

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

70th Legislative Day

June 21, 1991

Speaker Keane: "The General Assembly will come to order. The House will come to order...members be in their seats. Today we'll ask the Clerk, Jack O'Brien, to lead us in prayer."

Clerk O'Brien: "Let us pray. Lord, bless this House and all those that serve and work here. Amen."

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

Lang - 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 Keane: "Roll Call for Attendance. Representative Lang."

Lang: "Thank you, Mr. Speaker. Just out of curiosity, why are we meeting 12 minutes early?"

Speaker Keane: "Show biz."

Lang: "Show biz. Thank you very much."

Speaker Keane: "Representative Black, for what purpose do you rise?"

Black: "Well, thank you very much, Mr. Speaker. I think the published starting time was 9:30, and I didn't hear any announcement. We might want to make the announcement over the intercom to let Members know that, not only did we start on time today, but we're a little early, and they might want to find their way to the floor before Representative Lang and I...we have some Bills that we're ready to call if you'd like to accommodate us. We have two or three we'd like to run right now."

Speaker Keane: "We'll get back to you. Right now..."

Black: "Thank you. Well thank you. We appreciate that."

Speaker Keane: "We have Representative Weller for..."

Weller: "Well, it's a...thank you, Mr. Speaker. This is kind of

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

70th Legislative Day

June 21, 1991

an unplanned introduction here, but I have the opportunity to introduce some constituents, the Chimando family, and Grandma Eremissesvoto, and their children who are acting as honorary pages today, and we're taking a quick photo up here on the Speaker's podium. Thank you, Mr. Speaker."

Speaker Keane: "Representative Matijevich."

Matijevich: "I've talked to everybody, and they'll excuse you if you also adjourn us early."

Speaker Keane: "Representative Giglio."

Giglio: "Mr. Speaker, are we in Session?"

Speaker Keane: "We are standing at ease, and we are going to start again at 9:30."

Giglio: "Because I thought I heard an announcement the House is going to come to order in 15 minutes, and I ran up here, and we're in Session in less than 15 minutes. I just wonder what's happening."

Speaker Keane: "Well, at your age I hope you didn't stress yourself, but we will be starting at 9:30. The House will come to order. Our guests in the gallery may wish to rise for the invocation. The chaplain for today is minister Parvin DeBerry of the Church of Christ in Shelbyville. Minister Parvin is a guest of Representative Noland."

Minister Parvin: "Shall we pray. Our Father, who art in heaven, we come to thee to thank thee for the beauties of this day, for the nights rest and for this another new day that we have to live in this life. We are so grateful, Father, for the land in which we live and for this state, the great State of Illinois, we're grateful Father for the opportunity that we have to live in such a place. We're thankful for our system of government, we ask Thy richest blessings Father to rest upon this gathering together. Bless those that represent the people of this great state. Help them to understand that they are servants of the

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

70th Legislative Day

June 21, 1991

people, by the people and for the people. We are also grateful Father, for this nation in which we live, for all of the freedoms that's ours to enjoy. We pray that you will look down upon those that rule over in such a way that they might continue to make the rules and regulations that freedom might prevail over this land. Bless these people gathered together this morning, Father, in this Assembly. May the laws that they make be the laws that's beneficial to the people of this great state. Bless all of us as citizens of this state to understand that we have a responsibility to submit into the laws of this great state in which we live. Be with us, Father, through this Assembly. Be with every individual here, may we demonstrate the proper attitude, disposition of heart, may we always be guided by the laws that are made and understand that rules were made for those people's freedom. Bless our association together, forgive us of our sins, finally in heaven save us according to Thy will. In Jesus name, we pray. Amen."

Speaker Keane: "We'll be led in the Pledge by Representative Lang."

Lang - 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 Keane: "Roll Call for Attendance. Representative Lang."

Lang: "Thank you, Mr. Speaker. I'm just curious, as I know Representative Black is, to whether we are getting paid twice today."

Speaker Keane: "If I have my way, it'll be..."

Lang: "Thank you very much."

Speaker Keane: "Representative Matijevich, any excused absences?"

Matijevich: "No. We're all here on time."

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

70th Legislative Day

June 21, 1991

Speaker Keane: "Representative Kubik, excused absences?"

Kubik: "Yes, Mr. Speaker. Let the record reflect that Representative Barnes and Klemm are excused today."

Speaker Keane: "116 answering the Attendance Roll Call, a quorum is present. Mr. Clerk, take the Roll Call."

Speaker Keane: "Mr. Clerk, would you please read the Appropriation Bills for a second time, and hold the Appropriation Bills on Second."

Clerk O'Brien: "Senate Bill 133, a Bill for an Act making appropriations to the Department of Commerce and Community Affairs. Senate Bill 258, a Bill for an Act to provide distributive expenses to the State Comptroller. Senate Bill 301, a Bill for an Act making certain appropriations for education. Senate Bill 302, a Bill for an Act making certain appropriations to the Board of Trustees. Senate Bill 303, a Bill for an Act making appropriations to the Board of Regents. Senate Bill 304, a Bill for an Act to provide for the ordinary and contingent expenses of Southern Illinois University. Senate Bill 305, a Bill for an Act making appropriations to the Board of Governors of state colleges and universities. Senate Bill 306, a Bill for an Act making appropriations to the Illinois Student Assistance Commission. Senate Bill 308, a Bill for an Act making appropriations to the Illinois Community College Board of Trustees. Senate Bill 310, a Bill for an Act making appropriations to certain public retirement systems. Senate Bill 311, a Bill for an Act making appropriations for the expenses of the State University Civil Service Systems. Senate Bill 334, a Bill for an Act making appropriations for the expenses of the Department of Agriculture. Senate Bill 335, a Bill for an Act making appropriations for the expenses of the Illinois Arts Council. Senate Bill 336, a Bill for an Act making

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

70th Legislative Day

June 21, 1991

appropriations to the Build Illinois Program. Senate Bill 337, a Bill for an Act making appropriations to the Board...of Budget. Senate Bill 338, a Bill for an Act making appropriations to the Capitol Development Board. Senate Bill 339, a Bill for an Act making appropriations to the Capitol Development Board. Senate Bill 340, a Bill for an Act making reappropriations for improvements, minor capital improvements, repairs and maintenance and related purposes. Senate Bill 341, a Bill for an Act making appropriations to the Department of Central Management Services. Senate Bill 342, a Bill for an Act making appropriations to the Illinois Commerce Commission. Senate Bill 343, a Bill for an Act making appropriations to the Board of Comprehensive Health Insurance Plans. Senate Bill 344, a Bill for an Act making appropriations to the Illinois Criminal Justice Information Authority. Senate Bill 345, a Bill for an Act making appropriations to the Illinois Educational Labor Relations Board. Senate Bill 346, a Bill for an Act making appropriations to the Illinois Emergency Services and Disaster Agency. Senate Bill 347, a Bill for an Act making appropriations to the Department of Employment Security. Senate Bill 348, a Bill for an Act making appropriations to the Department of Energy and Natural Resources. Senate Bill 349, a Bill for an Act making appropriations to the Department of Financial Institutions. Senate Bill 350, a Bill for an Act making appropriations to the Office of the Governor. Senate Bill 351, a Bill for an Act making appropriations to the Historic Preservation Agency. Senate Bill 352, a Bill for an Act making appropriations to the Department of Insurance. Senate Bill 353, a Bill for an Act making appropriations to the office of Lieutenant Governor. Senate Bill 354, a Bill for an Act making appropriations to

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

70th Legislative Day

June 21, 1991

the Liquor Control Commission. Senate Bill 355, a Bill for an Act making appropriations to the local Governmental Law Enforcement Officers Training Board. Senate Bill 356, a Bill for an Act making appropriations to the Department of Mines and Minerals. Senate Bill 357, a Bill for an Act making appropriations to the Pollution Control Board. Senate Bill 358, a Bill for an Act making appropriations to the Department of Professional Regulations. Senate Bill 359, a Bill for an Act making appropriations to the Property Tax Appeal Board. Senate Bill 360, a Bill for an Act making appropriations to the Illinois Racing Board. Senate Bill 361, a Bill for an Act making appropriations to the Department of Revenue. Senate Bill 363, a Bill for an Act making appropriations to the Illinois Sports Facility Authority. Senate Bill 364, a Bill for an Act making appropriations to the Department of Transportation. Senate Bill 365, a Bill for an Act making appropriations to the Department of Transportation. Senate Bill 366, a Bill for an Act making appropriations to the Department of Aging. Senate Bill 367, a Bill for an Act making appropriations to the Department of Corrections. Senate Bill 368, a Bill for an Act making appropriations to the Illinois Health Care Cost Containment Council. Senate Bill 369, a Bill for an Act making appropriations to the Medical Center Commission. Senate Bill 370, a Bill for an Act making appropriations to the Illinois Planning Council on Developmental Disabilities. Senate Bill 371, a Bill for an Act making appropriations to the Department of Public Aid. Senate Bill 372, a Bill for an Act making appropriations to the Department of Public Health. Senate Bill 373, a Bill for an Act making appropriations to the Department of Rehabilitation Services. Senate Bill 374, a Bill for an Act making appropriations to the Department of Veterans

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

70th Legislative Day

June 21, 1991

Affairs. Senate Bill 409, a Bill for an Act making appropriations to the Court of Claims. Senate Bill 440, a Bill for an Act making appropriations to the Judicial Inquiry Board. Senate Bill 953, a Bill for an Act making appropriations to various agencies. Senate Bill 954, a Bill for an Act making appropriations to various agencies. Senate Bill 956, a Bill for an Act making appropriations. Senate Bill 958, a Bill for an Act making appropriations. Senate Bill 959, a Bill for an Act making appropriations. Senate Bill 1341, a Bill for an Act making appropriations to the Department of Veterans Affairs. Second Reading of these Appropriations Bills."

Speaker Keane: "We'll proceed. The order for today...we'll proceed with Second Readings. All of the items on the Special Order of calls...we'll go through the Calendar on Seconds, and then come back and do Thirds. On the Order of Human Services, Second Reading, is House Bill 435...Representative...or Senate Bill 435, Representative Phelps. Out of the record. Senate Bill 500, Representative Homer. Out of the record. Senate Bill 1105, Representative White. Out of the record. On the Order of Agriculture and Environment, Senate Bill 923, Representative Kulas. Out of the record. Senate Bill 989, Representative Kulas. Out of the record. Senate Bill 1048, Representative Hannig. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1048, a Bill for an Act to amend the Natural Resources Act. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House."

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

70th Legislative Day

June 21, 1991

Representative Wennlund discussed a proposal that I had yesterday on the Bill that he believed was a Vehicle for Kohn, and I told him that was not the Bill. This Amendment would make this Bill a Vehicle, and our intention is simply to put it in after we adopt the Amendment and pass it, to put it in conference in case we have some additional issues I'm told that we need to address, so at this time, I would be happy to answer any questions, and I'd ask that we could adopt this Amendment."

Speaker Keane: "Is there any discussion? There being none...Representative Black."

Black: "Yeah. Thank you very much, Mr. Speaker, will the Sponsor yield for just one question?"

Speaker Keane: "He indicates he will."

Black: "Would this be a potential Vehicle for a Scrubber Bill if we don't get anything worked out before adjournment?"

Hannig: "Well, Representative, if the Scrubber Bill would fail, and we could work out another arrangement, and it needed a vehicle, certainly this could be a Vehicle. This could also be a Vehicle...if we leave it over to the Veto Session for some cleanup language to something that we might pass. Okay."

Black: "Okay. That's fine. We have no objection."

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

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Senate Bill 1303, Representative Tenhouse. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1303, a Bill for an Act to amend the Illinois Explosives Act. Second Reading of the Bill. No Committee Amendments."



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

70th Legislative Day

June 21, 1991

Speaker Keane: "Are there any Floor Amendments?"

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

Speaker Keane: "Representative Tenhouse."

Tenhouse: "Mr. Speaker, Ladies and Gentlemen of the Assembly. Amendment #1 simply is...just adds some grammatical changes. Basically, this Bill was going to be used...the underlying Bill...will be used as part of an agreement between Mining, Minerals, Coal, some of the other agencies, especially OLIN regarding some cleanup, but at this time I'd like to move passage of this Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Senate Bill 1364, Representative Hartke. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1364, a Bill for an Act in relation to promotion of Gasohol. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. Amendment #1 just says...makes the Act...changes the effective date."

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

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

70th Legislative Day

June 21, 1991

Clerk O'Brien: "No further Amendments."

Speaker Keane: "There's been a request for a Fiscal Note, and the Bill will remain on Second. Senate Bill 1365, Representative Hartke."

Clerk O'Brien: "Senate Bill 1365, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Keane: "Third Reading. Senate Bill 1427, Representative Pedersen. Out of the record. On the Order of Economic Development...skip over that. On the Order of Government Operations, Second Reading, appears Senate Bill 837, Representative Trotter. Out of the record. Senate Bill 838, Representative Bugielski. Representative Bugielski. 828. Senate Bill 908. Representative Capparelli, 908. Out of the record. Representative Giglio in the Chair."

Speaker Giglio: "Alright. Second Reading in Insurance appears Senate Bill 1368. Representative Williams. Representative Williams in the chamber? Out of the record. Alright, we're going down Second Reading. This Order now is Municipal County and Conservation Law. Representative Steczo. Representative Steczo in the chamber? Out of the record. Curran. Mike Curran. Senate Bill 505. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 505, a Bill for an Act to amend the Township Waterworks Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Were there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Curran on Amendment #2."

Curran: "This Amendment's being offered on behalf of the township

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

70th Legislative Day

June 21, 1991

officials. It simply allows development and retention of business, industrial, manufacturing, and tourist facilities within the township to be added to the...to the purposes for which the Local Fiscal Assistance Act of 1972 can apply."

Speaker Giglio: "Any discussion on the Gentleman's Amendment? Hearing none, all those in favor...Representative Black."

Black: "Just one quick question if I could, Mr. Speaker.

Speaker Giglio: "Proceed."

Black: "Thank you. Representative, our Spokesman indicated he hadn't seen this Amendment, and I don't think we have any problems with it. It's entirely permissive?"

Curran: "Yes, it is."

Black: "Okay. Alright."

Speaker Giglio: "All those in favor of the Amendment say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment's adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Brunsvold. Representative Brunsvold in the chamber? Out of the record. Representative McAfee. 593. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 593, a Bill for an Act to amend the Fire Protection District Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative McAfee on Amendment<sup>o</sup> #2."

McAfee: "Mr. Speaker and Ladies and Gentlemen of the House. I'd like to withdraw Amendment #2, please."

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

70th Legislative Day

June 21, 1991

Speaker Giglio: "Withdraw Amendment #2 Mr. Clerk. Are there further Amendments?"

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

Speaker Giglio: "Representative McAfee."

McAfee: "Mr. Speaker and Ladies and Gentlemen of the House. Amendment #3 is the corrected version of Amendment #2. It basically makes technical changes to the caption, and also creates the expansion of a five-member board and how you proceed to fill the vacancies."

Speaker Giglio: "Any discussion on the Gentleman's Amendment? Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Thank you. Representative, we appreciate you coming over and talking to us about this, and we just simply like to have it on the record that because of the method by which vacancies could be filled on a fire district board, it is your understanding that the fire district trustees and the firefighters have agreed to this Amendment and the underlying Bill, is that correct?"

McAfee: "That is correct, Representative."

Black: "Thank you very much."

Speaker Giglio: "You heard the Gentleman's Motion. Any further discussion? Hearing none, all those in favor of the Amendment say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Williams. Representative Capparelli. 678. Representative Capparelli. Out of the record. Representative Morrow.

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

70th Legislative Day

June 21, 1991

Morrow. Representative Morrow. House...Senate Bill 846. Out of the record. Representative Giorgi. Representative Giorgi in the chamber? Representative Brunsvold. Representative Ropp. Is Representative Ropp in the chamber? Senate Bill 1426. Out of the record. 1006. Fire Protection Equipment Loans. Out of the record. On the following page, Public Utilities, Second Reading, appears Senate Bill 62, Representative Lang. Senate Bill 62. Out of the record. Representative Hicks. Representative Hicks in the chamber? Out of the record. Second Reading, Transportation. Representative. Obrzut. 1016. Read the Bill, Mr. Clerk."

Clerk O'Brien: "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 Giglio: "Any Motions filed?"

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

Speaker Giglio: "Third Reading. Representative Matijevich on Senate Bill 1061. Out of the record. Senate Bills Second Reading, Veterans, appears Senate Bill 37. Representative Granberg. Out of the record. Children and Family Law. Representative Currie. Senate Bill 930. Out of the record. Criminal Law. Representative Jay Hoffman, Burke, Munizzi, Shaw and Hartke. On that Order, Representative Hoffman, Jay Hoffman on Senate Bill 264. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 264, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Hoffman."

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

70th Legislative Day

June 21, 1991

Hoffman, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment was discussed yesterday, but it hasn't been printed and distributed, it essentially makes the inference under this Act permissive as opposed to mandatory. In the opinion of many, this would follow...Illinois Supreme Court decision."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Burke, on Senate Bill 446. Representative Burke. 446. Controlled Substance Probation. Out of the record. Representative Munizzi, 785. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 785..."

Speaker Giglio: "Take it out of the record, Mr. Clerk. Representative Shaw. Representative Shaw in the chamber? Representative Hartke. 1147. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1147, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. Amendment #1 makes...changes to 1147. One, it allows the Chief Judge of the Circuit...the Judicial Circuit to determine whether the fee should be collected by the probation officer or the Circuit Clerk, and if that's the case, why, the Clerk shall retain a 7 1/2% fee of the cost of the collections. I'll ask for its approval."

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

70th Legislative Day

June 21, 1991

Speaker Giglio: "Any discussion? Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Thank you. Representative, I have the greatest respect for your abilities, but I really have some concerns about this Amendment, in fact I have some concerns about the underlying Bill. Are the Circuit Clerks in agreement with this Bill?"

Hartke: "Absolutely. I think the Circuit Clerks would like to have this."

Black: "Well, how 'bout the probation officials, are they in agreement with this Bill?"

Hartke: "I'm not sure."

Black: "Or the Amendment, I'm sorry. Let me confine my remarks to the Amendment. I know that there are some Circuit Clerks in this chamber, some former Circuit Clerks who could address it more eloquently than I, but I appreciate your answering the question. Ladies and Gentlemen of the House, this Amendment certainly has some controversy to it. I'm not totally convinced that the County Clerks are happy with this split, I'm not sure that they think this can even be accomplished under existing laws and chain of evidence and money. The probation officers certainly don't like it, I would urge that you take a very close look at this Amendment, and at the appropriate time the underlying Bill."

Speaker Giglio: "Representative Hasara."

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

Speaker Giglio: "Indicates he will."

Hasara: "Representative, does your Amendment apply to probation fees only, or costs? What does the Amendment do, exactly?"

Hartke: "My Amendment simply says that the Judge shall determine

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

70th Legislative Day

June 21, 1991

that the cost shall be paid to the Clerk of the Circuit Court in the case that the Circuit Clerk would collect the fees and that the Clerk shall retain 7% of the cost of collecting."

Hasara: "Costs of what?"

Hartke: "I'm not sure, Karen, but I think it applies to the fine or the probation..."

Hasara: "You're talking about the cost in probation?"

Hartke: "Yes."

Hasara: "Okay. So you're saying that the Chief Judge will collect them rather than Chief Clerk?"

Hartke: "The Chief Judge would determine who the collection should be made by, either the Circuit Clerk, or the probation officer, but the Bill itself says that it's the probation officer shall collect the fee, this amends it to say the Chief Judge shall determine whether, in the county, in each county whether the probation officer should collect the fee, or the Circuit Clerk. In the event that the Circuit Clerk collects the fee, that...Circuit Clerk shall retain 7 1/2% for their bookwork."

Hasara: "Okay. Well, I rise in opposition to this Amendment. First of all, if you have the Chief Judge deciding whether it's going to be the Clerk or the probation officer, you are going to have 102 different systems of collecting probation fees in the State of Illinois. Secondly, I am opposed to the removal of the collection of the costs from the Circuit Clerk, because, if the probation officer collects the cost, there will be no court record, and we absolutely cannot have that, so I ask you all to vote 'no' on this Amendment."

Speaker Giglio: "Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Giglio: "Indicates he will."



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

70th Legislative Day

June 21, 1991

Hultgren: "Representative, who wants this?"

Hartke: "The Circuit Clerks of the State of Illinois. The Circuit Clerks Association has requested this."

Hultgren: "The Clerks Association has requested it? Do you know why? I'm just searching for why would we want to do this? Do you know why they want to do this?"

Hartke: "It's my understanding that the Circuit Clerks simply collect the fees from those individuals who are on probation, and then they pass it on to the Treasurer, but the probation officer is the one that has all the contact with the individuals, and it was thought by the Circuit Clerks that since they're making the contact, the probation office should collect a fee and takes it directly to the Treasurer. It bypasses their office completely, then."

Hultgren: "Representative, if they don't want the responsibility of collecting it, but aren't they still going to be involved in the bookkeeping, because if I understand your Amendment, they're going to get 7 1/2% of what they collect. So it really doesn't relieve them of bookkeeping responsibilities because they still have to keep track of the 7 1/2%, and then it just becomes a matter of zeros, doesn't it?"

Hartke: "No. No. No. That's not correct."

Hultgren: "Maybe I'm not understanding it."

Hartke: "Because if the Chief Judge determines that the probation officer collects the fee the...Circuit Clerk is cut out."

Hultgren: "Oh, the Circuit Clerk does not get the 7 1/2..."

Hartke : "No. Only in the event that the Chief Judge determines that, no, the Circuit Clerk will collect the fee."

Hultgren: "You said the Clerks Association requested it. Do you know if the probation officers have a position?"

Hartke: "They have not contacted me."

Hultgren: "Haven't contacted me, either. Thank you."

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

70th Legislative Day

June 21, 1991

Speaker Giglio: "Further discussion? The Gentleman from St. Clair, Representative Hoffman."

Hoffman, J.: "Will the Sponsor yield?"

Speaker Giglio: "Indicates he will."

Hoffman, J.: "Representative, do you know what...Illinois courts? Are they in favor of this? Have you talked to 'em about it?"

Hartke: "Excuse me. I didn't hear you."

Hoffman, J.: "The Administrative Office of Illinois Courts. They are in charge of probation."

Hartke: "I think they have contacted me. What would be the individual's name?"

Hoffman, J.: "Bowie."

Hartke: "I think they have contacted the Association representing the Circuit Clerks, and they suggested this Amendment. That's my understanding. Two concerns that they addressed to the Association, Representative."

Hoffman, J.: "Does this provision have anything...say anything about bonding, or anything of probation officers...collecting a fee?"

Hartke: "My Amendment does not address that issue at all."

Hoffman, J.: "The Chief Judges Committee...have they contacted you...have they talked to you..."

Hartke: "There have been a couple of Judges that have called me on this...and expressing their concern. I guess that they have not suggested a better avenue."

Hoffman, J.: "Nothing further."

Speaker Giglio: "Representative Homer."

Hartke: "Mr. Speaker, why don't we just take this out of the record for the time being."

Speaker Giglio: "Take it out of the record, Mr. Clerk. Alright. On the Order of Second Reading under Elementary and Secondary Education, Kubik, Deering and Hannig."

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

70th Legislative Day

June 21, 1991

Representative Kubik. Senate Bill 73. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 73, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Giglio: "Third Reading. Representative Deering on Senate Bill 645. Representative Deering in the chamber? Out of the record. Representative Hannig, on 973. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 973, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "There's been a request for a Fiscal Note, Representative Hannig. Take it out of the record. All right, following the Order of Bills on Second Reading appears Senate Bill 1353, Representative Turner. Out of the record. On the Order of Second Reading, Legalized Gambling. Three Bills. Representative Brunsvold. Out of the record. On the Order of Second Reading, Professional Regulations, appears five Bills Levin, Mautino, Hicks, McPike and Balanoff. On that Order, Representative Levin. 325. Out of the record. Representative Mautino. 689. Out of the record. Representative Hicks. Out of the record. Representative McPike. Out of the record. Representative Balanoff on 964. Out of the record. Following the line under Civil Law. Walsh, Granberg, and Hasara. Representative Walsh on 154. Jury Employers Contempt. You want that Bill called? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 154, a Bill for an Act to Amend the Jury Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Walsh."

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

70th Legislative Day

June 21, 1991

Speaker Giglio: "Representative Walsh on Amendment #1."

Walsh: "Mr. Speaker, and Ladies and Gentlemen of the House. Floor Amendment #1 for Senate Bill 154 gives an addition of 10 days a...date of the summons for an issuance date, and also requires that the official responsible for issuing the summons may advise a juror of his rights, under this Act and that be printed with the summons or on the summons itself."

Speaker Giglio: "Any discussion on the Gentleman's Motion? Hearing none, all those in favor of the Amendment say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, the Amendment's adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Granberg on 182. Out of the record. Representative Hasara on Senate Bill 502. Out of the record. On the Order of State and Local Government, Second Reading. Kubik, Currie, Steczo, Capparelli, W. Peterson and Matijevich. On that Order of Senate Bill 45. Representative Kubik. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 45, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Speaker Madigan and Representative Daniels."

