waiting for them to...present them with a map of a legislative district that they may live in, and, also, a map of the State of Illinois. So, if you could please go to your office immediately."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. We just want to know if there's any coincidence in that announcement. After the vote we say something about the map. Maybe, it should have been before the vote, but whatever."

Speaker McPike: "Representative LeFlore. Mr. LeFlore."

LeFlore: "Yeah. Mr...Mr. Speaker."

Speaker McPike: "Yes, proceed."

LeFlore: "...I'd just like to inform the Human Services Appropriation Committee that the committee will be meeting tomorrow morning at 8:00. It's important that all members be present. We will be voting on Amendments. Thank you."

Speaker McPike: "Representative Ryder."

Ryder: "Mr...Mr. Speaker, if I may, could you give us some guidance? ...We were supposed to have Appropriations

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Committees at about 4:00. Could we start those at 6:00, since I'm asking the Republicans to meet for fifteen minutes in a conference? Would that be acceptable with the Chair?"

Speaker McPike: "Yes. Yes, the Appropriations Committees will meet at 6:00 p.m., instead of 4:00, 6:00 p.m. for the Approps."

Ryder: "And, further, Mr. Speaker, I was wondering...I was wondering if they might be able to provide copies of those maps so Republicans can find out where they're not going to live?"

Speaker McPike: "Yes. Representative Weaver."

Weaver: "Thank you, Mr. Speaker. I would assume that does not include the Education Appropriate Committee, which is scheduled to meet tomorrow morning. Is that correct?"

Speaker McPike: "That is correct."

Weaver: "Thank you."

Speaker McPike: "Rep...there is a party tonight for Mary Leone starting at 6:30 p.m. at Play It Again, Sam's, and everyone is invited; for Mary Leone at 6:30 at Sams. Representative Matijevich moves that the House stand Adjourned until tomorrow...until tomorrow at the hour of 12:00 p.m. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the House stands Adjourned. Representative Ryder."

Ryder: "Mr. Speaker, just again, if I could, House Republicans will have a short conference in...Room 118. Short conference for Republicans right now, Appropriation, for everyone, all the Republicans, then Appropriates at 6:00 p.m."

Speaker McPike: "The First Special Session will come to order. The Attendance Roll Call for the Regular Session will be used as the Attendance Roll Call for the First Special Session. Representative Matijevich now moves that the

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First Special Session stand Adjourned until tomorrow at the hour of 12:05 p.m. All in favor, say 'aye', opposed 'no'. The 'ayes' have it, and the House...the First Special Session stands Adjourned."

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