Speaker Giglio: "Representative Black. Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, the Amendment's adopted. Further Amendments."

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

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

70th Legislative Day

June 21, 1991

Balanoff."

Speaker Giglio: "Representative Balanoff on Amendment #2 to Senate Bill 45. Representative Balanoff in the chamber? Yep. What? Amendment #2.

Balanoff: "Yep. Okay. What happened to Amendment #1?"

Speaker Giglio: "Out. Take the Bill out of the record. Take the Bill out of the record, Mr. Clerk. Pardon? Representative Balanoff."

Balanoff: "I just have a question. What happened to Amendment #1?"

Speaker Giglio: "Amendment #1 was not adopted. We took the Bill out of the record, Amendment #1 to Senate Bill 45 was not adopted. Representative Currie on Senate Bill 89. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 89, a Bill for an Act to amend the Open Meetings Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Giglio: "Third Reading. Representative Steczo. Representative Homer, are you seeking recognition?"

Homer: "Thank you. Point of Order, Mr. Speaker."

Speaker Giglio: "Proceed."

Homer: "On the previous Bill, Senate Bill 45, my recollection was that the Amendment #1 was adopted, and the Chair went to Representative Balanoff to present Amendment #2. I'd like to know the status of the Bill before it was taken out of the record."

Speaker Giglio: "When we take the Bill out of the record, Representative Homer, any action that was taken on that Bill is automatically not taken, so the Bill is cleaned, and Representative Balanoff asked if Amendment #1 was adopted."

Homer: "Okay. I don't really have any point to quarrel with the Chair, but that would be a new precedent. I had never

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

70th Legislative Day

June 21, 1991

known that. We have always acted on Amendments, and the Bill's taken out of the record, that action stood with all action already taken."

Speaker Giglio: "Unless the Sponsor requests, Representative Homer, no action is taken on the Bill, so as far as the Chair was concerned, there was no precedent taken today. The next Order is Senate Bill 750, Representative Currie. There were no...the question is, Senate Bill 89?"

Currie: "Move it to Third."

Speaker Giglio: "We ran the Bill, there were no Committee Amendments, there were no Floor Amendments, the Bill was moved to Third Reading. Representative Steczo on 750. Representative Obrzut, will you nudge Representative Steczo on Senate Bill 750? Out of the record. Representative Capparelli on 779. Out of the record. Representative W. Peterson on 894. Out of the record. Representative Matijevecich on Senate Bill 1189. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1189, a Bill for an Act to create the Commission on Economic and Productivity in State Government. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

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

Speaker Giglio: "Third Reading. On the Order of Revenue, Second Reading. Representative Phelps, Bugielski, Hartke, McGann, Currie. Representative Phelps on Senate Bill 455. Representative Phelps. Out of the record. Representative Bugielski on 497. Out of the record. Representative Hartke on 499. Out of the record. Representative McGann on 707. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 707, a Bill for an Act to amend an Act concerning grants by the Department of Mental Health and Developmental Disabilities. Second Reading of the

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

70th Legislative Day

June 21, 1991

Bill. No Committee Amendments."

Speaker Giglio: "Representative McGann, there's been a request for a Fiscal Note. Take it out of the record, Mr. Clerk. Representative Hartke, Senate Bill 499. Under Revenue. You want that Bill called? On Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 499, a Bill for an Act in relation to Enterprise Zones. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, and Members..."

Speaker Giglio: "Any Motions filed, Mr. Clerk?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative Hartke and Noland."

Speaker Giglio: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. Amendment #2 to Senate Bill 499 amends the Bill to say that any purchases outside of the...any purchases or material outside the Enterprise Zone to be used for the repair or maintenance of buildings in that Enterprise Zone have an Enterprise Zone that's established legally and certified by the zoning administrator is tax exempt."

Speaker Giglio: "Any discussion? Representative Black."

Black: "Yeah. Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House. I rise in reluctant opposition to the Gentleman's Amendment. The Department of Revenue is opposed to this Amendment, and it is a considerable expansion of the underlying philosophy behind an Enterprise Zone. If the Gentleman's Amendment is adopted,...you literally could go to any lumber company, construction company, anywhere in the State of Illinois, buy materials,

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

70th Legislative Day

June 21, 1991

escape the sales tax, bring the materials back into your home county, and that was not the intent of the Enterprise Zone. I can appreciate what the Gentleman is trying to do, but I think Representative Mautino, earlier in the Session was closer to what we could agree to on this, and that is, if your county or Enterprise Zone does not have a retailer who can help you, then as I believe Representative Mautino's Bill said, if a contiguous municipality or county had such an enterprise, lumber company or a retailer, you could use that one. This Amendment expands literally an Enterprise Zone anywhere in the State of Illinois, where you could go to buy your building materials, and that would have a direct economic impact on the State of about \$8,000,000, and so while I applaud what the Gentleman is trying to do, I think the concept that Representative Mautino, as I have alluded to earlier, had, where it would have to be contiguous to your municipality or your county, that would make sense. Opening it up to any retailer in the State of Illinois, I think goes far beyond the intent of Enterprise Zone legislation, and so I must reluctantly rise in opposition and urge a 'no' vote on the Gentleman's Amendment."

Speaker Giglio: "The Chairman of the Revenue Committee, Representative McGann."

McGann: "Mr. Speaker, just a correction. I'm not Chairman of the Revenue Committee, it's Representative Currie, but I..."

Speaker Giglio: "Excuse me then, I'll recognize Representative Currie for now..."

McGann: "As Subcommittee Chairman on Sales Tax, this does come under our pervue, and once again, Representative Black is entirely right. We made concessions with Representative Mautino, and his Bill went through, it was a good Bill because there were no retailers of these materials within



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

70th Legislative Day

June 21, 1991

that Zone, so that was an exception made. What we're doing here now, with due respect to the Sponsor's Amendment, we are just expanding throughout the whole state, and taken away the real meaning of these Enterprise Zones and the workings with it. If they can go any place and obtain these materials, on one audit alone, it costs, it was found the State had lost \$1,000,000. We will now be losing anywhere from 6, 8, to \$10,000,000. How many times must we stand up and tell about how bad the financial situation is in this state, and now we're going to add a greater burden by having this type of an Amendment? I would hope that this fine Sponsor would think twice before he has to have this Amendment through. This is going to cost the State of Illinois millions and millions of dollars. There will be no control by the Department of Revenue by doing this. I ask for a 'no' vote on this Amendment #2 to Senate Bill 499."

Speaker Giglio: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I...with all due respect to the Sponsor, also rise in opposition to Amendment #2. The net effect of this Bill is to allow a builder in an Enterprise Zone to go literally anywhere in the State, and not be taxed on materials. Now that is an incredible opening of the whole Enterprise Zone process, and I think that that's a mistake, and for those of you who may not understand what this Bill actually does, you can understand one thing, and that is that this is gonna cost us between \$6,000,000 to \$8,000,000 in revenue, and in a year when we really are searching for every dollar we can handle, this is the wrong type of an Amendment that we ought to put on this Bill, it costs too much, and it really ought to be defeated. It makes no sense, and it is drastically changing the way we operate Enterprise...the

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

70th Legislative Day

June 21, 1991

Enterprise Zone law in this State, and you know, as many speakers have said before, this whole Enterprise Zone process is getting to the point where we might as well make the whole state an Enterprise Zone, because we have just made such a patchwork quilt of laws that don't make sense. Please oppose this Amendment however well intended by the Sponsor, it's a costly and unnecessary Amendment."

Speaker Giglio: "Representative John Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Sponsor's Amendment. What the Sponsor is trying to do is to impose legislation upon...to get legislation to the Statute Book which imposes some sense of fairness and equity in transactions which involve Enterprise Zones. There are those who do business in Enterprise Zones who are required and cannot do otherwise...but purchase materials outside that Enterprise Zone for incorporation and use in the Enterprise Zone. The current status of legislation unfairly penalizes those people, and the current situation has resulted in certain contractors and builders in the Enterprise Zones having a feeling that they have complied with the laws, the statutes in the State of Illinois, and owning a retail certificate, those people have not collected tax, thinking it was not their burden to do so. Now, they are being audited by the Department of Revenue, and told that they must cough up money for taxes which they don't have and which they did not collect. The Enterprise Zone Statute, in its current shape and form, allows someone to incorporate in the Enterprise Zone, and then reap all the benefits of the Enterprise Zone. The fact that you are incorporated in an Enterprise Zone certainly doesn't mean that you have your business entity, have all your personal...your personal place of business, or your business location inside that

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

70th Legislative Day

June 21, 1991

Enterprise Zone. If filing papers with the Secretary of State, saying you're incorporating into an Enterprise Zone entitles you to these tax breaks, we ought to also allow the sales tax exemption to be availed of by those who are actually doing things in the Enterprise Zone who are actually making improvements, who are actually selling products and who are actually doing things for the benefit of people in that zone, and someone has said earlier, I think off the microphone, maybe on the microphone, if you're putting up a warehouse and need steel beams, you can't get 'em inside the Enterprise Zone, what are you going to do? This is a good Amendment, and I urge all Members to support this Amendment."

Speaker Giglio: "The real Chairman of the Revenue Committee, Representative Barbara Currie."

Currie: "Thank you, Mr. Chairman and Members of the House. I rise in opposition to the Amendment. There's no question it's a special interest tax break that not only will have an effect on State revenues, which is certainly a matter of great concern to all of us, but on local city revenues as well since cities collect a share of the state sales tax. The point of the sales tax exemption within an Enterprise Zone is in part to encourage the development of various businesses within that Enterprise Zone. We take away that incentive, if we adopt an Amendment that effectively says the whole state is now a single Enterprise Zone. If you care about the public policy implications of the Enterprise Zone experiment, and if you care about not only state but local revenues, the proper vote on this Amendment is a 'no' vote."

Speaker Giglio: "Representative Noland."

Noland: "Thank you, Mr. Speaker. I too rise in support of this Amendment. There are instances where we need to clarify

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

70th Legislative Day

June 21, 1991

what the Enterprise Zone means, finding retailers who are finding out that they should have been collecting sales tax and weren't aware of it. This will help clarify that Bill, and help stimulate business in Enterprise Zones, so I urge your support for this Amendment."

Speaker Giglio: "Representative Hartke to close."

Hartke: "Thank you very much, Mr. Speaker. There's been a lot of rhetoric put out here today and I want to clarify something. Several years ago when we created the Enterprise Zones, we told business and industry, come into Enterprise Zones, we want expanded Enterprise Zones. As an incentive, we said that the building material that you use in that Enterprise Zone will be tax exempt, and that's been stated here on the floor. Then we find that Revenue comes back and says, well, you didn't buy that material inside this Enterprise Zone, so therefore it is not tax exempt. Revenue auditors come back to those companies who did not pay that sales tax, or collect that sales tax, they've been auditing those returns and saying you owe us \$5000, \$25,000, \$50,000. What we've said is, that business and industry, we want you to come into the Enterprise Zone, and we're going to give you this, this, and this, but you really don't qualify. I think it's a real scam. So, with my Amendment, what we're saying is, if you can't find that material in an Enterprise Zone, it may be a bare field...where are you going to find a steel plant, where are you going to find a concrete plant? Where are you going to find a construction company inside that Enterprise Zone to build your warehouse or factory or whatever you're putting up? This Amendment would allow those individuals to buy that material outside that Enterprise Zone from any realtor in the State of Illinois if they use that material inside that Enterprise Zone certified by the Enterprise

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

70th Legislative Day

June 21, 1991

Zone administrator, then that material would be sales tax exempt. I think it's only a fair Amendment, it's something that needs to be straightened out in the State of Illinois."

Speaker Giglio: "The question is...all those in favor of the Amendment signify by saying 'aye'...opinion...'no'. In the opinion of the Chair we'll take a Roll Call. All those in favor of the Amendment vote 'aye', all those opposed to the Amendment vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 43 voting 'yes' and 60 voting 'no', and the Gentleman's Motion fails. Further Amendments? Are there further Amendments, Mr. Clerk?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Senate Bill 707, Representative McGann. 707. Do you want that Bill called, Sir? Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 707, a Bill for an Act concerning grants by the Department of Mental Health and Developmental Disabilities."

Speaker Giglio: "Oh, I'm sorry, Representative McGann. There's a Fiscal Note requested on that Bill. Take it out of the record. 792, Representative Currie. Out of the record. On the Order of Second Reading under Housing appears Senate Bill 756. Representative Lou Jones. Is the Lady in the chamber? Would you like to have that Bill called? Senate Bill 756. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 756, a Bill for an Act to amend the Homeless Prevention Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

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

70th Legislative Day

June 21, 1991

Speaker Giglio: "Representative Jones.."

Jones, L.: "Thank you, Mr. Speaker This is an Agreed Amendment with the Sponsor of the Bill and the Department of Public Aid that we agreed in the Committee to put on the Bill, and this is the Amendment. It's an Agreed Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. All right, going back to the Order of Second Reading under Human Services, Representative White on Senate Bill 1105. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1105, a Bill for an Act to amend the Illinois Nursing Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative White."

White: "Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 was asked for by the Illinois Public Health Department. It's technical in nature, and I move for its adoption."

Speaker Giglio: "Any discussion on the Gentleman's Motion? Hearing none, all those in favor of the Amendment say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

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

70th Legislative Day

June 21, 1991

Speaker Giglio: "Third Reading. Representative Ryder, for what purpose do you rise, Sir?"

Ryder: "Mr. Speaker, I was wondering if you might introduce a new Parliamentarian that's up there. Yeah. I understand someone's taken Mike's job."

Speaker Giglio: "Mr. Ryder, Representative Ryder, your inquiry of the Chair...we do have a temporary Parliamentarian, and I'd like to introduce him. His name is Josh Ryder. Is there any relation? Is there a connection there?"

Ryder: "Mr. Speaker, he comes from the more intelligent side of my family, and I appreciate the Speaker and Mr. Pollack for giving him an opportunity. We've always wanted a Ryder to be on the podium, and this is probably as close as we're going to get, so we thank you for the opportunity to have him up there. Joshua said he'd like to be a Parliamentarian, but he wasn't sure he could spell it, but then my colleague said the same thing."

Speaker Giglio: "We are going to one Bill on the Regular Calendar, it's a Bill that has to come out because it's a...it has a deadline on it, July 1st. It's House Bill 1620, it's on the Order of Concurrence, and on that the Chair would like to recognize Representative Wolf. House Bill 1620. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1620, on the Order of Concurrence."

Speaker Giglio: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. I move to non-Concur on Senate Amendments #1 and #2. Senate Amendments #1 and 2 provided for the addition of two more systems to the underlying Bill which addresses the situation of the part-time employees being covered either by Social Security or under a retirement system. This is being moved back to the Senate, in order that these two Amendments may be taken off, and that these two systems

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

70th Legislative Day

June 21, 1991

will be addressed separately at a later date."

Speaker Giglio: "You heard the Gentleman's Motion, any discussion? The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. We will support the initiative, and we appreciate Representative Wolf working with us on this."

Speaker Giglio: "All those in favor of the Gentleman's Motion to Nonconcur in Senate Amendment #1 and 2 signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House Nonconcur with Senate Amendment #1 and 2 to House Bill 1620. All right, we're going to one Bill on...or a House Resolution on 36, it's under Human Services, and that's House Resolution 450, Representative Mautino. House Resolution 450. Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker, and Members of the House. I have filed a Motion to take the House Resolution 450 from the Speaker's table and if that is not necessary, I'd like to proceed with it at this point in time."

Speaker Giglio: "Gentleman moves to take the Resolution on the Speaker's table and move for immediate consideration. Does the Gentleman have leave by Attendance Roll Call? Hearing none, leave is granted. On the Resolution, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. The Resolution was adopted on an eight to nothing vote from the...8 to 0...'do adopt' by the Executive Committee. What it does, is establish the need for a study as it pertains to the Illinois Health Finance Authority and the amount of funds expended for equipment operation etcetera that's outstanding. This Resolution is the result of an agreement between Representative Black and



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

70th Legislative Day

June 21, 1991

I, and the health care providers and the Illinois Health...Illinois Health Finance Development Authority, and we move for its passage at this point in time."

Speaker Giglio: "Any discussion on the Gentleman's Motion? Hearing none, all those in favor of the Resolution signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, the Resolution's adopted. The Gentleman asks leave for the Attendance Roll Call. Does the Gentleman have leave on this Roll Call for the adoption of House Resolution 450? Hearing none, leave is granted, the Resolution is adopted by the Attendance Roll Call. Alright, also on the Speaker's table appears House Resolution 245, Representative Satterthwaite. Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, and Members of the House. House Resolution 245 calls for a feasibility study for additional rail services in Central Illinois with the possibility of hooking up with St. Louis. A similar Bill has already passed the Legislature here, and I would move for the acceptance of the Resolution."

Speaker Giglio: "Any discussion on the Lady's Motion? Hearing none, all those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Resolution is adopted by the Attendance Roll Call. On the Order of Second Reading on Municipal, County and Conservation Law, Representative Williams on Senate Bill 659. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 659, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

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

Speaker Giglio: "Third Reading. Alright, we've finished all of

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

70th Legislative Day

June 21, 1991

Second Reading. We went through the list. The Chair now is going to go to Third Reading. House...Senate Bills Third Reading, and on that Order under Human Services, Third Reading appears Senate Bill 130, Representative Black. Senate Bill 130, Third Reading. Representative Black. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 130, a Bill for an Act to amend the Child Care Act. Third Reading of the Bill."

Speaker Giglio: " Representative Black."

Black: "Yeah. Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I appreciate the bipartisan support this Bill has had, and I also appreciate and understand the bipartisan concerns that many of you have about this Bill. Let me just say to you that we've been working on this issue for about three years, we have, by Amendment, taken all the age categories out of this Bill. There are no longer any...you could have so many under three, so many under five, etcetera. That has been taken out of the Bill, and we will continue working with the Department of Children and Family Services on how those categories will be reached, and they will do that by rule which certainly lets any of you go to the Joint Committee on Administrative Rules and let your views be known at that time. Let me, for the record, Mr. Speaker, say as I told Representative Lang yesterday. The Sponsor's intent of this legislation is to make it more...make it easier to work on the problem of latchkey children, so when we are raising the threshold limit by four kids, it is our intent that those be latchkey children. It is not our intent to let daycare providers load up a facility with infants or six, seven, eight, nine, ten kids under the age of three. That is not our intent, and we will work with you to make sure that that intent is carried out. With the

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

70th Legislative Day

June 21, 1991

accommodations we have tried to make in this Bill, we think we have reached agreement with most people. We have not reached agreement with all, we will continue to try and address these concerns by rule, given the fact that we have been working on this for a number of years, I would at this time answer any questions that you have, and ask for your favorable consideration of Senate Bill 130."

Speaker Giglio: "Representative Preston."

Preston: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Giglio: "Indicates he will."

Preston: "Representative Black, can you tell me what this Bill does in general."

Black: "Yes. This Bill collapses two Senate Bills into one, and the only thing that these Bills now do, is to increase the base number that family daycare homes can have and group daycare homes can have, by four. It does not specify what age group in any way, shape or form, it does not have any age grid, we're going to work with the Department on doing that, and I assure you, Mr. Chairman, that it is our intent that that additional four in each of these categories be latchkey children. It is not our intent to allow any unsafe ratio of young infants to a provider, and you have my assurance of that."

Preston: "Well, Representative Black, does that mean that under the provisions of Senate Bill 130 as written that these four additional children could be infants, as could be toddlers...could be under six years of age. As the Bill is written, there is no age category or breakdown, so, yes, your assumption would be correct. It's certainly not our intent, and I have so stated."

Preston: "Well, by raising this by a number of four, how many children under the age of six could one of these day-care

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

70th Legislative Day

June 21, 1991

facilities then have under their care?"

Black: "It would be absolutely no different that the current rule is, and I don't know what that rule is off the top of my head, but I think it's five or fewer."

Preston: "So, with this it would be nine, then, if it's five now, then this would make it four more, is that correct?"

Black: "No, it goes from eight to twelve."

Preston: "It goes from eight to 12, and how many supervisors for this daycare facility that would have 12 that could, under the way that this is written, could have children...12 children under the age of six..."

Black: "Now, Representative, let me just correct you. I have a great deal of respect for you, you know that it's not our intent, they cannot have 12 under six, the Department would never agree to that, I would never agree to that, and you would never agree to that. Now, all we are attempting to do here..."

Preston: "Mr. Speaker, I'm asking a question, and Representative Black, I'm really...I don't have what you have in front of me, and I'm trying to get to what this Bill does. You stated that there are no age categories, which there were before. There are now no age categories."

Black: "That is correct."

Preston: "And I understand that you have every great intent, but you and I could drop dead tomorrow, and this could be law in Illinois, and I'm trying to get to...where this...how this would be administered if somebody doesn't have the good intentions that you and I have, and I'm trying to find out what the Bill does. Does this Bill permit...not intended, but does this Bill permit as a matter of law, if it becomes law, that there could be 12 six year olds at a day-care facility?"

Black: "It raises the capacity in a day-care home from eight to

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

70th Legislative Day

June 21, 1991

12 with no specificity on what age group those would be."

Preston: "Mr. Speaker, to this Bill..."

Speaker Giglio: "Proceed."

Preston: "...and I have great respect for Representative Black, and I'm sure he has every good intention. We all have every very good intention, including people at the Department of Children and Family Services. The fact that that Department has been unable to adequately provide services, isn't their problem, it's our problem. We haven't given them enough money to give them responsibilities and not enough money. I have to make the assumption, pitiful that it is...that we're going to continue that dismal record into the near future, because our fiscal situation in the state is certainly not better than it was before, indeed it's far worse than it was before, so I have to assume over the next 'X' number of years, we're going to continue to underfund the Department and the regulatory ability of that Department. If we pass a law where in spite of the good intentions that everybody on the face of the earth has, that a day-care facility could have 12, six, five, four, three year old children there, even though that is not what we intend, think of what would happen if there's a fire at that facility. How the hell are you going to get 12 little kids out of a facility and save their lives, and if it's going to take a tragedy that appears in the newspapers around this state after that fire happens, or after that tornado happens where children cannot be brought to safety because there are too many little kids running around, that...to change the law then is far too late. This Bill is not an agreement. I'm Chairman of the Committee on Children and Families. Nobody has been working with me on the provisions of this Bill. I haven't been asked, is this

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

70th Legislative Day

June 21, 1991

okay, is that alright, what do you think of this...so, this agreement that we've been working on for two or three years, I don't know who's been working on it, or with whom it's been worked with, but it isn't with all the interested parties. This Bill takes away the simple regulations that we should have, and to say that this is not my intent does not do it. We are saying as a matter of law that you can now go from eight to 12 little infant children to be cared for by too few adults, and that's fine if there's no problem, but you know, we recently are now seeing on television, I think it was on last night, and I saw some excerpts about day-care throughout this country, some of the non-regulatory practices that happen with children being hit, with children not being cared-for, with children fighting with other children, children's diapers not being changed, with them not being fed because there isn't sufficient regulation, and now you're saying that we should increase the number of children that could be subject to it. 12 children are too many children, if they're of tender years, to be cared for by too few supervisors and this Bill should not become law in Illinois. I'm sorry, I know Representative Black has worked hard on it. I certainly know that he's sincere, but this needs more work, we can't have unsupervised children."

Speaker Satterthwaite: "Representative Satterthwaite in the Chair. Representative Parke."

Parke: "Thank you Madam Speaker, Ladies and Gentlemen of the House. I just don't know where the previous Speaker is coming from on this. You know, he keeps raising these red flags. Ladies and Gentlemen, people of Illinois we have a crisis in this State of finding affordable, quality day care. I may report to you that this Bill is for supervised day care. They do not have any of the things that

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

70th Legislative Day

June 21, 1991

Representative Preston has talked about. These are supervised. These people have taken training, they have gone to school, they are being watched over, what we're saying is that this state needs the opportunity to provide the quality day care that these homes are providing. He is mistaken, in his evaluation. We have a responsibility to provide day care for children in this state. This Bill does that job. I would ask that you rise in support of this legislation and vote 'yes' on this quality Bill."

Speaker Satterthwaite: "Representative Currie."

Currie: "Thank you Madam Speaker and Members of the House. I rise in opposition to the Gentleman's Bill. I was pleased to hear him say, for the record, that his purpose with this Bill is to provide additional day care slots in family and group homes for latch key children, but I would point out to the Membership that he has had ample opportunity to Amend this Bill, to reflect that concern. The Bill before us does not specify ages, does not say that of these additional children that will be in family and group day care homes, the ages of the children will reflect what he tells us is his intent. He has been offered those compromises and he has rejected them. I think it would be unwise public policy, for the Members of this Assembly, to agree to expand so substantially the numbers of children who can be cared for by a single provider or by a provider with a single assistant, without due attention to the ages of the children that will be within that day care setting. So, it is for that reason and that reason alone that I would urge the Members to vote against Senate Bill 130."

Speaker Satterthwaite: "Representative Ryder."

Ryder: "Thank you Madam Speaker. I rise in support of this Bill. I supported the House version, of this Bill. I was proud to be a Co-sponsor, of the House version, of this Bill as

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

70th Legislative Day

June 21, 1991

was one of the previous speakers who now is in opposition to this Bill. We're talking about supervised day care. What's the alternative that's offered, unsupervised day care. That means that the parents have to stay home and take care of them or if they work they're dumped with relatives or left to their own devices. We're talking about taking care of latch key children. What other alternative is there? Especially for those of us who are downstate, in which the day care community does not provide sufficient opportunities currently. This is a cottage industry, in which people take care of children, and in many cases it's the number of family members that are present within the home, that denies those people the opportunity to take care of sufficient number of other children. What's the alternative, ladies and gentlemen? If you don't expand these slots, these children will not be provided supervised day care. Not everybody is as lucky as I am to be able to have their children with them as I do today, in the place where I work. Let's allow those people to have the confidence, when they go to work knowing that their children have supervision in duly licensed facilities, by the State of Illinois. This is meaningful legislation to the working people, of the State and I would ask a 'yes' vote on a very good Bill."

Speaker Satterthwaite: "Representative Ropp."

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

Speaker Satterthwaite: "He indicates he will."

Ropp: "Representative, in this attempt to increase the number from 8 to 12, is there also a provision that would increase the number of people, who might be overseeing that extra additional 4?"

Black: "Yes."

Ropp: "How many?"



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

70th Legislative Day

June 21, 1991

Black: "There is a provision, in the Bill, that says you must have an assistant for those additional four."

Ropp: "That's one additional person, then?"

Black: "I believe that's what the Bill states. Yes."

Ropp: "Well, I was going to raise some question because I did not think that the Bill included the additional people to take care of it."

Black: "It certainly does."

Ropp: "It does?"

Black: "Yes, as is required currently under existing rule for day care homes. There's no difference."

Ropp: "So, do we now under existing rule what have two people there, now with eight?"

Black: "No."

Ropp: "How many do we have?"

Black: "One."

Ropp: "We have one with eight? Then, the rule says for every four, we have one more?"

Black: "If you're going to add the additional four, you have to have an assistant. Correct."

Ropp: "Well, okay. If that's right, that would be of concern. I guess my question originally was that if it did not have an additional person, I really question whether or not we were doing the children any good by adding 4 additional people to someone, who already has 8. We have just noticed, in the newspaper, within this last week, that a family of, I believe it was close to 12, in which DCFS undercover found and that these children were not adequately taken care of. Clearly that is different than a day care center, but I think we all appreciate the fact that when we get large numbers of young people, particularly when they're very small, that it is a big job for 1 or 2 or even 3 people to take care of their children, particularly when they are so

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

70th Legislative Day

June 21, 1991

young and I initially was going to be a bit hesitant to allow 12. I think 12 is certainly a sizeable number and I would almost encourage, for the betterment of children to encourage additional day care centers to be established, rather than to overload those that may be in existence to the detriment, of the care and behavior, of the student. Thank you."

Speaker Satterthwaite: "Representative Dunn."

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

Speaker Satterthwaite: "He indicates he will."

Dunn: "There's been some confusion, at least in my mind. If this Bill becomes law, the way I heard the discussion, there will be more children supervised by fewer people. Is that correct?"

Black: "I'm sorry, Representative, I didn't hear you."

Dunn: "Well, under current law, how many adults or supervisors or whatever the correct term is, are required to be there per 8 children or 4 children or..."

Black: "It isn't current law, it is under rule, of the Department, and I believe it is one. We actually..."

Dunn: "One for...how many?"

Black: "To the 8. We actually lower the ratio. We'll have now 1 for 6, if they want to go to the 12."

Dunn: "And where does it...?"

Black: "Now 1 to 8."

Dunn: "And where is it in the legislation? I see nothing about requiring any more people. I see, if I understand the Bill as amended correctly, it says that the numbers supervised goes from 12 to..."

Black: "That was in the...that was in the category language that was taken out of the Bill, at request of some Members, on your side, and I think the department prepared a memorandum that the existing rules would be even more stringent, if

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

70th Legislative Day

June 21, 1991

the numbers are increased. There is no number in the existing law on how many you have to have. The number of supervisors you have is established by rule of the department licensing standards, not by the existing law creating this category."

Dunn: "Oh, but what is the purpose of the legislation? I thought this legislation was to set in the statutes the number of children to be supervised by an adult."

Black: "The purpose of the statute, is to raise the base number in a family day care home, from 8 to 12, and in a group day care home from 12 to 16 and that is all this Bill does."

Dunn: "Eight in a family day care home. Eight per what? Each home can only have 8 children?"

Black: "Under existing law, that would be your cap, under the license. You could have 8. This Bill would raise that cap to 12 with the corresponding rules and regulations of the department, regulating the number of supervisors or for personnel you would have to have in that home. The current regulations are 43 pages long."

Dunn: "Let me try again, in my layman's language. If I have a...if I decide to take in children in my home and get properly licensed, currently in my home I can only accommodate eight children and the statutes says I may not have nine. Is that correct?"

Black: "If you were...the current limit, under the Group Day Care Home Law, is, Family Day Care Home Law, is eight. Eight children. If you're licensed and regulated..."

Dunn: "And you propose to raise that limit to 12?"

Black: "Yes, Sir."

Dunn: "And, you intend to adhere to whatever regulations the Department, comes up with about how many people must supervise those children?"

Black: "As I said earlier we intend to work with the department

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

70th Legislative Day

June 21, 1991

on the necessary rules and regulations and proper staffing levels, absolutely... that they will promulgate by rule."

Dunn: "And what impact does this legislation have on what I would call a day care center or a nursery."

Black: "None."

Dunn: "This doesn't affect them."

Black: "Does not address day care centers at all."

Dunn: "It addresses an individual that takes children into their home and what other entity?"

Black: "It only addresses those facilities, in a home setting, licensed by the state, and a family day care home or a group day care home. That is all. It does not address day care centers, in any way, shape, or form. It's a totally separate category."

Dunn: "And then this leaves the Department, leaves it up to the Department to regulate what additional facilities there must be in the way of rest rooms or space or square feet or fire escapes and adult supervision and...it leaves all that up to the Department?"

Black: "It doesn't limit or inhibit their capacity to make those rules or regulations in any way."

Dunn: "Is the Department in support of this legislation?"

Black: "It is my understanding that the Department is in favor of this legislation, yes."

Dunn: "And the Child Care Association?"

Black: "The Family Day Care Home Association is in favor of it, the Child Care Action Council I don't believe is, hopefully is and there may be some others that I'm not aware of, as I said in my opening remarks, this is not an Agreed Bill, we've come a long way on it, but it is not an Agreed Bill."

Dunn: "And would...I don't know whether this will pass or not, if it does not pass, would you be willing to restructure the legislation to incorporate some provisions in keeping with

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

70th Legislative Day

June 21, 1991

the regulatory aspect of this to about the size of the physical size of the facility, the number of rooms, the number of rest rooms, or whatever is needed, and the number of people to supervise these children."

Black: "Let me assure you that we are willing to work as are the providers, and are the parents. We have a meeting set in my district in the very near future with the...Director Suter, on day care home providers and parents, and we all are going to work with the department on promulgating the necessary rules and regulations. Representative, I don't think you would want us to incorporate the current 43 pages of rules and regulations, on these operations and statute. I would think we would want a little more flexibility than that."

Dunn: "I think what is concerning opponents is the fact that the size of these facilities has increased without a change in regulation. You have...people are calling for time. Thank you for answering my question."

Black: " Thank you."

Speaker Satterthwaite: "Representative Weller."

Weller: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in support of this legislation as someone who represents a exurban, suburban and rural district. I can immediately see the benefits, to my district. In rural areas and in exurban areas and suburban areas there's a real shortage of day care. It's my understanding that there's almost 500,000 kids who cannot access day care, and this is well founded, well written, well intentioned legislation, designed to help solve that problem. While I recognize that there are some who feel that they haven't been fully involved in this process, the vast majority of those who have been involved are in support of this legislation. If you want to make sure that day care is

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

70th Legislative Day

June 21, 1991

available to kids, if you want to help out the single moms and single dads, particularly in rural areas, who have to drive long distances just to find work, but at the same time when they drive those long distances, when they leave early in the morning and when they come home late at night from a full day at work, they want to be able to feel confident that their kids have been safe in a good, quality day care facility. This legislation will help do that. I urge an 'aye' vote and I ask an 'aye' vote. Thank you."

Speaker Satterthwaite: "Representative Kulas."

Kulas: "I move the previous question."

Speaker Satterthwaite: "That's not necessary. Representative Black to close."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. Let me just clarify something that the esteemed Chairman of the Children and Family Law Committee, alluded to earlier. At no time did I say that this was an Agreed Bill. I made it very clear that I appreciate the bi-partisan support that I've had for these measures. I also appreciate and understand the bi-partisan concern that many of you have, and I have tried to address those concerns to the best of my ability. This is not an Agreed Bill and I, at no time, have ever portrayed it as an agreed Bill. What we are attempting to do, and all we are attempting to do, is to open up some slots in licensed and regulated day care homes, a loving environment, run by mothers and grandmothers, who have already raised their children, as a parent, these...or this...is it the environment in which my children receive day care? As a parent, I'm not going to endanger the safety of any child. I certainly didn't endanger the safety of my children. I knew. My wife and I know how difficult it is to find day care. Particularly in downstate rural areas. This is all

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

70th Legislative Day

June 21, 1991

we're trying to address. We're willing to work with the regulatory agency and all bodies out there to make sure that these children are protected, but I for one have really heard some strange remarks from people about quality of day care and safety of the children. Ladies and Gentleman, there are hundreds of thousands of children, in this State, who don't have access to day care, because we restrict access by numbers. What in the world is safe about that? When you leave these children home alone, there's nobody to watch after them at all. Is that safe? Is that quality? Is that what we want? All we're attempting to do is to make some additional slots available, in licensed and regulated homes, in a safe environment, for children, particularly in downstate areas. We don't address day care centers in this law. We don't address specifics. We took the specifics out of the Bill, at the request of many of you, who said our categories as to how many you could have under six, how many you could have under eight years of age were wrong. So, we took those categories out, and we're going to rely on Director Suter, and the Department and all of you, to determine how those rules and regulations will be adopted and you all will have access to that through the Joint Committee on Administrative Rules. We've worked long and hard, and I know emotions are high, but all I'm asking you is to join with us to try and get a couple hundred thousand additional slots available, so that children in the State of Illinois can have a safe, regulated, and licensed environment in which to grow while their mothers, their fathers are at work or out seeking employment. I don't think there's a more critical issue, in this state, than adequate accessible and quality day care for our children and that's all that this Bill does. We will continue to work with

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

70th Legislative Day

June 21, 1991

you. I urge an 'aye' vote on this measure."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 130 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Representative Curran to explain his vote."

Curran: "Thank you Madam Speaker. I rise in strong support, of this legislation, and in praise of Representative Black. Representative Black realized that there was a tremendous shortage of day care available to working families in downstate Illinois. He realized that he had the influence on this floor and the credibility with each and every one of us, to pass this legislation, frankly over and beyond the objections of whoever would be opposed to it, but Representative Black consistently, throughout this process, has worked on behalf of compromise, has done a very effective job at mobilizing a good piece of legislation which provides day care opportunities for downstate children and families. Thank you."

Speaker Satterthwaite: "Have all voted who wish? Representative Weaver."

Weaver: "Thank you very much Madam Speaker. This Bill deals with day care homes and group homes. We can not and we should not put everything in the Bill in statute, referring to the number of rest rooms, to referring to the number of doors and windows in a day care home or a group home. We have to rely on the Department. I've been involved with many of these meetings and we still are talking about the supervisory capacities, how many supervisors per children. We have to allow the department true rule to establish some of these requirements. Our only other option...listen to this, the only other option is to let them run the streets and if you want to see a repeat of what happened two weeks ago, in Decatur, where a 10 year old girl was raped by a 12 year old boy and two 7 year old boys, because they had no



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

70th Legislative Day

June 21, 1991

option but to run the streets unsupervised. We're going to see more of that. We have to provide opportunities for day care. It demands a green vote."

Speaker Satterthwaite: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 83 voting 'yes', 26 voting 'no', 4 voting 'present'. The Bill having received a Constitutional Majority is hereby declared passed. Representative Levin, on Senate Bill 477, Third Reading. Mr. Clerk read the Bill."

Clerk Leone: "Senate Bill 477, a Bill for an Act to amend the Public Aid Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Levin."

Levin: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 to Senate Bill 477 became the Bill, and that was an Agreed Amendment that was worked out with the Department and the Senate Sponsor, Senator Collins, and what that Amendment simply does is to provide that in terms of establishing priority for day care placements, first priority should be given to individuals who need to work or go to school as opposed to situations where somebody simply wants to take time off for other purposes. I think this is...I know of no opposition, and would simply ask for your support."

Speaker Satterthwaite: "Is there any further discussion? Representative Wennlund."

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

Speaker Satterthwaite: "He indicates he will."

Wennlund: "Representative Levin, does this Bill give a preference for day care funds to welfare recipients over low income working families who are trying to stay off of welfare, but yet they're working low income families who are doing their best to stay off the welfare rolls, but would have...would

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

70th Legislative Day

June 21, 1991

not be able to participate in day care funds when they really need it to keep on working?"

Levin: "You have, I think, adequately described this legislation. This is, I understand, the current policy of the Department. This simply codifies what is the current priorities."

Wennlund: "But, doesn't that...to the Bill. There's a message being sent here that we're going to give preference to welfare recipients who aren't working, aren't trying to get off the welfare rolls, and we're going to give them preference over the low income hardworking families who are doing their best to stay off the welfare rolls in Illinois, and I think it sends the wrong message to those people that, you know, even though you're working, and you're trying to stay off the welfare in Illinois, but, we're going to give preference to those who aren't working and who are on the welfare rolls for day care. I think that you really ought to stop and think about that before you make that decision, in giving a preference to those who aren't making the effort over and above the low income working families who are making that effort, and I think this Bill sends the wrong message to those in Illinois who have gone out, who can't earn high income jobs, but are working, and they're staying off the welfare rolls in Illinois. I think it's a wrong message and I think it's a wrong concept."

Speaker Satterthwaite: "Representative Levin."

Levin: "I see. If the...I think the Gentleman has this Bill exactly backwards. The intent, of this legislation, is to give priority to people who want...who have children that need to have day care, who want to work. Not the opposite. That's what I said. I thought you had adequately described the Bill, because the intent is to give priority to the

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

70th Legislative Day

June 21, 1991

very people you want to give priority to. If somebody wants to work, in order to get off of Public Aid, this legislation says, that individual should get priority over somebody who simply wants some time off and wants to put their child in day care. If somebody wants to go to school in order to be able to advance themselves to get off of Public Aid, this legislation says, they should get a priority over the person that does not want to. So, this legislation does exactly what I think it is you want to do. It gives the person who wants to work the priority, the person who wants to go to school the priority, and it complies with federal law and the federal standards and it also is consistent with the current policies of the Department. The reason Senator Collins introduced this, is she felt it wasn't as clear in the statute as it needed to be, that people who want to work should get the priority."

Speaker Satterthwaite: "The Bill's on Short Debate. I think we can consider that the closing argument. The question is, 'Shall Senate Bill 477 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question, there are 113 voting 'yes', none voting 'no', none voting 'present'. The Bill having received a Constitutional Majority is hereby declared passed. Representative Munizzi, out of the record. Representative McGann. Is the Gentleman in the chamber? He is not. Representative Morrow, on Senate Bill 1125. Representative Morrow, do you wish to have this Bill called on Third Reading? Mr. Clerk read the Bill."

Clerk Leone: "Senate Bill 1125, a Bill for an Act to amend the Illinois Act on Aging. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Morrow."

Morrow: "Yes. Thank you, Madam Speaker, Ladies and Gentlemen of

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

70th Legislative Day

June 21, 1991

the House. Senate Bill 1125 requires the Department of Aging to perform a Cost Report Audit of the vendors providing service to insure compliance with agency reimbursement guidelines, requiring the 27% administrative cost split with a 73% employee wage and benefit cost. Amendment #1 was adopted in Committee, which would make that report have access to the Public Information Act. I move for the passage of Senate Bill 1125."

Speaker Satterthwaite: "Is there any discussion? Being none, the question is, 'Shall this Bill, 1125, pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question, there are 114 voting 'yes', none voting 'no', 1 voting 'present'. The Bill, having received a Constitutional Majority is hereby declared passed. Continuing now to Constitutional Officers, Third Reading. Representative Martinez, on Senate Bill 271. Out of the record. On Agriculture and Environment, Third Reading. Representative Giglio, on Senate Bill 31. Mr. Clerk read the Bill."

Clerk Leone: "Senate Bill 31, a Bill for an Act to amend the Animal Control Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Giglio."

Giglio: "Madam Speaker, Ladies and Gentlemen of the House. This is a Bill that emanates from a tragedy that happened in Senator DeAngelis' district and mine adjoining district, which concerned a death with a child with a dog, and truthfully it was a...I believe it was a pit bull. This doesn't spell it out, a particular dog, but what it does, it increases the penalties to require that certain dogs be subject to enclosures, to provide penalties for failure to maintain such dogs in a specific enclosure. What we're trying to do is those dogs that have a tendency of being

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

70th Legislative Day

June 21, 1991

vicious and causing all the trouble that they do cause, that the owners be on guard and be aware that they have to keep these dogs under strict control. I think we had a real good debate in Committee, and we had the chief health...one of the chief health officers of the Animal Control Division and I think a lot of the questions were asked by the La2547 and Gentlemen of the other side of the aisle, and I think it was aired out real good. It came out of the Committee, with no opposition, and if there's any questions I'd be happy to answer, if not I'd ask for your favorable support."

Speaker Satterthwaite: "This Bill is on Short Debate. Does anyone rise in opposition to the Bill? Representative Ropp."

Ropp: "Thank you, Madam Speaker. I think for the purpose of the record, I'd like to ask one question anyway to the Sponsor, if he would yield. Representative, I would like to present a scenario, that I think ought to be clarified so that the owner of this particular dog will not be in jeopardy according to your definition and that is if by chance I own a particular salvage yard and had it well fenced in, and I have this dog that is in there particularly to protect the property within that area and someone comes in to steal a hubcap or a part of a motor and this dog severely chews up that intruder or that potential thief, is the owner of that dog liable or not under this law?"

Giglio: "No, I don't believe he is, because your intent was, and you knew what he was there for and why he was trained to do that and you had him enclosed like you did. I don't believe that this Bill would have any affect on that...on a person like that person."

Ropp: "Very good. I support your Bill."

Speaker Satterthwaite: "Does anyone rise in opposition to the

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

70th Legislative Day

June 21, 1991

Bill? It is on Short Debate. Representative Preston."

Preston: "Thank you, Madam Speaker. Because I think this is a subject that needs more clarification, I'd ask to be joined by sufficient of my colleagues to take this off Short Debate so it could be fully debated. If I don't have it, we won't do it. That's all. Seeing...seeing none."

Speaker Satterthwaite: "Is the Gentleman joined by the sufficient number to take the Bill off Short Debate? The Bill is off Short Debate. Preston to proceed."

Preston: "Thank you Madam Speaker. Would the Gentleman yield for a question?"

Speaker Satterthwaite: "He indicates he will."

Preston: "Representative Giglio, I'm...in reading our analysis of Amendment #1 to this Bill, the Bill talks about dogs who are vicious. How about dogs that are in fact trained for the specific purpose of being guard dogs in warehouses and factories? Does this Bill pertain to them, because I see there's a prohibition of selling or giving away such dogs or dogs that have been trained first of all by the Chicago Police Department, among others, that are indeed dogs that, unless they are handled by the handler, are trained to attack on command. Does this prohibit the Chicago Police Department and their Police from keeping those dogs, or a private party, that has a need for dogs so trained, to keep those dogs and to buy dogs that have been trained that way?"

Giglio: "No, I don't believe it has anything to do with the Chicago Police Department in training those dogs for that purpose."

Preston: "Well, how about private parties? If you wanted, for your place of business, to buy for that and something happens..."

Giglio: "If I recall, I think the question was asked in

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

70th Legislative Day

June 21, 1991

Committee, then that person, yes, is responsible. If you train..."

Preston: "And, I think that is right. I think it's a good idea, but Representative Giglio, if you have a business, you wanted to purchase such a dog that has been specifically trained to be for protection of your business, that dog is known to be vicious, and from reading the analysis, it says that it prohibits owners or keepers of vicious dogs to sell or give them away. Does...that means you couldn't go out and buy a dog that has been specifically trained to be vicious, to people who come on your premises?"

Giglio: "He can, but the stipulation is that you're responsible, and you have to keep him in that enclosure, and then if something happens, you're the one that's liable for it."

Preston: "Okay, and I think that's already in the law. Again, from the analysis, it looks like the Bill would prohibit you from purchasing such a dog, and I don't think that's your intent, but..."

Giglio: "No, it's not. And then sometimes those people that write the analysis, they don't know how to write them the right way."

Preston: "Okay. Thank you."

Speaker Satterthwaite: "Excuse me, Gentlemen. We are going to have an interruption for just a few moments. We have a special guest with us today. We have Kevin Gates, the Consul General from Australia, who is here and is prepared to say a few words to the Body. Please give him your attention."

Kevin Gates: "Thank you very much for this welcome, and thank you for the opportunity to speak briefly to you. Our two countries, Australia and the United States, have been allies for many years, remain close friends, and this State of Illinois itself, has established very close relations

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

70th Legislative Day

June 21, 1991

with Australia. My predecessors have had the honor to work with you and the officials of this state, in our common interest, to work to bring a closer relationship between Illinois and Australia, and between the United States and Australia. It's a great honor for me to have the opportunity to continue that and I will do everything within my power to increase the bonds and the friendship which exists between Australia and the State of Illinois, and I thank you very much for this opportunity."

Speaker Satterthwaite: "We will continue now on Senate Bill 31. Representative Preston have you finished your questioning? Representative Doederlein, do you still wish to speak on this issue?"

Doederlein: "Madam Speaker, will the Representative yield for a question?"

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

Doederlein: "Representative Giglio, it was just a year ago, that we had definition of vicious dogs. We just negotiated a definition, and now it seems like you are adding something to this. Would this be breed pacific (sic specific)?"

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

Doederlein: "Would this definition be breed pacific (sic specific), because your definition has a reputation for viciousness? Is this considered a certain breed, that would be more vicious than another breed?"

Giglio: "No. No. No certain breed. No."

Doederlein: "So this would be...what are you adding into the definition that changes it?"

Giglio: "Well, I think what the intent of the Sponsor...the intent of Senator DeAngelis was that we would more define what the vicious dog category was all about and to strengthen it. That's what we're trying to do here. Like I say, if I can refresh your memory as to what I said



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

70th Legislative Day

June 21, 1991

before, these people who knew and how this case...this strengthening came about, these people knew that the dog in this particular home was a vicious dog and didn't take to strangers, and it just so happened that the mother-in-law was asked to baby sit, and the dog turned and then went after the child and now they knew this, and that's how this Bill started. It's to give more definition to those people that know who have these vicious dogs. It just so happened it was a pit bull, I believe, but this is not aimed at a particular breed."

Doederlein: "I just want to be sure that it is not breed pacific (sic specific), but it is at the characteristics of the individual dog. Right?"

Giglio: "Right."

Doederlein: "Thank you."

Speaker Satterthwaite: "Representative Giglio to close."

Giglio: "I would just ask for your favorable support."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 31 pass?' All in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question, there are 105 voting 'yes, 3 voting 'no', 1 voting 'present'. The Bill having received a Constitutional Majority is hereby declared passed. With leave of the Body, we will go back to Senate Bill 1037, on the Order of Human Services, Third Reading, Representative McGann. Mr. Clerk read the Bill."

Clerk Leone: "Senate Bill 1037, a Bill for an Act to amend the Illinois Act on Aging. Third Reading of the Bill."

Speaker Satterthwaite: "Representative McGann."

McGann: "Thank you Madam Chair, Madam Speaker and Members of the Assembly. Senate Bill 1037 is similar to a House Bill, that passed out of here unanimously and was sent to the

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

70th Legislative Day

June 21, 1991

Senate. What it has is it includes the necessary preventive service for home delivered meals to those that are suffering from Alzheimer's. I worked with Representative Hoffman, in regards to a clarification on an Amendment to clarify the wording in this proposed statute, so I think it's worked out. We have had a discussion on yesterday when the Amendment was placed on the Bill, and I'd ask for consideration passing Senate Bill 1037."

Speaker Satterthwaite: "The Bill is on Short Debate. Does anyone rise in opposition to the Bill? Representative Black."

Black: "Yeah. Thank you very much, Madam Speaker. Not in opposition, if I might ask a question of the Sponsor?"

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

Black: "Representative, is this now in the same shape as House Bill 2162?"

McGann: "That is correct...in the same shape as House Bill 2162."

Black: "All right, and just let me ask you one other question? It is your intent that what you're attempting to save here is simply 'home delivered meals'. We won't have to come back, in a few months and find that maybe 20 other programs, have been put in this category as a necessary preventive service...we may not be able to fund?"

McGann: "It is not the intention, of the Senate Sponsor or myself that this would happen."

Black: "All right. Thank you very much."

Speaker Satterthwaite: "Representative McGann to close."

McGann: "I would just ask for favorable passage...green votes on Senate Bill 1037."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 1037 pass?' All in favor, vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', none voting 'no', none voting

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

70th Legislative Day

June 21, 1991

'present'. The Bill having received a Constitutional Majority is hereby declared passed. Representative Hicks. Is Representative Hicks in the chamber? Out of the record on Senate Bill 326. Representative Currie, on Senate Bill 947. Out of the record. Representative Kulas on Senate Bill 1231. Out of the record. On the Order of Banking, Third Reading, Senate Bill 829, Representative Wolf. Mr. Clerk read the Bill."

Clerk Leone: "Senate Bill 829, a Bill for an Act to amend the Public Funds Investment Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Wolf."

Wolf: "Thank you, Madam Speaker and Members of the House. Currently, public agencies may invest public funds in mutual funds whose portfolio is limited exclusively to bonds and notes, certificates of indebtedness, or other securities which are fully guaranteed by the full faith of the U.S. government. Under this Bill, it merely says that mutual fund...a mutual fund portfolio, which is invested in with public funds, can also consist exclusively of bonds, notes, etc. and other similar obligations of the federal government or its agencies which are not fully guaranteed by the U. S. Government. This merely codifies the fact that public funds can be invested directly by these agencies without going through a mutual fund. This merely allows them to invest in mutual funds which have this same provision. I would ask for the passage of Senate Bill 829."

Speaker Satterthwaite: "This Bill is on Short Debate. Does anyone rise in opposition? Representative Black."

Black: "Again, Madam Speaker. I'm not sure, I rise in opposition. Would the Sponsor yield?"

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

Black: "Representative, if we are allowing public funds to be

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

70th Legislative Day

June 21, 1991

invested in securities that are not guaranteed by the full faith and credit of the United States, would we then be opening...well let's just say, could our Treasurer's Office have invested in junk bonds, a few years ago if this law had been in effect at that time?"

Wolf: "Public agencies can do this right now, Representative, directly without going through a mutual fund. This merely says that they can invest these funds in a mutual fund that does invest those monies in these types of investments."

Black: "So, in other words, I think I see what you're trying to get at. In other words, the yield on such investments would be higher, but the risk would certainly be greater, correct?"

Wolf: "The risk, according to the information we have would be only slightly greater, and the return would be greater. That's correct."

Black: "Alright. Thank you."

Speaker Satterthwaite: "Representative Wolf to close."

Wolf: "I would ask for the passage of Senate Bill 829."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 829 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question, there are 93 voting 'yes', 20 voting 'no', none voting 'present'. The Bill having received a Constitutional Majority is hereby declared passed. Representative Parke on Senate Bill 988. Out of the record. Representative Keane on Senate Bill 1169. Out of the record. On the Order of Consumer Protection, Third Reading, Senate Bill 1192, Representative Rice. Out of the record. Senate Bill 1273, Representative Hensel. Mr. Clerk read the Bill."

Clerk Leone: "Senate Bill 1273, a Bill for an Act to amend the Motor Vehicle Retail Installment Sales Act. Third Reading

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

70th Legislative Day

June 21, 1991

of the Bill."

Speaker Satterthwaite: "Representative Hensel."

Hensel: "Thank you, Madam Speaker and Members of the House.

Senate Bill 1273, Amends the Motor Vehicle Retail Installment Sales Act that allows the seller under a retail installment sales contract to charge a documentary fee, not to exceed \$40 for processing documents and providing services related to the sale. It requires a notice, of the fee, to be printed on the contract. Amendment #1 provides that a retail installment contract may provide for a delinquency and collection charge on each installment and default, 10 days or more, in an amount not exceeding 5% of the installment. Amendment #2, which we added on, amends the Motor Vehicle Franchise Act to provide certain guidelines, for existing franchise to Illinois dealers when manufacturers initiate programs to establish facilities to sell factory repurchase program vehicles of the dealer same line...make in the dealers' relevant market areas. These Amendments and the Bill have been agreed to by the new current Truck Dealers Association, the Secretary of State, and the Attorney General's Office, and I ask for a favorable vote."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 1273 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this issue, there are 101 voting 'yes', 6 voting 'no', 5 voting 'present'. The Bill, having received a Constitutional Majority is hereby declared passed. On the Order of Economic Development, Third Reading, Senate Bill 484, Representative Rotello. Out of the record. Senate Bill 796 and 799, Representative McPike. Out of the record. Senate Bill

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

70th Legislative Day

June 21, 1991

1091, Representative Brunsvold. Do you wish to have the Bill called? Out of the record. On the Order of Educational Finance, Third Reading, Representative LeFlore, on Senate Bill 158. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 158, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative LeFlore."

LeFlore: "Thank you Madam Speaker. Senate Bill 158 is requesting a 23% funding. That money will be coming out of the local school counselors funds that is to be used to train the local school councils back in Chicago. Of course, everyone knows that Chicago's schools are...is strapped for money for finance, and we've been looking for ways and means to come up with the necessary dollars to help combat some of those deficits, and we're taking out a number of dollars which is in tune of \$53,000,000 out of that particular line item for one year, for one year for 1991 and 1992 line item to help combat some of the expenses of the school board. Now this Amendment went on yesterday and I did get support from...bipartisan support on this Amendment, so what I'm doing today is asking that this Amendment...I mean this Bill be so reported so we can generate some money for this...299 back in Chicago. Thank you, and I'd like to have a favorable vote. I will answer any questions, you know, that are within reason."

Speaker Satterthwaite: "Representative Young. Anthony Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I very reluctantly rise in opposition to this Bill. I understand the need for the Chicago school system at this time, but I think taking the Chapter 1 money away from the local school councils at this time, should be the very last thing that the Board of Education does in terms of trying to balance the budget and not the first thing. I could

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

70th Legislative Day

June 21, 1991

agree with this proposition if we had already reopened that 21% union contract, and if the Board had made all the cuts it could and this was part of an overall proposal. This is not part of the overall proposal, we still don't know what we're going to do with the rest of the deficit and to start with the Chapter 1 money for this fiscal school year, I think, is sending the wrong message to the Councils who look forward to that money to improve their schools, and I'd like to be removed as the co-sponsor of this Bill."

Speaker Satterthwaite: "The Gentleman asks to be removed as a co-sponsor, on Senate Bill 158. Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rose in support of this Bill yesterday, and I rise in support of it again today, but because of the remarks made by the prior speaker, I would like to read briefly to you a section of an editorial which appeared, I believe, in this morning's Chicago Tribune. It might have been yesterday morning, but I believe it was this morning, called 'Cleaning Up the School Budget Mess', and this is what one paragraph in that editorial says. It addresses the same issue as the prior speaker. 'Even if the General Assembly and the Governor had a little extra money for Chicago, they can change legislation to restore Chapter 1 funds to regular school programs. This will not be popular with local school councils, that are counting on these windfall funds, but 80% of Chicago's school children qualify for Chapter 1 funds. It makes no sense to force drastic, harmful cuts on the system as a whole, while adding money for supplemental programs.' I think that is very well stated and an excellent reason to stand in support of Senate Bill 158."

Speaker Satterthwaite: "Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. I

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

70th Legislative Day

June 21, 1991

also rise in support of Senate Bill 158. I believe Representative LeFlore has done his homework and done it well. Naturally, we do not want to see a change in the Chapter 1 funds, but at the same time, there needs to be an awful lot of training of these local school councils and their members, so that they will effectively and efficiently be able to spend these dollars. That is what is going to happen in the next year. Last year, they overlooked \$28,000,000 that they did not use and lost that \$28,000,000, and they can possibly recoup that in the next year. I think that this is a proper proposal. I think it will help a long, long way in solving the crisis that we have in the Chicago school system. I do respect the remarks of a previous speaker relative to the union contracts, but those contracts are being...the revision of those contracts is being considered presently through the negotiations that are taking place. It should be handled as a separate item, and I am sure that the collective bargaining units will have to come up with some solution to prevent the strike and to keep the children in the schools where they are so badly needed in their educational process, so I rise in support of Senate Bill 158, and I hope my colleagues will also."

Speaker Satterthwaite: "Representative Morrow."

Morrow: "Thank you Madam Speaker, Ladies and Gentlemen, of the House. I am shown as a Co-Sponsor here on Senate Bill 158. I would like my name removed as a Co-Sponsor. I voted for the Amendment yesterday, but as I thought about this last night, the local school councils are not the reason why the Board of Ed is in the situation that they're in right now. They are...the Board is about to renegotiate the union contract, with the teachers and the other unions that service the Board of Ed, but those local school councils



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

70th Legislative Day

June 21, 1991

aren't, going to be involved in part of trying to renegotiate that contract. So, to take money away from the local school councils that they are trying to utilize to better their schools and to take that money away from them to go towards this budget crisis, which they did not create, the unions and the Board of Education are the ones to blame for the budget crisis. I am going to have to, reluctantly, remove my name as a Sponsor of Senate Bill 158."

Speaker Satterthwaite: "The Gentleman has been removed as a Co-Sponsor of the Bill. Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker Satterthwaite: "He indicates he will."

Levin: "Okay. Representative, I have very mixed feelings about this legislation and I'm not sure how I'm going to vote on this. I do know that a lot of the school groups that had been involved..."

LeFlore: "Could you...could you speak a little clearer, Sir? I really don't..."

Levin: "I'm sorry, I just...I indicated that I have very mixed feelings about this legislation, and I do know that a number of the school groups have called me today that have been involved in the reform effort, and they're very discouraged about this. One of the major concerns that people have, and this is the question that I would like to ask you, Representative LeFlore, is if we do this, this year, what is to insure that we don't have the same problem next year, that we don't continue with business as usual as far as the bureaucracy, as far as the feeling that there is money that is being wasted and that we don't come back and have a similar request next year to shove off yet another year of the complete allocation of this money."

LeFlore: "Your question is..."

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

70th Legislative Day

June 21, 1991

Levin: "One of the major concerns, is if we do this, this year..."

LeFlore: "This is only for one year, Representative."

Levin: "I understand, but what is to prevent..."

LeFlore: "Okay, this is a one year shot."

Levin: "One of the concerns, major concerns is, if we do this, this year and there is not...the Board continues with business as usual in terms of bureaucracy and waste..."

LeFlore: "I can't answer that. I can't answer that. You know the problems that Chicago Schools are having as well so as I do, and you are one of the persons who are a very strong advocate of changing the reform program. Your people are very much involved, so now, you know, we're trying to identify funds to combat the expenses and to carry out expenses for the coming year, and you going to get up and ask me a question like that? You should be ashamed of yourself."

Levin: "The concern is that...is not simply to put off the problem that the Board take those steps that are necessary to, you know, cut out the waste and sothat we don't have the situation again. We're going to try to do what we can here."

LeFlore: "I think this is the thing that we're all going to have to deal with, the school board, the union, the whole makeup of Chicago school system. You know, I know there's a lot of waste there, but right now we need the dollars. They have a deficit of \$360,000,000 that they're trying to find money to pay off. They have a contract for three years for the teachers, and the other union workers, somebody is going to have to go back to the drawing board and hopefully they can reopen those negotiations. But, what we're trying to do now is bring a few dollars into the school system so they can continue to operate."

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

70th Legislative Day

June 21, 1991

Levin: "Yeah. I just hope that this isn't used as an excuse to avoid dealing with the hard issues."

LeFlore: "I don't know about the excuse, Representative. I'm not in here to agree with anyone, I'm here trying to identify some dollars to help combat the expense for another year."

Levin: "Okay. All right. Thank you."

Speaker Satterthwaite: "Representative Shaw."

Shaw: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Satterthwaite: "He indicates he will."

Shaw: "Representative LeFlore, what's the urgency of this piece of legislation at this time? Today being Friday, and we have a little over a week to go. What's the urgency of this legislation?"

LeFlore: "What is the urgency of the legislation?"

Shaw: "Right."

LeFlore: "We are trying to put something in place so hopefully we can leave here with some money, line item, for the Chicago School System, Representative Shaw."

Shaw: "Could we do, could we have..."

LeFlore: "I know it's not very popular."

Shaw: "Could we have done this...could we have done this next week?"

LeFlore: "Yes, we could, but Representative Jones, who is the Sponsor, of this Senate Bill in the Senate, he said he wanted to hurry up and get it out of the House and get it in the Senate, and he will handle it from there. Senator Jones."

Shaw: "Also, are you aware that we are getting ready to vote on a procedure that is going to cost the tax payers, of this state, \$987,000,000, as it relates to McCormick Place?"

LeFlore: "What procedure is that, Representative?"

Shaw: "The McCormick Place extension. Are you aware that..."

LeFlore: "I don't intend on voting on that, Sir. My vote will

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

70th Legislative Day

June 21, 1991

not be cast on that, because I feel that before I can vote on McCormick Place, I have to know where money is going to come from for human services, general assistance, and many other programs that is at stake, plus education."

Shaw: "The...well, to the legislation. Certainly, I think that the Sponsor has good intentions and he's a very fine Representative and I think he's doing what he deems as necessary and that has to be done for the children of Chicago, but I don't feel as though that it should be done at this time. We have many projects that are still embodied in this legislative... embodied in this legislative body. The \$987,000,000 McCormick Place extension...but...and we will be asked to vote on that project as legislators for tourism and business people of Chicago, but we can't find enough money without...to finance our schools in Chicago without diverting the money, whether it's for one year or for ten years. The children of Chicago and the minority children of Chicago which the Title 1 money helps and those that are youngsters who that money...who generates that money by their school lunch program. I think it's long overdue that that money should be spent, where that money is generated from...and that's what we said in 1989, is that that money would go back to where it was generated from, and we proceeded to pass legislation that would do just that. Now, we come back in 1991, and now we're attempting to defer the same legislation that we passed in 1989, which again would create a problem for children of Chicago, particularly minority children of Chicago, and I don't feel as though that that's right, and when we are going to be asked to support some tax increases, and certainly I'm one of those that will vote for a tax increase for the schools, whether it's in Chicago or downstate Illinois, I think that

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

70th Legislative Day

June 21, 1991

youngsters are entitled to be educated in this state, but I don't think that we should at this time throw the baby out with the bath water, and that's what we've attempted to do here, by deferring this legislation, and I would hope that the Members of this General Assembly would not do that and hopefully this Amendment, or this Senate Bill 158, will be defeated."

Speaker Satterthwaite: "Representative Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think it's fairly well defined on how this is shaping up. What we really need to do, is allow the children in the City of Chicago, to have as much advantage of this money as possible. All we're doing is deferring it for one year. I think Representative LeFlore is making a very strong and brave initiative on what he believes is right and I think we should all support him on that initiative."

Speaker Satterthwaite: "Representative LeFlore to close."

LeFlore: "Thank you, Madam Speaker. Hopefully, I can clear up some things in the mind of some of the Representatives. We're not taking anything away, from the local school councils, we're only delaying the funding for one year, and the fact of it is that it will probably be about nine months, and this money will be used to help combat some of the deficit of the Chicago School System. I would like to have a favorable vote on this particular Senate Bill 158. Thank you."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 158 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question, there are 97 voting 'yes', 12 voting 'no', 5 voting 'present'. The Bill having received a Constitutional Majority is

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

70th Legislative Day

June 21, 1991

hereby declared passed."

Speaker Satterthwaite: "...On the Special Order of Government Operations, Third Reading, House Bill 257. Representative Giglio. Mr. Clerk, read the Bill. Excuse me, Senate Bill 257. Representative Giglio, it appears that this Bill is listed on the wrong order, and the Bill is actually on Second Reading. Do you wish to have it read on Second Reading at this time?"

Giglio: "Second...Second Reading? I thought we were on Third Reading yesterday. No, if I recall, yesterday, I took the Bill out of the record, and there was no action taken on anything, and the Bill was on Third."

Speaker Satterthwaite: "Did you perhaps move the Bill back to Second for purposes of an Amendment and have it held there?"

Giglio: "The...the...the Amendments...the Amendment...The House Amendments...1, 2 and 3 are still on the Bill, is that correct, Mr. Clerk?"

Speaker Satterthwaite: "Mr. Clerk, can you tell us the status of the Amendments on the Bill?"

Clerk O'Brien: "Amendments #1, 2 and 3 are adopted."

Giglio: "1, 2 and 3 are on the Bill, is that correct?"

Clerk O'Brien: "Correct."

Giglio: "Alright, then if it's on Second Reading, I move to...the Bill to Third Reading, as is."

Speaker Satterthwaite: "Mr. Clerk, are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. The Bill has been read a second time on a previous day. Is it your desire to proceed on Third Reading at this time?"

Giglio: "Move the appropriate rules for immediate consideration of the Bill, Mr. Clerk."

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

70th Legislative Day

June 21, 1991

Speaker Satterthwaite: "There...that is not necessary...just proceed to present the Bill, please."

Clerk O'Brien: "Senate Bill 257, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Giglio."

Giglio: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is the Bill that we discussed yesterday. There was some confusion on my part as to what the Amendments did. The Bill did come over from the Senate as a Bill to require that the trustees of the Sanitary District be divided into nine subdivisions. Amendment #1 stripped the Bill...so it could go back into a Conference Committee. Amendment #2 was put on, and that Amendment said that the elected officials, the commissioners, would appoint the attorney for the Board. Amendment #3 then gave the Board further authority to appoint the heads of various departments. So, those three Amendments are still intact and...with that, I would so like to see it go to the Senate. I would ask for your favorable support."

Speaker Satterthwaite: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We visited this issue yesterday, so I will try to keep my remarks brief. As I indicated yesterday, I was originally a Sponsor with Representative Giglio on House Bill...or Senate Bill 257, and I think the underlying concept which was in the Bill, which is no longer in the Bill of subdividing the Water Reclamation District makes a lot of sense, but what has happened to this Bill is that it's completely changed. That whole issue has been stripped out of the Bill, and what we have seen is an attempt by some to change the method by which the attorney for the Water Reclamation District and the department heads

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

70th Legislative Day

June 21, 1991

of the various departments of the Water Reclamation District are appointed. Under a current system that is done by the General Superintendent, and, as you may know, the General Superintendent is appointed by the Board of the Water Reclamation District. He, in turn, appoints the attorney, with the advice and consent of the board. So, he is...the board is not an uninterested party. They do have the ability to reject or to agree with the general superintendent's selection of both the attorney and the department heads. The reason that we went to this system was because there was a number of scandals in the park district or the sanitary district in the early '60's, and we went to this system to try to clean up the sanitary district, no pun intended of course, but that is the case. Anyway, we did it to reform the Sanitary District, perhaps that would be a more appropriate term. In any event, we did that to reform the Sanitary District and try to keep it free from scandal, and I think for the past 20 years or so, that has been the case. The system works, and...and nobody is seeking to change this who...the General Superintendent isn't seeking to change it, and the Board isn't seeking to change it. As a matter of fact, I have a letter from the President of the Water Reclamation District, which was written to the Chicago Sun Times, which indicates they wish to keep the present system. So, Nick Melas, who is the President of the Water Reclamation...who is the leader of the board, would like to keep the current system, and is opposed to this piece of legislation. I think this piece of legislation is a step backward, and it should be defeated. We ought to defeat this Bill and we ought to look to another Bill to try to do what we really intended to do, which was to subdivide the Water Reclamation District. I would very strongly urge a 'no' vote. This is



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

70th Legislative Day

June 21, 1991

not a good concept. This is the wrong direction to take this particular form of government, and please, vote against this particular measure."

Speaker Satterthwaite: "Representative Ronan."

Ronan: "Will the Sponsor yield for a few questions?"

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

Ronan: "Okay. Representative Giglio, just to enlighten the Members of the General Assembly who may be confused, because yesterday they thought this Bill had been put to sleep forever, but now since it has crawled out of its...its filthy grave, let's just remind the Members of the General Assembly about a few concepts here. Who created this concept that you are trying to bring forth to the Members of this Body? Where did the idea come from?"

Giglio: "The idea came from people, mostly in the suburban area, that wanted representation on the Metropolitan Sanitary District."

Ronan: "That has absolutely nothing to do with this legislation. So, now that we've got that red herring pushed aside, where did this bad idea come from?"

Giglio: "Are you talking about the Amendments?"

Ronan: "I'm talking about the legislation that you want us to vote on right now on Third Reading."

Giglio: "Well, I...I explained that..."

Ronan: "Senate Bill 257 as amended."

Giglio: "Representative Ronan, I explained that, and when the Bill was first called, but you were too busy talking on the telephone."

Ronan: "I heard exactly what you explained. My question is, what is the genesis of this legislation? You are talking about a structural change for a significant public body here in the State of Illinois, structurally changing the operations of the Water Reclamation District. Where's the idea coming

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

70th Legislative Day

June 21, 1991

from? Alright, we can't answer that question. Let's talk about two specific concepts, since you can't answer the generic question. You want to change policy at the Water Reclamation District. Right now, policy can either be set by the Board or by the General Superintendent, one or the other. Does the Board want to accept this change in policy?"

Giglio: "It's my understanding that the Board, they're elected officials by the people of the Metropolitan Sanitary District, would like to have some authority to operate the Metropolitan Sanitary District for why and what they were elected for."

Ronan: "That's the first lie that we now have got to put to rest once and for all. The Board is vehemently against this legislation. The President of the Board and the members of the Board are vehemently against this legislation. Thank you, let's get that off on the side. Now, if the board is against it, let's see if the General Superintendent may want it. Can you explain to the Members of the General Assembly what the position of the General Superintendent is?"

Giglio: "Well, since the members evidently talked to you and not to me being I'm the Sponsor of the Bill, why don't you explain, since you're...you're the important person here and the Board and the Superintendent...You, you explain."

Ronan: "Thank you very much for giving me the opportunity to explain. The Board is against the legislation. The General Superintendent is against the legislation. You want to change public policy that was created in 1967. Why was it created in 1967? Because one of the worst scandals in the history of public policy in this state was perpetrated upon the taxpayers of this state. Millions of dollars in bribes was paid to members of that sanitary

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

70th Legislative Day

June 21, 1991

district Board, other elected officials were involved, a number of people went to jail. The General Assembly, in its wisdom then, changed public policy to take some of the political influence out of the operations of the Board. What you want to do is bring back bad public policy. Very rarely do we have an attempt at totally stripping a reform concept that was established by a previous General Assembly. This truly is the worst Bill that's been brought before this House. It's a horrible concept. It's vehemently opposed by the Board that you want to empower. It's vehemently opposed by this General Superintendent, who you're trying to strip of power. It's raw, blatant politics, and it should be thoroughly defeated at this point. Thanks very much for giving us a thorough discussion of what this legislation's all about."

Speaker Satterthwaite: "Representative Lang."

Lang: "Thank you, Madam Speaker. I think...some have overblown what the purpose of this Amendment is, what the purpose of the Bill is. Let's try to keep it simple. Yes, there was scandal at...this department of government many years ago. The General Assembly, in an effort to do something about that, passed a law. The law we passed was a wrong law because what the law did was take powers away from elected officials and give them to non-elected officials. That's wrong. Nowhere else in government do we see that. You wouldn't want a non-elected official to appoint the head of IDOT or the head of DCCA. Well, maybe you'd like a non-elected official to appoint the head of DCCA. I don't know, but we wouldn't want...if the General Assembly decided we didn't want to deal with tax issues any more, and we should turn them over to some private person who is not an elected official, I don't think the public would sit still for that. Public officials, elected officials are

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

70th Legislative Day

June 21, 1991

put in their seats to make decisions. At this particular Board, there are department heads that are making over \$100,000 a year, and they're chosen by a non-elected official who's not accountable to the public. The members of that Board are accountable to the public and, yet, if they don't have the authority and they don't have the power to make those appointments, then they are not accountable relative to how the taxpayers' money is expended. The issue here is accountability of public officials. The issue here is, 'how is taxpayers' money expended, who's going to spend it, and who's going to be accountable for it?' That's the issue. The issue isn't what lobbyists have worked the floor and who you owe a favor to. The issue is uniformity in government and how our money is to be expended and how public officials should be accountable to the taxpayers that give them that money to spend. Please vote 'aye'."

Speaker Satterthwaite: "Representative Steczo."

Steczko: "Thank you, Madam Speaker. Would the Sponsor yield?"

Speaker Satterthwaite: "He indicates he will."

Steczko: "Representative Giglio, in...this Bill you are saying that you are giving the Board of Trustees of the Water Reclamation District the power to hire. Is that correct?"

Giglio: "That's correct."

Steczko: "Does this Bill presume also that they will have the ability to fire?"

Giglio: "I would assume, yes."

Steczko: "So, therefore...therefore, if...if...judging by your statement, then extremely qualified personnel, that (sic who) has (sic have) won the district...awards over the last number of years, could be replaced by people of lesser qualifications."

Giglio: "Well, this...through my understanding, they're still

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

70th Legislative Day

June 21, 1991

under the control of the General Superintendent, and they also have the Civil Service laws that apply."

Steczo: "Madam Speaker, to the Bill. I think that the question...the main question that we're dealing with here is a question of professionalism. Since the General Assembly made the change in 1967, the Water Reclamation District or the Metropolitan Sanitary District, as it was known prior to a couple years ago, has gone from a scandal-ridden office to an office of complete professionals or a district of complete professionalism, and has won awards and is...and has at its service an extremely competent staff. This Bill not only gives the Board itself, which caused scandal in 1967 and before, the ability to hire, but keep in mind, it also gives that Board the ability to fire. So, actually, we're opening the door to abuses that we in the General Assembly have tried to change, not only with the district but many, many other local governments over the last number of years. So, this Bill is certainly the wrong concept at the wrong time, and I would certainly encourage a 'no' vote."

Speaker Satterthwaite: "Representative McNamara."

McNamara: "Thank you, Madam Speaker. To this Bill, there is a letter, in case there was any question before, that was presented in response to the Sun Times editorial which was against this measure, and it says...starts out with, 'Congratulations on your June 20th editorial condemning the legislative move to change the system of appointments of key personnel at the district. I should point out that the present board of commissioners agrees with the position that this power of appointment properly belongs in the hands of the General Superintendent with the advice and consent of the Board, as provided by the...by the current law. We know that the system has worked', et cetera, et

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

70th Legislative Day

June 21, 1991

cetera, et cetera. It is signed: Nicholas Melas, President of the Board. The Board does not want this legislation. Nobody wants to go back to the situation that occurred in 1967. This should not be just defeated. It should be buried. Thank you."

Speaker Satterthwaite: "Representative Preston."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise to support Representative Giglio on Senate Bill 257. It was said yesterday during the debate by one of the speakers that he heard from a number of Board members that they, in fact, did, indeed, want this legislation. I also have heard from members of the Board and they do, indeed, want this legislation, but whether they want it or don't want it is really beside the point. The point is that an elected Board of this importance and this magnitude must have the right, even if they don't want it, to appoint the attorneys that are representing them. That is absolutely fundamental, and that is one authority, one responsibility, that they should not even be able to delegate if they wanted to. That is a fundamental responsibility, to have the legal representation of your own choosing on a Board, and, also, as one of the previous speakers was casting some aspersion on the quality of the members of this Board. Whatever problems may have been in existence in the past, the Water Reclamation District and its members today are very fine, upstanding, hard-working and professional public officials. I know many of them. Many of them did not run with endorsements of one political party or another; they ran just...putting their credentials on the line. They won election based on the merit that they had and that they were able to convince the voters that they had, and I think these people should be permitted to appoint their own attorneys. I mean that's what we have

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

70th Legislative Day

June 21, 1991

a right to do. Certainly, we wouldn't be telling Minority Leader Daniels who (sic whom) to hire as his attorney or Speaker Madigan who (sic whom) to hire as his attorney or any of the other agencies of state government. That's a fundamental right, and they should be able to do exactly the same thing."

Speaker Satterthwaite: "Representative Giglio to close."

Giglio: "Well, thank you, Mr. (sic Madam) Speaker, Ladies and Gentlemen of the House. I think you...you've heard enough. The only thing I want to say is, a) it's unfair and it's unfortunate that because some people take advantage of their elected position, and some people do wrong, and they cheat and steal and are indicted and some eventually go to jail. It's wrong to condemn the whole agency or the whole group, and somebody talked about professionalism at the sanitary district. Well, I'd like to tell you about some professionalism. You tell me if it's right. You can go get a job at the sanitary district, work for a year, take a leave of absence, go to school for ten years and come back, and you get that job back and then that person that's there for ten years building up seniority, they're out and you're back in. That's professionalism, huh? Well, I think the elected officials are responsible people, and if the people don't have confidence in them, then they should throw 'em out like they put 'em in through the ballot box. I think you should have a lot of confidence in your elected official, and I don't see anything wrong with this. I would urge an 'aye' vote."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 257 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 34 voting 'yes', 73 voting 'no', 5 voting 'present'. The Bill,

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

70th Legislative Day

June 21, 1991

having failed to reach a Constitutional Majority, has failed. We will now go to Senate Bill 10, Representative Levin. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 10, a Bill for an Act in relation to school reform. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is the vehicle for the election amendments on Chicago School Reform. At the present time, it is a Shell. We did put a Technical Amendment on the Bill so that it can be sent to conference committee and I simply encourage your support for this Bill at this point so we can continue the process...developing the legislation with respect to the Amendments to Chicago school reform."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 10 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'yes', none voting 'no', 9 voting 'present'. The Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 11. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 11, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Levin."

Levin: "Yeah. Madam Speaker, Ladies and Gentlemen of the House. This is the second Vehicle for Chicago school reform. In committee, Amendment #1 gutted the Bill. It is the intent to send this Bill, as well, to Conference Committee. I simply ask for your support at this point, for Senate Bill 11 so we can continue it along in the process."

Speaker Satterthwaite: "Representative Davis. Monique Davis."



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

70th Legislative Day

June 21, 1991

Davis: "This will go to Conference Committee, is that correct?"

Levin: "Correct."

Davis: "May I ask of you, Mr. Representative, that some member of the African-American community be a part of that Conference Committee?"

Levin: "I would expect, if you look at the Sponsorship, Representative Younge is one of the Sponsors of this Bill as he was of Senate Bill 10, he is a co-convenor of the meetings we had this last week and I would expect he would be on the Conference Committee."

Davis: "Thank you."

Speaker Satterthwaite: "Representative Dunn. Representative John Dunn. The Gentleman does not wish to speak. Representative Levin, to close."

Levin: "I simply ask for your favorable vote so we can keep this Bill moving."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 11 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 voting 'yes', none voting 'no' 7 voting 'present'. The Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 441, Representative Currie. Out of the record. Senate Bill 535, Representative Richmond. Representative Richmond. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 535, a Bill for an Act to amend the State Police Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Richmond."

Richmond: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 535 is a very simple Bill that would make a change in the State Police Act that would eliminate the one part of it that prohibits a member being

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

70th Legislative Day

June 21, 1991

able to serve on that commission, if he or she is currently holding an elected office, and this is to correct a situation that has risen in the current membership of that commission. This Bill is Senator Rock's Bill and Senator Ralph Dunn's, and they asked me to handle it here in the House. It was on the Agreed Bill list over there. I ask for your 'aye' vote."

Speaker Satterthwaite: "This Bill is on Short Debate. Does anyone rise in opposition to the Bill? Seeing no one, the question is, 'Shall Senate Bill 535 pass?' All those in favor vote 'yes', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes', none voting 'no', none voting 'present'. The Bill, having received a Constitutional Majority is hereby declared passed. Representative Capperelli on Senate Bill 843. Out of the record. Representative Lang? Is Representative Lang in the chamber? Representative Lang is recognized for purposes of a Motion."

Lang: "Thank you, Madam Speaker. Having voted on the prevailing side, on the vote upon which Senate Bill 628 passed, I move to reconsider that vote."

Speaker Satterthwaite: "The Gentleman moves to reconsider the vote by which Senate Bill 628 passed. Is there any discussion? Seeing none, leave is granted by use of the Attendance Roll Call, and the vote on Senate Bill 628 is reconsidered. Mr. Clerk, what is the status now of Senate Bill 628?"

Clerk O'Brien: "The Bill is on Third Reading."

Speaker Satterthwaite: "Representative Lang."

Lang: "Thank you, Madam Speaker. I now move that the Bill be returned to Second Reading and that Amendment #1 be tabled."

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

70th Legislative Day

June 21, 1991

Speaker Satterthwaite: "Mr. Hoffman, I believe this is your Bill, is that in conjunction with your wishes? Do you wish to have the Bill brought back to Second Reading? Representative Hoffman, Manny Hoffman."

Hoffman: "Yes, it is, Madam Speaker."

Speaker Satterthwaite: "The Bill is returned to Second Reading. Representative Lang."

Lang: "I move that Amendment #1 be tbled, this is in agreement with the Sponsor."

Speaker Satterthwaite: "The Gentleman moves to Table Amendment #1. All in favor say 'aye', opposed 'nay', the 'ayes' have it and Amendment #1 is tabled. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "The Bill will remain on Second Reading. On the Order of Insurance, Third Reading, Representative Currie on Senate Bill 527. Out of the record. 830; Representative Currie. Out of the record. Senate Bill 1059. Representative Curran. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1059, a Bill for an Act to amend the State Employees Group Insurance Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Curran."

Curran: "Thank you, Madam Speaker. This is a Bill sponsored by Curran, Black, Noland and Hasara. It amends the State Employees Group Insurance Act to mandate coverage for certain employees who retired before 1966. What this would do would be to give to state employees who retired before 1966, that means the average age of these people would be 91 years of age, it gives them the right to be covered for life insurance which would be enough to bury them. So, they had been excluded from an earlier Act, many of us felt that that was unfortunate, I don't know of any opposition, I'd be glad to ask any questions."

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

70th Legislative Day

June 21, 1991

Speaker Satterthwaite: "This Bill is on Short Debate. Does anyone rise in opposition to the Bill? Representative Parcels."

Parcels: "Thank you, Madam Speaker. I hate to say that I'm opposed to the Bill, but I would like those present to realize the cost of this. This is going to cost the state \$285,000, and in this time when we're needing money for everything from general assistance in Chicago to education, I don't know that this is something we should be doing. I feel badly saying that for these people who are in their late eighties but, and I know it's a limited group of only 603 employees, but it is \$285,000 that we don't have right now, and I think you all should consider that when voting on this Bill."

Speaker Satterthwaite: "Representative Weaver."

Weaver: "Madam Chairman, would the Sponsor yield, please?"

Speaker Satterthwaite: "He indicates he will."

Weaver: "I guess the follow-up of the last speaker's question...is this life insurance or health insurance that we're talking about?"

Curran: "Life insurance."

Weaver: "And, this will apply to how many people?"

Curran: "Well, there are about 600 people who could become aware, and if they all died tomorrow and if they all became aware and took advantage of this, then, perhaps we'd be over a couple hundred thousand dollars. But, if it does not happen that they all become aware of it, and if it does not happen that they all happen to die tomorrow, this group of people who are 91 years of age, or over, on the average, and who were not included in the law some 20 years ago, would be taken care of with a little pittance. I mean, my gosh, these people are not just our grandparents, they're our great-grandparents."

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

70th Legislative Day

June 21, 1991

Weaver: "But, they will actually be paying into this program?  
To some degree?"

Curran: "I'm sorry, I didn't hear the first part."

Weaver: "Will they be paying into this program? To any degree?"

Curran: "No. It's just like, I believe, the Bill that Representative Hasara passed to increase the life insurance from \$2,000 to \$5,000 last year, and were all for. That was for current state employees and retirees. Now, what this would do, is for that very small group of people, our greatgrandparents, it would give them this little tiny sliver of a pittance, and the numbers that Representative Parcels is speaking to would be accurate if it happens to be that all these people died tomorrow."

Weaver: "Thank you."

Speaker Satterthwaite: "Representative Curran, to close."

Curran: "I think we've debated this question. It's people who are 91 years of age. We did this for everybody else last year with Representative Hasara's legislation and, frankly, I can't see how we could possibly leave these people out of this coverage. This is for our greatgrandparents, not just our parents and grandparents."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 1059 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. On this question, there are 109 voting 'yes', excuse me, 110. Mr. Clerk, take the record. There are 110 voting 'yes', one voting 'no', 3 voting 'present'. The Bill having received a Constitutional Majority is declared passed. Senate Bill 1310, Representative Balthis? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1310, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Balthis."

Balthis: "Thank you, Madam Speaker and Ladies and Gentlemen of

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

70th Legislative Day

June 21, 1991

the House. Madam Speaker, could I have leave to take this Bill back to Second Reading for purposes of an Amendment?"

Speaker Satterthwaite: "Excuse me Representative, what was your request?"

Balthis: "Requesting to take this Bill back to Second Reading for purposes of an Amendment."

Speaker Satterthwaite: "The Gentleman asks leave to take the Bill back to Second Reading. Hearing no objection, leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "This Bill has been read a second time previously. Floor Amendment #1, offered by Representative Schakowsky."

Speaker Satterthwaite: "Representative Schakowsky."

Schakowsky: "I withdraw that Amendment."

Speaker Satterthwaite: "The amendment is withdrawn. Any further Amendments?"

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

Speaker Satterthwaite: "Representative Balthis."

Balthis: "Thank you, Madam Speaker. On Senate Bill 1310, Amendment #2 amends on page 2 by replacing line 17 with the following, 'The losing party shall not exceed \$100.' It replaces an amount of \$50 and does replace a cap to the original Bill, and I would urge its adoption."

Speaker Satterthwaite: "The Gentleman moves adoption of Amendment #2. All in favor say 'aye', opposed 'no'. Representative Schakowsky, did you wish to debate this? All in favor say 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Balthis: "Madam Speaker, do we move this Bill at this time?"

Speaker Satterthwaite: "The Bill will be moved to Third Reading."

Balthis: "Madam...could I request immediate consideration?"

Speaker Satterthwaite: "The Gentleman asks leave to hear the Bill

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

70th Legislative Day

June 21, 1991

immediately on Third Reading. With the leave of the Body...Representative Homer?"

Homer: "Madam Speaker, we note that the Amendment was not printed and distributed, we didn't object, but, we have not had time, because of that, to analyze the Amendment and, we would ask that the Gentleman...we would oppose his Motion for immediate consideration solely on the basis to give us time to review what his Bill as amended does."

Speaker Satterthwaite: "Representative Balthis, will you withdraw that request, and we'll come back to it later after the Amendment is distributed?"

Balthis: "Madam Speaker, if we can get back to it later today, yes."

Speaker Satterthwaite: "We will try to do that."

Balthis: "Thank you."

Speaker Satterthwaite: "On the Special Order of Municipal County and Conservation Law. Third Reading. Representative Steczo on Senate Bill 216. Is the Gentleman in the chamber? Out of the record. Senate Bill 229. Representative Keane. Out of the record. Senate Bill 385. Representative Olson. Myron Olson. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 385, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Olson."

Olson: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 385, Harlan Rigney's Bill, amends the Municipal Code to allow municipalities under 5,000 population to choose to elect a Zoning Board of Appeals upon petition and a front door referendum. In addition to that, an Amendment was put on by Representative Black which says that utility taxes cannot be levied against businesses in an Enterprise Zone unless taxes were

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

70th Legislative Day

June 21, 1991

imposed before the designation of the Enterprise Zone. I'd be happy to answer questions and move for the passage of the Bill."

Speaker Satterthwaite: "The Bill is on Short Debate. Does anyone rise in opposition to the Bill? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 385 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes', none voting 'no', none voting 'present'. The Bill, having received a Constitutional Majority is hereby declared passed. Representative Giorgi. Representative Steczo. Is the Gentleman in the chamber? Representative Giglio, do you wish to call Senate Bill 715 on Third Reading? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 715, a Bill for an Act to amend the Counties Code. Third reading of the Bill."

Speaker Satterthwaite: "Representative Giglio."

Giglio: "Madam Speaker, Ladies and Gentlemen of the House. What this Bill does...it just codifies the ordinance that was adopted by the county board, and it says it increases the number of Cook County commissioners from 15 to 17. There are 17 already, but we had to pass legislation to do this, and also Amendment #1 was put on in committee, and what the Amendment does...it allows the person that sits on the Board when there's a Judicial contest, the Circuit Court of Cook County...they have a position on that Board. There's nothing in the law that says that something happens and that person is not to be able to make it to have a replacement. The Amendment says that a placement (sic replacement) shall be appointed in order to have a full court at the time there's a hearing. With that, I would ask for your favorable support."



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

70th Legislative Day

June 21, 1991

Speaker Satterthwaite: "On this issue on this question, there are hundred...on this question there are 112 voting 'yes', none voting 'no', and none voting 'present'. The Bill having received a Constitutional Majority is hereby declared passed. Representative Burke on Senate Bill 1033. Mr. Clerk, read the Bill. Out of the record. Representative DeLeo on Senate Bill 1042. Out of the record. Representative Saltsman on Senate Bill 1073. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1073, a Bill for an Act to amend the Personnel Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Salts."

Saltsman: "Yes. Thank you, Madam Speaker. This Bill is Agreed upon the Department of Conservation Police and along with the Department Conservation that the executive officers of the Department of Conservation Police will remain in their positions regardless of a change in the leadership of their management. I ask for its passage."

Speaker Satterthwaite: "This Bill is on Short Debate, does anyone rise in opposition to the Bill? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 1073 pass?' All those in favor vote 'yes' opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes', none voting 'no', one voting 'present'. The Bill having rec...109 voting 'yes', none voting 'no', one voting 'present'. The Bill, having received a Constitutional Majority is hereby declared passed. Representative Kubik is recognized for purposes of a Motion."

Kubik: "Thank you, Madam Speaker, Ladies and Gentleman of the House. I would use the appropriate rule and move to reconsider the vote on Senate Bill 257. Could I explain

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

70th Legislative Day

June 21, 1991

the reasons for the Motion?"

Speaker Satterthwaite: "The Gentleman requests reconsideration of the vote by which Senate Bill 257 passed by which 257 lost. Is there leave to use the Attendance Roll Call for that purpose? Representative Giglio."

Giglio: "Thank you, Madam Speaker. I would ask to have this Bill be brought back to the Order of Second Reading, so I can remove the Amendments and put the Bill in its original form like I intended to do."

Speaker Satterthwaite: "Is there further discussion on the Motion? Representative Ronan."

Ronan: "Yes, my question will be...I am going to object to this and ask for 71 votes unless I get a commitment out of the Sponsor that we're not going see the Amendment that we thoroughly defeated during the...an hour ago. I know we defeated it, now I just don't want to defeat it six more times this Session."

Speaker Satterthwaite: "Representative Giglio."

Giglio: "Madam Speaker, in response to Representative Ronan, no my intent is to remove the House Amendments 2 and 3 which were the controversial Amendments and leave the Bill in the posture of the first Amendment that I put on to make it a Shell Bill and send it back, so we can discuss the single member districts only for the sanitary districts."

Speaker Satterthwaite: "Representative Ronan."

Ronan: "Then Representative Giglio at this point all I would like would be a commitment that if some would leave an attempt to put that Amendment on in Conference you'll table the Bill."

Giglio: "You have my word."

Ronan: "Thank you very much. I have no objection."

Speaker Satterthwaite: "There is leave to use the Attendance Roll Call for purposes of reconsidering the vote by which Senate

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

70th Legislative Day

June 21, 1991

Bill 257 lost. Leave is granted. Mr. Clerk, what is the status of the Bill at this time?"

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

Speaker Satterthwaite: "Representative Giglio."

Giglio: "I would ask that the...with the appropriate rule that we move the Bill from Third to the Order of Second for the purpose of removing the Amendments."

Speaker Satterthwaite: "The Gentleman will ask leave to return the Bill to Second Reading. Is there any objection? Hearing none, the Bill is returned to Second Reading."

Giglio: "Madam Speaker, I now move that...I'd like to table Amendments #2 and 3 to Senate Bill 257."

Speaker Satterthwaite: "Gentleman ask leave to table Amendments #2 and 3 on Senate Bill 257. Is there...Representative Homer."

Homer: "Thank you. Will the Gentleman yield?"

Speaker Satterthwaite: "He indicates he will."

Homer: "Representative Giglio, if we table Amendments 2 and 3 that would only leave Amendment 1, and Amendment 1 makes the Bill a Shell Bill."

Giglio: "That's correct."

Homer: "You're going to...your plan is to move the Bill back to Third with just Amendment #1 on it, and ask for passage of the Bill as a Shell."

Giglio: "That's correct. Hopefully, that...it goes back to the Senate with the Amendment on it. Hopefully, the Senate and the House could set up a Conference, and we can work on the intent of the single member districts."

Homer: "Okay."

Speaker Satterthwaite: "Gentleman asks leave to table Amendments #2 and 3. All in favor say 'aye' opposed 'nay'. The 'ayes' have it and the Amendments are tabled. Any further Amendments?"

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

70th Legislative Day

June 21, 1991

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. The Gentleman ask leave for immediate consideration of the Bill on Third Reading at this time."

Giglio: "Madam Speaker and Ladies and Gentleman of the House..."

Speaker Satterthwaite: "Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 257, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Giglio."

Giglio: "Thank you, Madam Speaker and Ladies and Gentleman of the House. I would now move for the passage of Senate Bill 257 which is now a Shell Bill and hopefully that it'll go back and we can set up a Conference Committee to discuss the single member districts for the Water Reclamation District. I think the Bills' been adequately discussed and I think everybody knows what it is now with the Amendments that are not on it that were controversial, and I would ask for your favorable support."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 270...257 pass?' All in favor vote 'yes' opposed vote 'no'. Voting is open. Have all who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 103 voting 'yes', none voting 'no', 10 voting 'present'. The Bill having received a Constitutional Majority is hereby declared passed. On the Order of Real Estate Law, Third Reading. Representative Schoenberg on Senate Bill 778. Representative Schoenberg. Out of the record. On the Order of Transportation, Third Reading. Representative Ronan on Senate Bill 844. Representative Ronan. Mr. Clerk read the Bill."

Clerk O'Brien: "Senate Bill 844, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

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

70th Legislative Day

June 21, 1991

Speaker Satterthwaite: "Representative Ronan."

Ronan: "Thank you, Madam Speaker and Members of the House. Senate Bill 844 is an Agreed Bill that many of these concepts you've already discussed because we amended on House Bill 719 and House Bill 1189 which were defeated in the Senate because of their arrogance to the Illinois State Senate. Senate Bill 844 is the Composite Bill approved by both sides of the aisle. The only new addition besides what the committee dealt with was an Amendment that Representative Black put on yesterday that again has no opposition, so this is going to be the true Transportation Bill for this Session of the General Assembly. I move for the passage of Senate Bill 844."

Speaker Satterthwaite: "Representative Ronan."

Ronan: "Madam Speaker, since this is the only true Transportation Bill this Session, I understand there is a concern that there really wants to be a close and careful analysis done by the Democratic leadership and their legal staff, so I'm all in favor. This fine concept can wait over the weekend and we can just jump right on it on Monday morning. First thing on Monday morning we can float this baby over to the Senate. Thank you, Madam Speaker."

Speaker Satterthwaite: "We come in on Monday at 4:00 p.m."

Ronan: "Well, I'll be here...I'll be here at 8 in the morning just to be ready by 4 just to move this baby over to the Senate."

Speaker Satterthwaite: "On the Order of Children and Family Law, Third Reading, we have Representative Preston on Senate Bill 580. Do you wish to have the Bill called? Mr. Clerk read the Bill."

Clerk O'Brien: "Senate Bill 580, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Preston."

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

70th Legislative Day

June 21, 1991

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 580 is not at all what it appears to be. The Bill has been amended and I changed the effective date. The purpose...the end result...this is really a Shell, it will not look anything like this. It will deal with children and foster care or that area with there negotiations still going on between the Department and some of...same people from the Childcare Association and others, and this is just an attempt to get over to the Senate and keep those negotiations alive. The Bill in its present form talks about amending the School Code to provide education regarding respect for senior citizens. It is not intended that that...I spoke with the Senate Sponsor...it's we're working on an Amendment to that, that will not look at all or deal with this particular subject matter."

Speaker Satterthwaite: "Representative Pullen."

Pullen: "I would like to ask the Sponsor a question, please."

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

Pullen: "Mr. Salts, also the Bill you intend to put parenting education on."

Preston: "It is. I would like to misrepresent it, but it is. They're working on language that may make it acceptable to people, but..."

Pullen: "So, your real intent of this is to bring it back with the parenting and family education mandate that was defeated by the House a couple times earlier."

Preston: "Well, the question about a mandate is...is one of the questions they are trying to work out, and those are the negotiations that are going on."

Pullen: "But this is..." this is the Parenting and Family Education Bill that was defeated a couple of times earlier or what it will become is that, right?" Preston: "It will

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

70th Legislative Day

June 21, 1991

be on that subject matter. I don't know what the exact language will be, but they're questioning the language of the Bill and the mandate and all of that...don't don't say tisk, tisk because I've been honest with you. I could have made up a very nice answer to your question."

Pullen: "I'm just glad I asked the question, Lee."

Preston: "I'm not."

Pullen: "I know. Thank you."

Speaker Satterthwaite: "Representative Black."

Black: "Well, thank you very much, Madam Speaker. Will the Sponsor yield?"

Speaker Satterthwaite: "He indicates he will."

Black: "Representative, if I heard you correctly, you portrayed this Bill as a Vehicle. Is that correct?"

Preston: "That's correct."

Black: "Let me tell you what our staff points out. You may want to get your staff to look at it. This Bill was introduced in the Senate as a mandate, but was amended to make teaching about the elderly optional with individual school districts. Madam Speaker, and Ladies and Gentleman of the House, in committee the Sponsor indicated that that Amendment made this Bill a Vehicle. The Amendment does not make this Bill a Vehicle. The Amendment merely changes the effective date. It does not delete the contents of the underlying Bill at all. It is not a Vehicle. The Gentleman should withdraw the Bill and work it out so that it is a Vehicle. In its present form, it is not, and I am sure he does not intend to portray it as a Vehicle when in fact it is not."

Preston: "Madam Speaker."

Speaker Satterthwaite: "Representative Preston."

Preston: "Thank you, Madam Speaker. Representative Black, I am stating as clearly as I know how, that this is a vehicle,

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

70th Legislative Day

June 21, 1991

and I could amend everything after the enacting clause. The reason I put that silly do nothing Amendment on it is, so it can get over the Senate and you can look at whatever you want, but I'm telling you it is in fact a Vehicle. A Vehicle doesn't have to be something that changes all the language to be a one word Amendment. This is in fact a vehicle, and that's what Senator Savickas and I have discussed, so..."

Speaker Satterthwaite: "Representative Preston to close."

Preston: "That's it, I closed."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 580 pass?' All in favor vote 'yes', all oppose vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 69 voting 'yes', 39 voting 'no', 6 voting 'present'. The Bill, having received a Constitutional Majority is hereby declared passed. Senate Bill 619, Representative Currie. Mr. Clerk read the Bill."

Clerk Leone: "Senate Bill 619, a Bill for an Act to amend an Act in relationship to the rights of married women. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. This is a Bill that would make gender neutral the current statute that deals with the rights of married women. The proposal came to us from the Chicago Bar Association and the Illinois Gender Bias Commission of the court system. The Bill would make no substantive statutory changes, but merely makes sure that the language about rights and opportunities to enter into contracts and so forth is gender neutral with regard to married people. I would urge your support."

Speaker Satterthwaite: "Representative Saltsman."



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

70th Legislative Day

June 21, 1991

Saltsman: "Madam Speaker, I'd like to ask the Sponsor if we could take this Bill back to Second Reading for an Amendment by passage of the rules of the House."

Speaker Satterthwaite: "Representative Currie requests that we take the Bill back to Second Reading. Is there leave? Leave is granted. The Bill is on Second Reading. Mr. Clerk read the Bill."

Clerk Leone: "On the Order of Second Reading, Amendment #1 is being offered by Representative Saltsman."

Speaker Satterthwaite: "Representative Saltsman."

Saltsman: "Thank you, Madam Speaker. All that this Bill does is...people who are casually separated they must pay the Bills that are previous owned similar to this education in child chargeable for property of both husband and wife within the... relationship, whether it's jointly or separately casually separated that they are responsible for these Bills. I ask for its passage."

Speaker Satterthwaite: "Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Satterthwaite: "He indicates he will."

Hultgren: "Are there any limits to the expenses that can be charged?"

Saltsman: "No."

Speaker Satterthwaite: "Anything further?"

Hultgren: "Does the Amendment and I apologize...does the Amendment define family and educational expenses?"

Saltsman: "It's part of that Act. This adds to it."

Hultgren: "Alright. Thank you."

Speaker Satterthwaite: "Any further discussion? Representative Saltsman to close."

Saltsman: "I just ask for the passage of this Amendment and the Bill return to Third Reading, and I would like to thank Sponsor Margaret Currie. Thank you very much."

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

70th Legislative Day

June 21, 1991

Speaker Satterthwaite: "Gentleman moves for the adoption of Amendment #1. All in favor say 'aye', opposed say 'no'. The 'ayes' have it, and Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Davis on Senate Bill 757. Representative Davis. Mr. Clerk read the Bill."

Clerk Leone: "Senate Bill 757, a Bill for an Act to amend Illinois Alcoholism and other Drug Dependency Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Davis."

Davis: "Thank you, Madam Speaker. House Bill 757 is a Bill that will help to...ensure that the Illinois Alcoholism and other Drug Dependency Act is...that there is intervention services to partners and family members of individuals with alcohol or drug dependent problems. The Department of Alcohol and Substance Abuse agrees to this Bill, and it provides comprehensive services throughout the state to meet the needs of the family. The Bill passed committee and also the Senate without any opposition."

Speaker Satterthwaite: "This Bill is on Short Debate. Does anyone rise in opposition? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 757 pass?' All in favor vote 'yes', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', none voting 'no', none voting 'present'. The Bill, having received a Constitutional Majority is hereby declared passed. Representative Stepan on Senate Bill 791. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 791, a Bill for an Act concerning Substance Abuse Counseling for Minors. Third Reading of

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

70th Legislative Day

June 21, 1991

the Bill."

Speaker Satterthwaite: "Representative Stepan."

Stepan: "Madam Speaker and Members of the House. Senate Bill 791 amends the consent by minors to Medical Procedures Act. It provides that a minor age 12 or older may consent to counseling if the minor has a family member who abuses drugs or alcohol. The Bill removes the provision requiring notification to the parent or guardian of a minor. This Bill passed the Senate without any opposition, and passed our House committee; I think with one objection on it, but...other than that, I ask a favorable Roll Call. Thank you."

Speaker Satterthwaite: "The Bill is on Short Debate. Does anyone rise in opposition? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 791 pass?' All in favor vote 'yes', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question, there are 105 voting 'yes', 7 voting 'no', none voting 'present'. The Bill, having received a Constitutional Majority is hereby declared passed. Representative Deuchler on Senate Bill 873. Mr. Clerk read the Bill."

Clerk Leone: "House (sic Senate) Bill 873, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Deuchler."

Deuchler: "Madam Speaker, Ladies and Gentleman of the House. Senate Bill 873 is a Bill that was sent to me by my Senator. It's a Bill that has been endorsed by the Aurora City Council who recommended that the Juvenile Court records of a juvenile delinquent who commit an offense with or while in position of a firearm, shall be available to the news media, can be used in the same manner as if the juvenile were an adult offender. The juvenile must've been

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

70th Legislative Day

June 21, 1991

adjudicated delinquent and the offense must be a violation of the Criminal Code. This is a serious matter, but we do find that juveniles in my community of Aurora, as well as, juveniles throughout the state are hiding behind a veil that has been pulled over them while they are committing serious crimes of assault, battery, murder, rape, drive by killings, selling of machine guns, silencers, and other very serious offenses. They are being shielded from that knowledge by the communities in which they reside, and it's for that reason that we have brought this legislation forward."

Speaker Satterthwaite: "The Bill is on Short Debate. Does anyone rise in opposition to the Bill? Representative Lang."

Lang: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Satterthwaite: "She indicates she will."

Lang: "Thank you. Representative, if I am understanding your Bill correctly, this Bill would allow juvenile records to be open to the general public."

Deuchler: "Yes, they would be open to the media and the general public."

Lang: "Well, isn't that exactly what the Juvenile Code has intended to prohibit? Isn't that exactly what the purpose of that prior statute is, to make sure that juveniles don't get caught up in that public disclosure of...private mistakes they may make as they're juveniles?"

Deuchler: "I think, Representative Lang, that...that no doubt was the original purpose of the Legislation, however, when you have juveniles committing these very serious offenses with guns and that is the category we are talking about, it seems appropriate at this point in our history and in our time to make that information available to the community with the idea that this will be a deterrent to the juveniles, to their families and to the community, and I

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

70th Legislative Day

June 21, 1991

think because of the serious nature of the availability of these guns as I brought out in Committee...it is very, very prevalent in my community as well as I'm sure yours and elsewhere throughout the state. We may have to lift the veil and shine the spotlight, so it's for that reason that I bring this legislation forward, fully well knowing that it is a serious change from existing practice."

Lang: "Do I understand that you also want to make these records available to the media?"

Deuchler: "They would certainly be open records and would be available to the media, yes."

Lang: "And do you think it's good public policy to allow juvenile records to be turned over to the media for the purpose of deterrence? Do you really think that hundreds of kids that might be involved in these activities? Do you think in advance that perhaps the newspapers will get ahold of the information before they commit the act?"

Deuchler: "I don't understand your question 'before they commit the act'."

Lang: "Well, you've indicated that that you think there's a deterrence factor here, and I'm wondering how many of these kids you think think about whether the information would be made public before they commit the act."

Deuchler: "Well, it's not possible for me to look in the mind of any adults as well as any juveniles, so I'm sure I couldn't answer your question."

Lang: "Thank you."

Deuchler: "It's up to the individual case."

Lang; "Thank you. Madam Speaker, to the Bill. This is a terrible attempt to make change in public policy. The...statutes regarding juvenile records are have been set up very carefully to make sure that juveniles who commit wrongful acts as very young people who are not possibly as

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

70th Legislative Day

June 21, 1991

mature as they might be...the Act is designed to protect them, so that the general public cannot harass these people and cannot keep them in a corner and paint them as criminals. This is a very bad public policy. I'm going to ask all Members of the General Assembly, all Members of the House, and particularly all Members on this of the aisle to defeat this very bad Bill."

Speaker Satterthwaite: "There are a number of people seeking recognition. Are Members willing to take the Bill off Short Debate so that we can accommodate the wishes of the Members. Please, raise your hand if you will join in taking the Bill off Short Debate. There are sufficient numbers, and the Bill is taken off Short Debate. Representative Pullen."

Pullen: "Thank you, Madam Speaker. I would like to ask the Sponsor a couple of questions."

Deuchler: "She indicates she'll yield."

Pullen: "Representative, I heard one description of the Bill from you and I heard comments from another Speaker who made it sound as if the Bill is much broader than you define. Would you please outline once more the limited cases in which this disclosure of the juvenile's identity would take place under this Bill?"

Deuchler: "Well, thank you Representative Pullen. Yes, these would be juveniles adjudicated delinquent, and those juveniles who have committed crimes while in possession of a gun. We're talking about serious crimes of assault, battery, murder, rape...under the Criminal Code...selling machine guns, we're not talking about children who are caught on the playground smoking a cigarette. We're talking about exceedingly serious situations and this...it's hoped to act as a deterrent yes, but it's also hoped that the judiciary will know that these names are

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

70th Legislative Day

June 21, 1991

available, and that the community is watching to see what kinds of sentences are being imposed."

Pullen: "You indicated that this applies only to juveniles who been adjudicated delinquent. Would you consider those juveniles to be eligible for consideration by society as people who could be expected to be responsible with use of a firearm?"

Deuchler: "I'm not sure I understand your question. Are you suggesting that they have an FOI card? Obviously, they would not since they are sixteen and under."

Pullen: "When we deal with firearm legislation here, many legislators feel that responsible, law abiding citizens should have the right to keep and use weapons for lawful purposes."

Deuchler: "I would agree."

Pullen: "Is that the kind of person that you are talking about in this Bill?"

Deuchler: "No."

Pullen: "These are juveniles who have been adjudicated delinquent, right."

Deuchler: "That is correct."

Pullen: "Do you believe that this Bill would have any effect on the problem of youth gangs in this state?"

Deuchler: "Well, I would hope so. Yes."

Pullen: "Do you think that that effect would be to assist communities to enforce the law against youth gangs and to rid communities of violence by youth gangs?"

Deuchler: "Well, I believe so, Representative Pullen, because certainly the city council of Aurora would not have accepted this ordinance and recommendation for legislation had they had so not believed."

Pullen: "Thank you. Madam Speaker, I would like to address the Bill."

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

70th Legislative Day

June 21, 1991

Speaker Satterthwaite: "Proceed."

Pullen: "The lady has a Bill here that is carefully drawn to be effective in only certain very limited circumstances and it deals with only juveniles who have committed serious crimes, crimes with firearms who have already been adjudicated delinquent. These kids have acted as though they are adults except they have acted irresponsibly, and this Bill it seems to me, would be an important tool for communities in their efforts to control youth gangs and in their efforts to protect innocent citizens from the violent activity of such gangs. I compliment the Lady on the Bill, and I think the House should fully support it. Thank you."

Speaker Satterwaite: "Representative Dunn."

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in opposition to this piece of legislation. When we created the Juvenile Court Act, we officially recognized as policy of the State of Illinois that young people as they grow up are prone to make mistakes, and they should not be held accountable in many instances for the rest of their life for youngsters' mistakes. We decided this policy that we would bring youngsters who commit wrongful acts into the court system, and we would deal with them as justice requires, and we would treat them as severely or as leniently as justice requires, but we would do that within the confines of a court room free of media attention, free of spectators, and free of outside public influences, so that the lives of those individuals might flourish, they might grow, they might prosper after they had paid whatever penalty is appropriate for the wrong doing they committed. We have from time to time made exceptions to the Juvenile Court Act by defining certain crimes as those for which a juvenile may be treated as an adult. When a juvenile is treated as an adult, what flows



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

70th Legislative Day

June 21, 1991

from that process is criminal proceedings open to the public, open to the media just as they would be for any other adult. The way to address this concern the Sponsors have is if they think they can get the votes to amend the Juvenile Court Act to let someone who commits the crimes about which they are worried to be treated as an adult and then the openness of the media would follow. Let's not change the Juvenile Court Act if youngsters are to be the hope of the future. We talk a lot around here about funding education because we want to invest in the future with our youngsters. Let's don't throw out the baby with the bath water in the Juvenile Court Act by effectively disembowelling that Act with this legislation. This is a foot in the door, a bad approach, this Bill should be defeated. I urge 'no' votes by everyone in this chamber."

Speaker Satterthwaite: "Representative J. Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Satterthwaite: "She indicates she will."

Hoffman: "Representative, isn't it true that now the news media can get access, under certain circumstances, to the...to juvenile court records?"

Deuchler: "I'm sorry, Representative Hoffman. Would you repeat that question."

Hoffman: "I believe, isn't it true that under certain circumstances the news media presently can get access to the juvenile court records for certain purposes such as getting data together, doing analysis, doing studies, etc?"

Deuchler: "Well, the court still...already can do that, this does not involve the identity of the juvenile."

Hoffman: "But I believe, the news media can look at court records for certain purposes right now. Is that right?"

Deuchler: "Well, yes, under certain circumstances, but I think the point that the legislation is making, and their request

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

70th Legislative Day

June 21, 1991

on the part of the city of Aurora, was that the identity be disclosed with the idea of both putting the spotlight, so the community can know who the juveniles are that are committing these serious acts. I don't whether you know we had a number of drive by shootings in Aurora just this year."

Hoffman: "However, this...this would not indicate that those juveniles could be tried and sentenced and be convicted as an adult offender and punished an an adult offender."

Deuchler: "No, they would still obviously be covered under the Juvenile Court Act absolutely and that is certainly our wish."

Hoffman: "So the only purpose, essentially is to get...allow these...these individuals who are still trying to do now...although, maybe....I kind of believe if a person is doing a drive by shooting there is a good possibility, and I think should be, tried as an adult if the Illinois law currently doesn't allow that, maybe we should look at changing that. The only purpose of this legislation is to allow their names to be in the newspapers not to punish them the way they should be punished."

Deuchler: "Well, we would certainly hope that the court sentence would take care of that problem. If those juveniles have been adjudicated delinquent, and have committed this act in position of a gun, they fall into this legislation."

Hoffman: "So, will treat them as juveniles for the purpose of sentencing we'll treat them as juveniles for the purpose of punishment, but we are going to treat them as adults for the purpose of the news media. Is that what you're saying."

Deuchler: "Yes."

Hoffman: "Nothing further."

Speaker Satterthwaite: "Representative Williams."

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

70th Legislative Day

June 21, 1991

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

Speaker Satterthwaite: "She indicates she will."

Williams: "Representative, I'd like to know first of all, what is it exactly that you're trying to prevent."

Deuchler: "What is it we are trying to fix?"

Williams: "Fix, prevent. I mean assuming...I guess that you assume by printing the name in the newspaper you are going to deter the juvenile committing crimes?"

Deuchler: "I think it's partially with the idea of deterring that the community would know the neighbors would know who these juveniles are, the spotlight will be shown on them, and also the courts will know that the community knows, and they're certainly watching the sentencing, so it's from both stand points."

Williams: "In your community today, those juveniles who commit serious crimes...the community, the neighbors don't know that they've committed serious crimes, not typical...the thing is, is what I'm trying to make a point is this, the juvenile...you're saying that we're going to change the whole scope of the Juvenile Act to get at those individuals who are serious criminals, who are this sort of what you call detriment to a community...those individuals don't care. They actually might like you printing their name in the newspapers. Those individuals are already known by their community. Nobody can stand here today and tell me that you do not know the kids in your neighborhood who are determined to be lifelong criminals. The only people that this Bill actually affects are those individuals who might want to rehabilitate themselves. This strikes directly at them far more than it does the individuals who made up their mind that they want to be serious criminals. The only other group of people that benefit from the Bill are the newspapers. They now have an additional story to

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

70th Legislative Day

June 21, 1991

write. I am really curious to know whether or not, in your community do you actually have no knowledge of...offenders who are repeat offenders who are determined to be offenders..."

Deuchler: "I'm not sure that I totally understand, but you are asking me if the community does not already know these names. Obviously, the belief is that they do not, or the city council would not have brought this legislation forward. I believe that they do believe that these names should be available publicly to the news media. They should be known to the entire community, that was the Aurora City's Council belief when they brought this forward."

Williams: "Once they are known, what is it that city council wishes to do to these individuals? Now they know their names, so what. What do you rectify? We know the names of the serious criminals now...we've printed them...how do we advance the overall situation of the community?"

Deuchler: "Well, perhaps you don't have a gang problem in your area. We do."

Williams: "I have a serious gang problem in my area, and I do not need...I tell you, I do not need a newspaper to print their names in order for me to know who these... individuals that are committing these serious offenses continuously. The only individuals who I do not know, are those individuals who might be one time individuals who slip up. To the Bill, I guess that it is my belief that we did as Representative Dunn has already stated, make a policy in this state that an individual might make a mistake as a young adult. We have to be realistic that a sixteen year old or a fifteen old does not have the same ability to rationally judge his actions at that time to now brand him in the newspaper as a criminal, to say that this individual

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

70th Legislative Day

June 21, 1991

is some sort of serious threat to our community brands them for life. You may take an individual who may come out of this situation by making the whole community now look at him as a criminal while he made a foolish young mistake, and he may be that way for the rest of his life because now everybody looks at him in that way. This Bill is bad policy it should not be enacted, and I would urge that before you cast your vote, ask yourself this question: 'What do we solve?' All we do is put his name in the paper, brand him a criminal...and possibility make him a criminal where he may not have been otherwise. I urge a 'no' vote."

Speaker Satterthwaite: "Representative McNamara."

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

Speaker Satterthwaite: "She indicates she will."

McNamara: "Representative, a hypothetical case. What I'm wondering is, is if there were a 16 year old that had use of a gun and use sexual harassment on some young lady 15, 14, etc., by releasing those court records to the paper, wouldn't the names of those people that were harassed by this also be released?"

Deuchler: "I understand that's not allowed for adult cases either. and this Bill only takes the category of those juveniles who have gone through the court system and been adjudicated delinquent and have possess a gun at the time of the crime."

McNamara: "Okay. It's my understanding and I'm not clear on this point at all, so, if you have some explanation, it is my understanding that in adult cases, the case by the number who it was perpetrated on, when the court records are released are also released to the newspaper. The news media has that information. My concern is, is that we're putting this classification almost to the same

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

70th Legislative Day

June 21, 1991

classification as we are of adults as far as the release of news copy, and I am concerned about that. Can you explore that theory?"

Deuchler: "All I know is that it's the same as the adult disclosure rules."

Williams: "Madam Speaker to the Amendment...to the Bill."

Speaker Satterthwaite: "Proceed."

Williams: "I...Although I understand the reasoning for this Bill and why it should...they wish to have it as a deterrent, I think it's a very important situation that we protect the names of the young. I think it's also a very important situation that we do not to continue to put into the papers gang members names, because they have committed a crime and raised their statue in the community. Most of those gang members are looking for that type of noteriety. I think it's a bad concept at this point, unless there is a better interpretation as to how those records will be protected for young people."

Speaker Satterthwaite: "Representative Deuchler to close."

Deuchler: "Ladies and Gentlemen of the House. Obviously, we would not have brought this serious matter to the legislature had our community not felt that it was a serious situation that we have been facing over the last several years. The provisions of the Juvenile Court Act are still in tact and applicable certainly for sentencing. Don't forget that we're talking about this very limited area of a juvenile adjudicated delinquent of possessing a gun. I think that the community needs to be allowed to know who these juveniles are. I would say that they far beyond rehabilitation at the point where they are using these guns in serious crimes such as have been described before. What is the chance for rehabilitating them? Let the community know serious times and tough times deserve

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

70th Legislative Day

June 21, 1991

tougher approaches, and this is our suggestion. Ask for an affirmative vote."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 873 pass?' All in favor vote 'yes', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all who wish? Mr. Clerk, take the record. On this question, there are 32 voting 'yes', 75 voting 'no', 4 voting 'present'. The Bill, having failed to receive a Constitutional Majority is hereby declared lost. Senate Bill 874. Representative Olson. Mr. Clerk read the Bill."

Clerk Leone: "Senate Bill 874, a Bill for an Act to amend the Childcare Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Olson. Myron...excuse me, Robert Olson."

Olson: "Thank you, Madam Speaker. (Senate Bill) 874 amends the Childcare Act. It deals with part-day daycare facilities. Now part-day daycare facility differs from daycare. It's a facility that's operated by a church or a religious organization or a social agency in which children are given up to eight hours in a...care in a seven day week. This Bill would change these agencies and these organizations, so that they may care for a child on the basis of a...ten hours in a seven day week. It also then says that there can be no more than eight hours given in one day. Also, it provides that there shall be at least one care giver on duty for every 20 children. I'd answer any questions and ask for a favorable Roll Call."

Speaker Satterthwaite: "This Bill is on Short Debate. Does anyone rise in opposition to the proposal? Seeing no one seeking attention, the question is, 'Shall Senate Bill 874 pass?' All in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question,

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

70th Legislative Day

June 21, 1991

there are 109 voting 'yes', none voting 'no', 4 voting 'present'. The Bill having received a Constitutional Majority is hereby declared passed. Representative Balanoff on Senate Bill 915. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 915, a Bill for an Act to amend various Acts relating to safe schools zones. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Balanoff."

Balanoff: "Madam Speaker, what this Bill...Senate Bill 915 would do would be expand the safe school zone. Currently, there are enhanced penalties for weapons violations and drug dealings within 1000 feet of a school during hours when school is in session. This would expand that to 24 hours a day, seven days a week, and on school buses."

Speaker Satterthwaite: "This legislation is on Short Debate. Does anyone rise in opposition? Representative Weaver."

Weaver: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Satterthwaite: "He indicates he will."

Weaver: "Did you indicate that this creates a school zone seven days a week?"

Balanoff: "It expands the safe school zone to 24 hours a day, seven days a week and on school buses."

Weaver: "What is a safe school zone?"

Balanoff: "Well, a safe school zone provides for additional penalties increased penalties for drug dealing and weapons related to crimes within 1000 feet of a school during school session...times when school is currently in session."

Weaver: "Does this create any kind of aggravated conditions to criminal charges? What effect does this actually have on commissions of crimes in the school zones?"

Balanoff: "Well, my understanding is that it increases the penalties."



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

70th Legislative Day

June 21, 1991

Weaver: "So, it is an aggravated condition to..."

Balanoff: "Yes."

Weaver: "some criminal charges. Thank you."

Speaker Satterthwaite: "Representative Balanoff to close. Excuse me, Representative Black."

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

Speaker Satterthwaite: "He indicates he will."

Black: "Representative...and I'm not trying to harass your Bill or defeat it or anything else. Let me just point out what our staff thinks is a problem. They really feel that the firearms provision in the Bill is inadequately drafted, you are changing the title of these provisions, but you are not amending the substantive language of the provisions that will apply any kind of sentence enhancement as it relates to school buses. Now, if that's the case, on page 10 line 7 of the Bill, you really need to amend it to reflect what you're trying to do, and without that language I don't think your Bill does at all what you think it does, and I simply offer that to you. Perhaps you have time to take it back, have your staff look at it, draft the necessary substantive Amendment, so in fact the Bill does what you would like it to do."

Balanoff: "Yeah. Okay. Well, let's take the Bill out of the record for right now. Maybe you and I can talk a little bit."

Black: "Okay."

Speaker Satterthwaite: "The Bill is out of the record. Representative Ropp on Senate Bill 1107. Out of the record. Representative Giorgi on Senate Bill 1217. Out of the record. We'll go back to Government Operations, Second Reading, to pick up Senate Bill 763. Mr. Clerk, read the Bill."

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

70th Legislative Day

June 21, 1991

Clerk Leone: "Senate Bill 763, on the Order of Second Reading, 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 Satterthwaite: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Satterthwaite: "Any further Amendments?"

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

Speaker Satterthwaite: "Representative Wennlund."

Wennlund: "Withdraw the Amendment, Madam Speaker."

Speaker Satterthwaite: "The Amendment is withdrawn. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Olson, for what purpose do you arise?"

Olson: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. We would like to call a Republican Conference immediately in 300. It'll be very brief. Republican Conference in 300 immediately."

Speaker Satterthwaite: "Representative Olson, how long do you need?"

Olson: "We anticipate it to be very short, maybe 15 to 20 minutes."

Speaker Satterthwaite: "Members are reminded that we will be back on the House floor at the end of the Republican Conference in 15 minutes. We will be back at 2:20, approximately. In room 300, Republican Conference immediately. The House will be in recess for the Republican Conference. We will return to Session immediately after the Republican Conference at approximately 2:20. The House will be in order. Representative Hasara is recognized for purposes of a Resolution. Representative Hasara in the Chair."

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

70th Legislative Day

June 21, 1991

Hasara: "Thank you, Madam Speaker. In 1979, the Illinois Governmental Internship Program began, and Representatives Burke, Curran, Hicks, Kirkland, Parcels, and Homer...I hope we have everyone have had the experience of having interns under this program. The 1000th student has served his or her internship recently, and so this weekend the all the interns are having a big reunion in Springfield. We passed a Resolution in their behalf on May 24th, and at this time I would like to introduce Dr. Donald Davis who is head of that program who will introduce the interns who are here today, and I would also present them with a copy of the Resolution."

Dr. Davis: "Thank you very much, Representative Hasara. I would like to first of all thank the Members of the House for the recognition of our program, and most definitely appreciate the help and support that the House has provided since the beginning of this program in 1979. I would like to introduce our staff. First of all, Ms. Joann Arts and Mr. Guy Anderson, then with me here on the podium are some of our former interns and some of our current interns. First, our two current interns that we have represented here this afternoon. With me on th podium are Sarah Pruitt and Christy Garden and alumni Mitch Jones and Mike Waldinger and two members of our Board of Directors of the alumni organization who were in the program a few years ago and now are back working here in Springfield. First of all, Mr. Dan Drain from Central Management Services, and Mr. Marty Green of Governor Edgar's office. Again, thank you for the opportunity to be here this afternoon. Thank you for the recognition, and we hope to continue to serve the young people of the State of Illinois, offering them opportunities to interact and be a part of state government. Thank you."

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

70th Legislative Day

June 21, 1991

Speaker Satterthwaite: "...On the Special Order of Criminal Law, Third Reading. Senate Bill 64. Representative Weaver. Mr. Clerk read the Bill."

Clerk O'Brien: "Senate Bill 64, a Bill for an Act to amend the Home Repair Fraud Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Weaver."

Weaver: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill actually creates a new section of crime called aggravated felony for an offense of home repair fraud when committed upon an individual who is 60 years or older or someone who is physically disabled. We've gone through a couple of modifications on this Bill with Representative Homer's help... appreciate very much the guidance that we got out of the Judiciary Committee, and would be happy to answer any questions about the Bill."

Speaker Satterthwaite: "This Bill is on Short Debate. Does anyone rise in opposition to the Bill? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 64 pass?' All those in favor vote 'yes' all oppose vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', none voting 'no', 1 voting 'present'. The Bill, having received a Constitutional Majority is hereby declared passed. Representative McGuire on Senate Bill 116. Do you wish to call the Bill on Third Reading? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 116, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative McGuire."

McGuire: "Yes, Madam Speaker. I have a request for an Amendment and I'd like to take the Bill back to Second Reading if I may."

Speaker Satterthwaite: "Gentleman asks leave to bring the Bill

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

70th Legislative Day

June 21, 1991

back to Second Reading. Is there any objection? Hearing no objection, the Bill is on Second Reading."

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

Speaker Satterthwaite: "Representative Black."

Black: "Yeah. Thank you very much, Madam Speaker. I tried to get your attention before the Gentleman moved it back to Second. I don't...we don't have any Amendment to this Bill, so perhaps it hasn't been distributed yet."

Speaker Satterthwaite: "Has the Amendment been distributed? Representative, it appears that the Amendment has not been printed and distributed. Would you like to return the Bill to Third Reading?"

McGuire: "No, let's hold it out of the record, please."

Speaker Satterthwaite: "On Second Reading?"

McGuire: "Yes."

Speaker Satterthwaite: "The Bill will remain on Second Reading."

McGuire: "Hold it. Hold it, please."

Speaker Satterthwaite: "Representative DeJaegher on Senate Bill 151. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 151, a Bill for an Act to amend the Illinois Controlled Substance Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative DeJaegher."

DeJaegher: "Madam Chairman, Members of the General Assembly, I would like to take this Bill back for the purpose of Amendment that my colleague, Mr. Novak, has."

Speaker Satterthwaite: "The Gentleman asks leave to bring the Bill back to Second Reading. Is there any objection? Hearing none, the Bill is on Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "This Bill has been read a second time previously. Floor Amendment #2, offered by Representative Novak."

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

70th Legislative Day

June 21, 1991

Speaker Satterthwaite: "Representative Novak."

Novak: "Thank you, Madam Speaker, Ladies and Gentleman of the House. Floor Amendment #2 is basically Senate Bill 1207. Senate Bill 1207 amends the Cannabis Control Act to the Illinois Controlled Substances Act, and the Narcotics Profit Forfeiture Act to make it unlawful to use a communication facility to commit or to cause...or to facilitate the commission of certain cannabis or controlled substance violations. Persons who violate those provisions commit a class A misdemeanor...may be fined an amount not to exceed \$5,000 for the first offense. There are no fiscal implications to this Amendment and the Department of Alcohol and Substance Abuse indicates that this Bill will not adversely affect its ability to administer the Cannabis Control Act, and I'd be happy to entertain any questions."

Speaker Satterthwaite: "Representative Black."

Black: "Yeah. Thank you very much, Madam Speaker. Two points. It's our understanding from staff that Amendment #1 was to have been tabled because it is incorrectly drafted. That information comes from the Cook County States Attorney's Office. It was our understanding that Amendment #1 was going to be tabled and brought back cleaned up, and we received the Amendment #2 approximately six minutes ago. If the Sponsor would take this Bill out of the record, I really think you need to look at tabling Amendment #1, and we would like an opportunity to review Amendment #2."

Speaker Satterthwaite: "Representative DeJaegher."

DeJaegher: "In response to Representative Black. Representative Black, Representative Homer made me knowledgeable that there are still technical problems with Amendment #1. What I'd like to do is have Representative Novak's Amendment go on this Bill, then I'll hold this Bill until we can get the additional clean up language to process and move this Bill."

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

70th Legislative Day

June 21, 1991

Does that meet with your problem, sir?"

Black: "I don't want to delay your Bill. I guess the second problem that we're faced with is we have not had any time to have staff look at Amendment #2. We are not trying to delay your Bill or...but if you'd pull it out of the record to where we can at least take a look at it for five minutes, I don't think we have any problems with it, but we'd sure like to look it before we put on this Bill."

DeJaegher: "Alright. What I'll do...Bill...I'll take it out of the record, but I'd like to have it..."

Speaker Satterthwaite: "May we suggest that the Bill be taken out of the record for a brief time, so you can discuss this with Representative Black. Perhaps at that time we'll be able to go back to you if you want to consider this Amendment on Second Reading today. We will not call the Bill on Third Reading today."

DeJaegher: "Alright. Thank you."

Speaker Satterthwaite: "Representative McGuire on Senate Bill 242. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 242, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Satterthwaite: "Representative McGuire."

McGuire: "Yes, ma'am. Thank you, Madam Speaker. This Bill is a Bill that I am carrying for my Senator Tom Dunn. It's Senate Bill 242 amends the Unified Code of Corrections, requires the Department of Corrections to prepare and transmit to the Clerk of the Circuit Court a financial impact statement detailing the estimated annual and monthly cost of maintaining an inmate...Gesundheit...describes how the Department of Corrections shall calculate the annual cost of incarcerating an individual. The financial documents shall be made available to the public, and the sentencing hearing shall consider such document. This Bill

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

70th Legislative Day

June 21, 1991

was passed in the Senate...in Committee with no dissent, and I would appreciate your favorable vote today. Thank you."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 242 pass?' All those in favor vote 'yes', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes', none voting 'no', 5 voting 'present'. The Bill, having received a Constitutional Majority is hereby declared passed. Representative Petka on Senate Bill 263. Out of the record. Representative Regan on Senate Bill 278. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 278, a Bill for an Act to create the Open Parole Hearings Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Regan."

Regan: "Thank you, Ms. Speaker, Members of the House. I'd ask leave of the House to bring it back to Second for purposes of an Amendment, please."

Speaker Satterthwaite: "Gentleman ask leave to bring the Bill back to Second Reading for purposes of an Amendment. Are there any objections? Hearing none, the Bill is on Second Reading. Mr. Clerk read the Bill."

Clerk O'Brien: "This Bill has been read a second time previously. Floor Amendment #2, offered by Representative Regan."

Speaker Satterthwaite: "Representative Regan."

Regan: "Thank you, Mr. Speaker and Members of the House. This Amendment simply brings the Bill back to the position it was in when it passed the Committee, and I urge it's passage."

Speaker Satterthwaite: "The Gentleman moves for the adoption of Amendment #2. Representative Young. Anthony Young."



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

70th Legislative Day

June 21, 1991

Young: "Thank you, Mrs. Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Amendment. There was a previous Amendment that was placed on the Bill. I thought it was Agreement of the Sponsor, and I would ask for a 'no' vote on this Amendment...tabling Amendment #1."

Speaker Satterthwaite: "Representative Regan to close."

Regan: "Thank you, Mr. (sic Madam) Speaker and Members of the House. This Bill was the Open Meetings Parole Act. It was designed to protect witnesses and victims that come to a parole hearing to give the effect of what the crime that was committed on them or their family or their neighbors...the effect that it had, so that the parole board could see exactly what damage was done by the crime. It was designed to tighten up the rules to protect these witnesses and these victims from the possibility of retaliation from the criminals or a member of their gang that's on the outside. Amendment #1 absolutely reverses that, and allows the information, addresses, names, possibility of letters, whatever evidence oral or written, in the patrol hearing to be in the hands of the criminal and his attorney. That's dangerous (sic endangers) the witnesses and their victims and it absolutely destroys the whole Open Patrol Meetings Act, and I would urge for a 'yes' vote and I recall for a Roll Call vote, please."

Speaker Satterthwaite: "The Gentleman moves for the adoption of Amendment #2. All in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 84 voting 'yes', 21 voting 'no', 5 voting 'present' and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Curran on

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

70th Legislative Day

June 21, 1991

Senate Bill 588. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 588, a Bill for an Act to amend the Illinois Controlled Substance Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Curran."

Curran: "Madam Speaker, leave to bring this Bill back to Second for purposes of an Amendment."

Speaker Satterthwaite: "You've heard the Gentleman's request. Is there any objection? Hereing no objection, the Bill will come back to Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "This Bill's been read a second time previously. Floor Amendment #1."

Speaker Satterthwaite: "Representative Curran, is that your Amendment?"

Curran: "Amendment #1 is a Technical Amendment being offered on behalf of the Illinois State Medical Society group which I do tremendous amount of work for...basically it changes the definition from prescribers to persons, and it changes the definition those of locations from the applicant dispensers, or administerers...controlled substances, to the words controlled substances or located or stored. I think this is an Agreed Amendment."

Speaker Satterthwaite: "No one is seeking recognition on the issue. The Gentleman moves to adopt Amendment #1. All in favor say 'aye', all opposed 'nay'. The 'ayes' have it, and Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Okay. No further Amendments, Mr. Clerk? Third Reading. We are not calling any further Bills today that are amended today. We will call them on Monday. Representative DeJaegher is ready to go back to House Bill...or Senate Bill 151. Mr. Clerk, the Bill, I believe is on Second Reading. What is your desire Representative

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

70th Legislative Day

June 21, 1991

DeJaegher?"

DeJaegher: "Madam Speaker and Members of the General...I have spoken to...Representative Black pertaining to this. We realize we need additional clean up language on Amendment #1. He has graciously consented that we would move forward and put Representative Novak's Amendment on this Bill, and we'll hold his Bill after that Amendment gets on for the necessary language that would be forth coming. If you have any questions pertaining to Amendment #2, please refer them to Representative Novak."

Speaker Satterthwaite: "Representative Novak."

Novak: "Yes, Madam Speaker. Let me briefly reiterate what the Amendment does for the Members of the Body. It is formerly Senate Bill 1207 and it amends the Cannibas Control Act. It makes it unlawful to use a communication facility to commit or to cause or facilitate the commission of certain cannibas or controlled substances violations for the purpose of legislative intent, communications facility means any public or private instrumentality used or useful in the transmission of any writing, signs, signal, picture, or sound. The term includes mail, telephone wire, radio, and any other such means of communication. Be more than happy to answer any questions."

Speaker Satterthwaite: "Representative Black."

Black: "Thank you very much, Madam Speaker. With the consent of the prime Sponsor, Representative DeJaegher, we have no objection to this Amendment. Going over the Bill, there are some problems with Amendment #1. There's some technical problems with #2 and various items attempting to clean up the Cannibas Act Representative Novak and Representative DeJaegher have indicated their willingness to get this completely straightened out and all the technical problems corrected...or and if we don't, we will

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

70th Legislative Day

June 21, 1991

just simply hold the Bill and with that understanding we have no objection to this Amendment going on the Bill."

Speaker Satterthwaite: "Representative Novak to close."

Novak: "Yes, Madam Speaker and Members of the House. I move for the adoption of the Amendment."

Speaker Satterthwaite: "The Gentleman moves for the adoption of Amendment #2. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "The Bill will remain on Second Reading. Representative Munizzi. Out of the record. Representative Homer on Senate Bill 822. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 822, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Homer."

Homer: "Thank you, Madam Speaker and Ladies and Gentleman. This Bill would allow in the cases of trials or grand jury investigations of drug offenders...would permit the states attorney or designee to apply to the court for a grant and use immunity for the purpose of immunizing a witness to compel testimony that can be used not for subsequent prosecution of that witness, so that the immunity would be a limited form of immunity, and whereas the current statutes only authorize Transactional Immunity. This Bill would authorize in these drug cases for the granting for Use of Immunity which would allow for the subsequent prosecution of the witness if the evidence did not flow directly or indirectly from the testimony produced as a result of this immunity, so I would recognize any questions and would urge the passage of the Bill."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is, 'Shall Senate Bill

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

70th Legislative Day

June 21, 1991

822 pass?' All in favor vote 'aye', all opposed vote 'no'.  
Voting is open. Have all voted who wish? Have all voted  
who wish? Mr. Clerk, take the record. On this question,  
there are 101 voting 'yes', 3 voting 'no', 5 voting  
'present'. The Bill, having received a Constitutional  
Majority is hereby declared passed. Representative  
Munizzi. Out of the record. Representative Steczo.  
Senate Bill 1020. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1020, a Bill for an Act to amend the  
Unified Code of Corrections. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Steczo."

Steczko: "Thank you, Madam Speaker and Members of the House.  
Senate Bill 1020 is a Bill that seeks to assist the  
domestic violence shelters in the State of Illinois and  
imposes an additional penalty of \$100 upon persons  
convicted of various crimes against family or household  
members. This is a Bill that I believe has very little  
opposition, and we have been looking in the General  
Assembly for a means by which to fund domestic violence  
shelters for a long, long time. There is general unanimity  
and agreement that this could be a Vehicle to do that. I  
would answer any questions that the Members might have or  
would ask for your favorable vote."

Speaker Satterthwaite: "Representative Steczo, there are three  
Amendments filed for this Bill. Was it your desire to  
bring the Bill back for purposes of Amendment?"

Steczko: "Madam Speaker, my intent...I was not aware that the  
three Amendments were filed. However, it was not my  
intention to bring the Bill back."

Speaker Satterthwaite: "You want to proceed on Third Reading."

Steczko: "I would like to proceed on Third Reading."

Speaker Satterthwaite: "Is there any discussion on the Bill?  
Representative Black."

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

70th Legislative Day

June 21, 1991

Black: "Alright. You've answered my questions, Madam Speaker. We had the same questions about the Amendments, as to whether or not they've been adopted or tabled, so that the Gentleman will not...is not going to consider any of the three Amendments, correct."

Speaker Satterthwaite: "That's correct."

Black: "Thank you."

Speaker Satterthwaite: "Representative Steczo. Representative Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I certainly agree with the concept behind this measure. I have one of the Amendments on file because, I think the flat \$100 fine is not reasonable in all situations. One of the Amendments would have made a \$200...a \$25 to \$200 range. The theory behind that is that some of the times that these domestic violence situations...the family still stays together, so you have a very low income family where one of the members suffers violence, and then she suffers a second time to the loss of family income. I think it's important to allow the judge to be able to determine when it's necessary when the spouse may not be going back to the household and a maximum fine is needed and when the fine will in fact punish the victim a second time. I would urge the Sponsor to consider it perhaps accepting the Amendment to creating more of a range to cover various circumstances."

Speaker Satterthwaite: " Representative Steczo to close."

Steczko: "Thank you Madam Speaker, Members of the House. As I mentioned, we think that this is a reasonable approach to fund a very vital and needed service. I would just answer the previous gentleman by indicating that in a case now where you have a low income family and there has been a crime committed against that family or household member

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

70th Legislative Day

June 21, 1991

where this...this additional fine would be imposed, the judge in the court can allow that those fines be paid in payments over time so as not to create undue economic hardship on that particular household. The judge and the court already has that authority under current law. That being said Madam Speaker, I believe a yes vote is in order and would ask for such."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 1020 pass?' All those in favor vote 'yes', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'yes', none voting 'no', 7 voting 'present'. The Bill, having received a Constitutional Majority is hereby declared passed. Representative Schakowsky on Senate Bill 1151. Representative Schakowsky. Out of the record. Representative Hoffman. Manny Hoffman on Senate Bill 1209. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1209. A Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Manny Hoffman."

Hoffman: "Thank you Madam Chairman, Ladies and Gentleman. This Bill will amend the Criminal Code of 1961 to create a factor in the aggravation, allowing the death penalty to be considered for everyone while incarcerated in the Department of Corrections engaged in a criminal activity which results in the murder of another person. This Bill was so important that the State's Attorney from Will County traveled three hours to come down here to testify, to bring this Bill out of committee. He thought it was so important to the whole area that he took a whole day to come down here to testify...the Department of Corrections are for this Bill and it certainly sends a message to the drug

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

70th Legislative Day

June 21, 1991

lords and the crime zars that they cannot order a killing while in jail without having something occur. I ask the Body to vote on this Bill 'aye'."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is 'Shall Senate Bill 1209 pass?' All those in favor vote 'yes'. All those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 94 voting 'yes', 14 voting 'no', 4 voting 'present'. The Bill having received a Constitutional Majority is hereby declared passed. Representative Cronin on Senate Bill 1272. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1272, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Cronin."

Cronin: "Thank you very much, Madam Speaker and Members of the House. Senate Bill 1272 amends the Illinois Vehicle Code. This Bill establishes as one year the statutory summary suspension period for a person other than a first offender following submission to a chemical test that discloses any amount of a drug, substance or compound in the person's blood or urine. Currently, a first offender receives a three month statutory summary suspension following his submission to a chemical test for alcohol. This treats drug concentration the same way it treats alcohol. It puts it on the same level, and it treats the drug of alcohol much the same as the drug...others...controlled substances. I'm open for any question, I urge an 'aye' vote."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is, 'Shall Senate Bill 1272 pass? Representative Black."

Black: "Thank you very much, Madam Speaker. Would the Sponsor



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

70th Legislative Day

June 21, 1991

yield?"

Speaker Satterthwaite: "He indicates he will."

Black: "Representative, a question was posed to me about this Bill. This suspension would take effect regardless as to whether the individual was involved in a motor vehicle...if he, for example, if he was employed in a business who did random testing, and this test came up positive, does that mean that's one offense, and that offense would be an automatic suspension, or is it only related to vehicular problems?"

Cronin: "Bill, this amends the Illinois Vehicle Code. It only applies to vehicle use."

Black: "Okay. That's the only question we had. Thank you."

Speaker Satterthwaite: "The Gentleman asks for the passage of Senate Bill 1272. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes', none voting 'no', 3 voting 'present'. The Bill having received a Constitutional Majority is hereby declared passed. Representative Leitch on Senate Bill 1291. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1291, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Leitch."

Leitch: "Thank you, Madam Speaker. I would ask leave to return the Bill to Second Reading for an Amendment, please."

Speaker Satterthwaite: "Gentleman asks leave to return the Bill to Second Reading. Is there any objection? Seeing none, the Bill is on Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "On the Order of Second Reading, Floor Amendment #1 is being offered by Representative Homer."

Speaker Satterthwaite: "Representative Homer."

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

70th Legislative Day

June 21, 1991

Homer: "Madam Speaker, this underlying Bill authorizes the police to enter dwellings or buildings with search warrants without first knocking where a judge makes various findings of exigent circumstances. It was felt, and in discussing the Bill in committee that those circumstances were too broadly drawn. This Amendment, which was drafted by the Appellate Defender, tightens up those exigencies, and would conform the Bill to common law decisions of the courts interpreting the search without knocking requirements. I would move its adoption."

Speaker Satterthwaite: "Representative Currie."

Currie: "Madam Speaker and Members of the House. This is a Bill that makes entry without knocking okay. Does this not remind those of us who are old enough to remember about Storm Troopers, the kinds of anxieties that can be aroused by the thought that police can enter without knocking? I think this is an unfortunate Bill, and I hope all of us will examine very carefully how we feel about this kind of police home invasion before we vote 'aye' on this. I ask you to vote 'no'."

Speaker Satterthwaite: "Representative Young."

Young, A.: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I too rise in opposition to this Bill, and I would remind the Body that just because there's cause for a warrant, doesn't mean the person inside has committed a crime or is a criminal. When you allow people to enter someone's home without knocking, you run the risk of a violent altercation when the homeowner doesn't know it's the police that's coming in. I think this is a case where we can have a shooting situation, with a homeowner who winds up not being guilty of a crime, but may have gotten into a shootout with a police officer who came into his home without knocking. I think we should vote this down."

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

70th Legislative Day

June 21, 1991

Speaker Satterthwaite: "Representative Homer."

Homer: "Thank you. Well, this is my...I was asking to be recognized to close. If there are others speaking..."

Speaker Satterthwaite: "There are other speakers."

Homer: "Let me...Madam Speaker, I think some of the Members speaking think they're speaking on the Bill instead of the Amendment, and I...the Amendment was drafted by the Appellate Defender to tighten up the Bill, and I guess if they want...they think the Bill is bad, they wouldn't want to vote for this because they think it would make it a better Bill, but I would think the arguments they're advancing...the same argument as to why they would support this Amendment, they may then want to vote against the Bill, but the Amendment tightens up the Bill to protect the rights of those within the dwellings, so I would just ask them to look to see what they're debating at this time."

Speaker Satterthwaite: "Representative Lang."

Lang: "Thank you, Madam Speaker. I rise in support of this Amendment for the reasons the previous Speaker gave. Those that are against the Bill, and I'm one of them, I'm going to vote against the Bill, but I think we should make a bad Bill a little better just in case it might pass, so I would suggest that even those who are against the Bill, vote for the Amendment and then against the Bill."

Speaker Satterthwaite: "Representative Black."

Black: "Madam Speaker, the previous speaker said exactly what I was going to address. This Amendment needs to go on this Bill, then the Bill can be considered on its own merits."

Speaker Satterthwaite: "Representative Homer to close."

Homer: "Thank you. I think we've...we understand. There's some who are against the Bill which allows under limited circumstance for police officers to enter a building with a search warrant without first announcing their identity and

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

70th Legislative Day

June 21, 1991

without knocking. This Amendment tightens up the circumstances and limits the circumstances under which that type of activity or that kind of entry can be made. So I would think that we all want to support the Amendment, and then we could debate the Bill as amended. I would urge the adoption of the Amendment."

Speaker Satterthwaite: "You've heard the Gentleman's Motion. All in favor say 'aye', opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Davis on Senate Bill 1302. Is the Lady in the chamber? She is not. Remove the Bill from the record. Representative Leitch on Senate Bill 1377. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1377, a Bill for an Act to amend an Act in relationship to immunity of criminal prosecution. Third Reading of the Bill."

Speaker Satterthwaite: "Excuse me, Representative Leitch. There is a question as to whether or not we wanted to keep Senate Bill 1291 on Second Reading or move it to Third. Is it your desire to move the previous Bill that you handled, Senate Bill 1291, to Third Reading at this time?"

Leitch: "Yes, please."

Speaker Satterthwaite: "The Bill will be moved to Third Reading, then back on Senate Bill 1377, Representative Leitch."

Leitch: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. Senate Bill 1377 is very similar to Senate Bill 822 which got nearly unanimous vote here a few minutes ago, it's a Bill which enacts in Illinois the opportunity for prosecutors to give use immunity as opposed to continuing to have transactional immunity, and I would appreciate a favorable Roll Call."

Speaker Satterthwaite: "Is there any discussion? Representative

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

70th Legislative Day

June 21, 1991

McCracken."

McCracken: "Gag me with a spoon. I can see that this is an effective law enforcement tool, but from my observations of its use in the federal system, its often abused rather than used prudently. I have grave reservations about adopting this for Illinois. I always thought one of the strengths of Illinois law was that use of only transactional immunity. I do not agree with this Bill, I understand how someone could support it in good faith, but in my observation, it has not been used. It has not always been used in good faith. Now, for those of you who care about the Iran-Contra affair, Oliver North was compelled to give testimony to Congress, and there is a question now whether that testimony was used in the prosecution against him. The court of appeals in Washington, D.C. reversed the conviction pending a hearing requiring the prosecutor to prove that none of his testimony given before the Congress was used in his trial, or led to the use of evidence in his trial. I...you know, I suppose this cuts both ways, we all want to have a good law enforcement record, I have reservations about this, I recommend a 'no' vote."

Speaker Satterthwaite: "Is there further discussion? Representative Homer."

Homer: "Thank you, Madam Speaker. I take the contrary position of the previous Gentleman. Under current law, testimony can be compelled. It's just that the prosecutor has to grant that person complete immunity, even though the person may be just as guilty as the others against whom the testimony is given, or in some cases more guilty...one person walks, escapes and goes free, while the others go to jail. That's brought about a great deal of public outcry about unfairness in the Criminal Justice System. By using limited immunity, which is use immunity, it provides a

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

70th Legislative Day

June 21, 1991

method of treating all the defendants fairly. What it says is, that yes, you must testify as to what you know about this case, and nothing whatsoever that you say directly or indirectly can be used in any way ever against you, but if we have other independently collected evidence, then we still can proceed to prosecute you for the crimes that you've committed, just as we're prosecuting the defendants against whom you are compelled to testify. It's a much more fair system, there has never been a rationality in my mind for giving someone a complete free ride while prosecuting the co-defendants which the current law requires to be done, the use immunity doctrine has been used at the federal level for many, many years, and very successfully. It's a much more thorough way to treat all of those who may be culpable in criminal conspiracy or in a criminal case. Yes, it presents evidentiary problems later for the prosecution, that's why they won't be giving it out very frequently or very frivolously, because they have to show that they have collected all of the evidence completely and totally independent from anything that the immunized witness may have provided, so I believe it's a good tool, it's one that provides fairness to all the defendants, and ought to be approved."

Speaker Satterthwaite: "Representative Johnson."

Johnson: "Could I...just one second. This...I think people ought to understand the context that this Bill is to be considered in. It's...200 years or more history in the United States...800 years in Anglo-American law, adopts the basic principle that you don't have to testify against yourself, that you can't be dragged into court...asked to testify, and then have what you say in court or at a particular hearing, Grand Jury or otherwise, used against you, and that's what we've managed to protect for many,

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

70th Legislative Day

June 21, 1991

many, many years in Illinois with a system of transactional immunity. If we adopt this system, we've done incredible damage to those 200 years of history and those many years of history in Illinois, that have said, that you can't have what you say at a preliminary matter or Grand Jury ultimately used to convict you. Now you can argue the nuances of that issue, but fundamentally, the difference is that of the current system, if a prosecutor is going to bring you in, require you to testify against all those protections that you normally have, that you at least ought to have transactional immunity. You change this, you've done an incredible change in the law, it's something I think if you're gonna do it, it really ought to be aware of what you're doing. This is not a pro-prosecution or a pro-defense...it can't be labeled for those simple terminology, or those simple words. It's a very damaging thing to the fundamental concept of civil liberty that apply on all parts of the system, and really don't come down in a liberal or conservative way. With all due respect, and maybe we should have caught the earlier Bill earlier, Representative Homer's, this is a bad concept and, it goes so far in one direction, that we're going to regret ever having done this. I'm a pro-prosecution person. I'm a law and order legislator, but this is bad business, and it's a bad Bill."

Speaker Satterthwaite: "Representative Leitch to close."

Leitch: "Thank you, Madam Speaker. I guess really there's nothing that the average citizen fails to understand more, than when a criminal gets let loose on a technicality, and I would say that very often, what has happened in our state, is someone is given transactional immunity, they get on the stand, and then they confess to a crime that they did not commit, and a guilty party is off the hook. This

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

70th Legislative Day

June 21, 1991

has happened over and over, and as a result, that's one of the reasons why use immunity has been proposed for our state as other states have. It's an important thing that we try in Illinois, and I would simply ask for a favorable Roll Call."

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 1377 pass?' All those in favor vote 'yes', all those opposed vote 'no'. Voting is open. Representative Myron Olson."

Olson, M.: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. To briefly explain my vote, Representative Leitch is on the right track relative to this legislation. It has unusual merit and should be supported by the majority of this House."

Speaker Satterthwaite: "Representative Matijeovich."

Matijeovich: "Madam Speaker, I've spent a little time in law enforcement, and immunity has always bothered me. I have seen some guys behind bars, and I've seen them concoct some of the wildest things, figuring that they had a way...a ticket out of jail, and that's what's always bothered me about immunity, that somebody who may be guilty themselves, then are granted immunity and then concoct, and I mean concoct some wild stories that then may turn against somebody else. It's (sic It has) always bothered me that very often, the person who may be the most guilty of all, then walks the street and that party who may be lesser is then behind bars, and that's what really worries me about immunity, and that's why I voted 'no' on this Amendment."

Speaker Satterthwaite: "Representative Balanoff"

Balanoff: "If this Bill does receive 60 votes, we'd like to do a verification."

Speaker Satterthwaite: "Excuse me, Representative Balanoff, I didn't hear your comment."

Balanoff: "If it does receive 60 votes when you take the Roll or



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

70th Legislative Day

June 21, 1991

whatever...the record, we'd like to do a verification."

Speaker Satterthwaite: "Representative McCracken, is that your same request? Have all voted who wish? Have all voted who wish? Have all voted who wish? Members please vote their own switches, there is a request for a verification. Mr. Clerk, take the record. On this question, there are 67 voting 'yes', 35 voting 'no', and 6 voting 'present'. Representative Leitch asks for a Poll of the Absentees."

Clerk Leone: "Poll of those Members not voting. Lynn, Kubik, Petka, Regan, Richmond, Ryder, Stange and Wojcik."

Speaker Satterthwaite: "Representative Regan wishes to be voted 'aye'. He asks for leave to be verified. Is there leave for Representative Regan to be verified? Either Representative McCracken...you give that leave for Representative Regan? Representative Edley wishes to be voted 'aye'. Is there leave for Representative Edley to be verified? Mr. Clerk, Poll the Affirmative."

Clerk Leone: "Poll of those voting in the Affirmative. Ackerman. Balthis. Black. Brunsvold. Bugielski. Burke. Burzynski. Capparelli. Churchill. Cowlshaw. Cronin. Daniels. Deering..."

Speaker Satterthwaite: "Excuse me, Mr. Clerk. Representative DeJaegher is asking leave to be verified. Does Representative DeJaegher have leave to be verified? Representative McCracken. Does Representative DeJaegher have leave? Representative Deering. Same request, Representative Hartke."

McCracken: "Yes."

Speaker Satterthwaite: "Proceed, Mr. Clerk."

Clerk Leone: "Deuchler. Edley. Ewing. Farley. Virginia Frederick. Granberg. Hannig. Hartke. Hasara. Hensel. Hicks. Jay Hoffman. Manny Hoffman. Homer. Hultgren. Keane. Kulas. Leitch. Marinaro. Martinez. Mautino.

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

70th Legislative Day

June 21, 1991

McAfee. McAuliffe. McGann. McGuire. McNamara.  
Mulcahey. Munizzi. Novak. Correction, that's Noland.  
Bob Olson. Myron Olson. Parcels. Parke. Bernard  
Pedersen. Persico. William Peterson. Phelan. Phelps.  
Pullen. Regan. Ronan. Rotello. Santiago.  
Satterthwaite. Sieben. Tenhouse. Wait. Walsh. Weaver.  
Weller. Wennlund. White. Wolf and Woolard. No further."

Speaker Satterthwaite: "It will help with the verification process if Members will be in their seats and if as many staff persons as are not needed can leave the floor...are there questions of the Affirmative Roll Call?"

McCracken: "Thank you. Representative Farley."

Speaker Satterthwaite: "Representative Farley. Is the Gentleman in the chamber? How is he recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Satterthwaite: "Remove him."

McCracken: "Representative Keane."

Speaker Satterthwaite: "Representative Keane. Is the Gentleman in the chamber? Remove him."

McCracken: "Representative Ronan."

Speaker Satterthwaite: "Representative Cronin is in his seat."

McCracken: "Ronan."

Speaker Satterthwaite: "Ronan. Is Representative Ronan in the chamber? How's the Gentleman recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Satterthwaite: "Remove him."

McCracken: "Representative Jay Hoffman."

Speaker Satterthwaite: "Representative Hoffman is in his seat."

McCracken: "Representative McAuliffe."

Speaker Satterthwaite: "Representative McAuliffe. How is the Gentleman recorded? McAuliffe."

Clerk Leone: "Representative McAuliffe is recorded as voting 'aye'."

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

70th Legislative Day

June 21, 1991

Speaker Satterthwaite: "Remove him."

McCracken: "Representative Martinez."

Speaker Satterthwaite: "Representative Martinez. Is the Gentleman in the chamber? He is not. Remove him from the Roll Call."

McCracken: "Representative Martinez."

Speaker Satterthwaite: "We just removed him."

McCracken: "Oh. I'm sorry. Representative Parke."

Speaker Satterthwaite: "Representative Parke. Is Representative Parke in the chamber? He is not. Remove him from the Roll Call. Representative Ropp, for what reason do you rise?"

Ropp: "Change my vote to 'aye' please."

Speaker Satterthwaite: "Mr. Clerk, change Representative Ropp to 'aye'."

McCracken: "Representative Bugielski."

Speaker Satterthwaite: "Representative Bugielski. Is he in the chamber? He is not. Remove him from the Roll Call."

McCracken: "Representative Capparelli."

Speaker Satterthwaite: "Representative Capparelli. Is he in the chamber? He is not, remove him from the Roll Call."

McCracken: "Representative Munizzi."

Speaker Satterthwaite: "Representative Munizzi. Is the Lady in the chamber? She is not. Remove her from the Roll Call."

McCracken: "Representative Phelps."

Speaker Satterthwaite: "Representative Phelps. Is the Gentleman in the chamber?"

McCracken: "Representative Woolard."

Speaker Satterthwaite: "Representative Woolard. Is the Gentleman in the chamber? He is not. Remove him from the Roll Call. Representative Woolard has returned. Vote him 'aye'. Representative Phelps, votes 'aye'. Representative..."

McCracken: "Representative Mautino."

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

70th Legislative Day

June 21, 1991

Speaker Satterthwaite: "Representative White wishes to vote 'no'. Representative Ryder wishes to vote 'aye', and Representative Mautino...is Representative Mautino here? He is not. Remove him from the Roll Call."

McCracken: "Representative Mulcahey."

Speaker Satterthwaite: "Representative Mulcahey. Is the Gentleman here? He is not. Remove him from the Roll Call."

McCracken: "Representative Wennlund."

Speaker Satterthwaite: "Representative Wennlund is in the back of the chamber."

McCracken: "Representative Parcells."

Speaker Satterthwaite: "Representative Parcells. Is the Lady in the chamber? She is not. Remove her from the Roll Call."

McCracken: "Representative Churchill."

Speaker Satterthwaite: "Representative Churchill. Is the Gentleman in the chamber? He is not. Remove him from the Roll Call."

McCracken: "Representative Bernie Pedersen."

Speaker Satterthwaite: "Representative Pedersen. Is the Gentleman in the chamber? He's over on the Democratic side."

McCracken: "Representative William Peterson."

Speaker Satterthwaite: "Representative Will Peterson. Is the Gentleman in the chamber? He is not. Remove him from the Roll Call."

McCracken: "Nothing further."

Speaker Satterthwaite: "Representative Curran wishes to be voted 'aye'. Mr. Clerk, take the record. On this question...Representative Leitch."

Leitch: "I'd request Postponed Consideration, please."

Speaker Satterthwaite: "The Gentleman requests that the Bill be placed on Postponed Consideration. Representative Cronin

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

70th Legislative Day

June 21, 1991

on Senate Bill 1428. Do you wish to have the Bill called?  
Out of the record. Mr. Clerk, we're going back to  
Agriculture and Environment, Second Reading, Senate Bill  
1364. Can you inform us of the status of that Bill?"

Clerk Leone: "Senate Bill 1364 has been read previously.  
Amendment #1 was adopted and a fiscal note has now been  
filed on Senate Bill 1364."

Speaker Satterthwaite: "Third reading. On the Order of Higher  
Education, Third Reading, Senate Bill 1300, Representative  
Weaver. Representative Weaver is recognized."

Weaver: "Thank you very much, Madam Speaker. I would ask leave  
of the Body to return the Bill to Second Reading for  
purposes of Amendment."

Speaker Satterthwaite: "The Gentleman asks leave to return the  
Bill to Second Reading. Is there any objection? Hearing  
none, the Bill is returned to Second Reading."

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

Speaker Satterthwaite: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. This  
Amendment just clarifies the section of the High School  
requirements for admission to public universities in the  
state that the completion of four years of high school  
english can be satisfied if two of those years...one or two  
of those years actually includes college-level instruction.  
I've checked the contents of the Bill with the Board of  
Higher Education, the Student Assistance Commission. I  
know of no opposition and would appreciate your support for  
the measure."

Speaker Satterthwaite: "Is there any discussion of the Lady's  
Motion? Representative Weaver?"

Weaver: "Thank you, Madam Speaker. This is an Agreed Amendment.  
Representative Currie has checked with us. It's a state

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

70th Legislative Day

June 21, 1991

board Amendment, we have no objections."

Speaker Satterthwaite: "The Lady moves for the adoption of Amendment #1. All in favor say 'aye', opposed 'nay'. The 'ayes' have it and Amendment #1 is adopted. Any further Amendments?"

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

Speaker Satterthwaite: "Representative Leitch."

Leitch: "Thank you, Madam Speaker. Amendment #2 is a small Amendment which helps a Desert Storm veteran in my district, and I'd appreciate a favorable vote."

Speaker Satterthwaite: "Representative Homer."

Homer: "Thank you. Will the Gentleman yield?"

Speaker Satterthwaite: "He indicates he will."

Homer: "Representative Leitch, we don't...I don't think that Bill's...I don't think that Amendment is printed and distributed, but you had stopped over here briefly. Could you explain again? I couldn't hear what you explained that your Amendment did."

Leitch: "Yes. Thank you, Representative. Representative Saltsman and I have a Desert Storm veteran who misses by a few days the active duty requirements for his scholarship, and this opens a narrow window which is not being opposed by the scholarship commission, but it opens to give him a final year at Eastern University and it...the whole thing goes off in a year, sunsets in a year."

Homer: "Does your Amendment just apply to one individual?"

Leitch: "No. But I don't think it applies to very many individuals."

Homer: "Alright. Thank you."

Speaker Satterthwaite: "Representative Weaver."

Weaver: "Thank you, Madam Speaker, and Ladies and Gentlemen. This Amendment was also run by us beforehand, it is a

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

70th Legislative Day

June 21, 1991

friendly Amendment, and we agree and move for its adoption."

Speaker Satterthwaite: "The Gentleman moves for adoption of Amendment #2. All in favor say 'aye', opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Satterthwaite: "Third Reading. The Special Order of Health Care, Third Reading, appears Senate Bill 601, Representative McAfee. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 601, a Bill for an Act to amend the AIDS Confidentiality Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative McAfee."

McAfee: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 601 as amended amends the AIDS Confidentiality Act to provide that firefighters and emergency medical technicians who are tested for HIV as a result of accidental patient contact will be provided appropriate counseling if the test result is positive. Currently, the Confidentiality Act only specifies that the patient involved will receive appropriate counseling concerning positive results. I know of no opposition, and I urge your support."

Speaker Satterthwaite: "Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 601 pass?' All in favor vote 'yes', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes', none voting 'no', none voting 'present', the Bill having received a Constitutional Majority is hereby declared passed. Representative White on Senate Bill 608. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 608, a Bill for an Act in relation to

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

70th Legislative Day

June 21, 1991

the Department of Public Health. Third Reading of the Bill."

Speaker Satterthwaite: "Representative White."

White: "Mr. Speaker and Ladies and Gentlemen of the House. This Bill was passed out of this Body when it was a House Bill, and it would provide scholarships for three podiatrists who'd like to practice in underserved areas. That is the Bill, and I make myself available to any questions."

Speaker Satterthwaite: "The Bill is on Short Debate. Does anyone rise in opposition? Seeing no one seeking...Representative Weller."

Weller: "Madam Speaker, inquiry of the Chair. I believe a Fiscal Note request was filed on this Bill. Was that ever filed with the Clerk?"

Speaker Satterthwaite: "Mr. Clerk, can you inform us of the status of the Gentleman's request? Representative White."

White: "While you're looking for the Fiscal Note, this Bill is identical to the one we passed out and the amount that we are talking about is \$45,000, it's for three scholarships at \$15,000 each, so that would be what would appear on the Fiscal Note."

Speaker Satterthwaite: "The records indicates that the Fiscal Note was...Fiscal Note request was filed on the same day the Bill had been moved to Third Reading. We can get no more definitive answer on that, but we assume since the Bill moved to Third Reading, the Fiscal Note was filed subsequent, was requested after the Bill had moved to Third. However, the Sponsor has indicated that a similar Bill has passed, and the cost of that Bill is \$45,000. Representative Weller."

Weller: "Madam Speaker, I'd like to continue speaking on this Bill if I may."

Speaker Satterthwaite: "Proceed."



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

70th Legislative Day

June 21, 1991

Weller: "While a Fiscal Note was not filed, and perhaps a deadline of getting that out properly was missed, it's my understanding the fiscal impact of this legislation, and I understand that the Sponsor is trying to accomplish some good, and I recognize that, and the idea does have merit, however, the minimum of the...minimum cost to the taxpayers of the state of implementing the requirements of legislation is \$42,000 during just the first full year of implementation, and that does not include the cost of the grants, scholarships or loans. Because of that position, I would...I rise in opposition to the legislation, as I did in committee in the health care committee. Representative, I have the greatest respect for your goals here, however, considering the state's fiscal situation, perhaps this is an idea that should wait until we have more money in our pockets that we can pay for it and for that reason I would ask my colleagues in the House, particularly those on this side of the aisle, to stand on the side of the Department of Public Health, the Illinois State Medical Society in opposition to this Bill, and vote 'no'."

Speaker Satterthwaite: "Representative White to close."

White: "Madam Speaker, and Ladies and Gentlemen of the House. This Bill is designed to not accommodate the people in my district, but it's designed to accommodate those districts that are underserved and you would find those districts in southern Illinois. I stand on the \$45,000 Fiscal Note, and something else I'd like to add to this, and that is the Illinois Public Health Department has basically a philosophical opposition to this Bill, and not so much on the merits of it, and so I move for the adoption of this fine piece of legislation that is designed to provide podiatric service for those underserved areas in the State of Illinois."

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

70th Legislative Day

June 21, 1991

Speaker Satterthwaite: "The question is, 'Shall Senate Bill 608 pass?' All those in favor vote 'yes', all those opposed vote 'no'. Voting is open. Representative Weller."

Weller: "Madam Speaker, should this Bill receive the requisite number of 60 votes, I would ask for the opportunity to verify that the 'yes' votes are actually present."

Speaker Satterthwaite: "Representative Matijeich."

Matijeich: "Madam Speaker, he sure has that right, but I should remind him that this Bill passed here lll to nothing, it's going to pass in the Senate, so I think that will be an exercise in futility, and but he has that right, but he ought to reconsider it."

Speaker Satterthwaite: "Representative Weller, do you persist in your request for a verification?"

Weller: "Yes. I still persist."

Speaker Satterthwaite: "Mr. Clerk, have we taken the record? Take the record. The Sponsor requests a Poll of the Absentees."

Clerk O'Brien: "Poll of those not voting. Hasara, Shirley Jones, and Tenhouse. No further."

Speaker Satterthwaite: "Poll of the affirmative."

Clerk O'Brien: "Balanoff, Brunsvold, Bugielski, Burke, Capparelli..."

Speaker Satterthwaite: "Excuse me, Mr. Clerk. Representative Schoenberg asks leave to be verified. Representative Matijeich."

Matijeich: "Madam Speaker, I think I would help the Sponsor if I...we can't take a Bill out of the record, but I can look around and find there's not enough votes here. I'm going to change to 'present' and would ask a lot of others to do it, to get down to 45 or whatever it is, so we can put it on Postponed Consideration and get the hell out of here."

Speaker Satterthwaite: "Perhaps if we could dump this Roll Call,

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

70th Legislative Day

June 21, 1991

and have people vote again on the issue, and people vote only their own switches. Dump the Roll Call. The question is, 'Shall Senate Bill 608 pass?' All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative White."

White: "Madam Speaker, I'd like to put this Bill on Postponed Consideration."

Speaker Satterthwaite: "This Bill, having received 49 'yes' votes, 36 'no' votes and 4 'present', the Sponsor requests postponed consideration. Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution 68, offered by Representative Kubik. Senate Joint Resolution 72, DeLeo. House Resolution 756, Hultgren. 757, Speaker Madigan. 758, Hannig. 759, Sieben. 760, Stern. 761, Shaw. 762, Weller, 763, McGann, and 764, Lang."

Speaker Satterthwaite: "Representative Matijevich moves the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no. The 'ayes' have it and the Agreed Resolutions are adopted. We need to go back for one more piece of business, Senate Bill 698. Representative Steczo is recognized on Senate Bill 698."

Steczko: "Thank you, Madam Speaker. I would ask leave to take Senate Bill 698 from the table and place it on the Order of Interim Study."

Speaker Satterthwaite: "You've heard the Gentleman's request. Is there leave? By use of the Attendance Roll Call, the Bill will be placed on Interim Study. Are there General Resolutions?"

Clerk O'Brien: "House Joint Resolution 41, offered by Representative Woolard."

Speaker Satterthwaite: "Representative Woolard. Committee on Assignment. Death Resolutions."

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

70th Legislative Day

June 21, 1991

Clerk O'Brien: "House Resolution 755, offered by Representative Johnson. With respect to the memory of Donald L. Deutch."

Speaker Satterthwaite: "Representative Matijevich moves adoption of the Death Resolution. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, the Amendment is adopted. The Adjournment Resolution."

Clerk O'Brien: "Senate Joint Resolution 77. Resolved by the Senate of the 87th General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the Senate adjourns on Friday, June 21, 1991, it stands adjourned until Monday, June 24, 1991 at 12:00 noon, and when the House of Representatives adjourn on Friday, June 21, 1991, it stands adjourned until Monday, June 24, 1991 at 4 o'clock p.m."

Speaker Satterthwaite: "Representative Matijevich moves the adoption of the Adjournment Resolution. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Adjournment Resolution is adopted. Allowing Perfunctory time for the Clerk to read things into the record, the House now stands adjourned." Representative Matijevich now moves that the House stand adjourned until Monday the 24th of June at 4:00 p.m. First Special Session will now come to order. The Attendance Roll Call for the Regular Session will be used for the Attendance Roll Call for the Special Session. The Adjournment Resolution is moved by Representative Matijevich. All those in...Mr. Clerk, read the Resolutions."

Clerk O'Brien: "Senate Joint Resolution #12, resolved by the Senate of the 87th General Assembly of the State of Illinois, the First Special Session, thereof, the House of Representatives concurring herein, that when the Senate adjourns on Friday, June 21, 1991, it stands adjourned until Monday, June 24, 1991, at 12:30 o'clock p.m., and

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

70th Legislative Day

June 21, 1991

when the House of Representatives adjourn on Friday, June 21, 1991, it stands adjourned until Monday, June 24, 1991 at 4:05 o'clock p.m."

Speaker Satterthwaite: "You've heard the Resolution. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Resolution is adopted. Representative Matijevich now moves that the First Special Session be adjourned. All those in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the First Special Session is adjourned until 4:05 on June 24th."

Clerk O'Brien: "Perfunctory Session. Message from the Senate, 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 passage of Bills with the following titles, to wit: House Bills #57, 65, 94, 114, 129, 240, 266, 274, 426, 431, 434, 455, 477, 516, 518, 606, 673, 687, 691, 742, 764, 796, 799, 1014, 1073, 1085, 1934, 1949, 1970, 1982, 1996, 2015, 2017, 2067, 2075, 2100, 2148, 2174, 2181, 2190, 2208, 2234, 2462, 2494, 2556 and 2642, together with the attached Amendments the adoption of which I am instructed to ask concurrence of the House, passed the Senate as amended June 20, 1991. Linda Hawker, Secretary of the Senate. Being no further business, the House now stands adjourned."

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

JUNE 21, 1991

HB-1620 CONCURRENCE	PAGE	31
SB-0010 THIRD READING	PAGE	80
SB-0011 THIRD READING	PAGE	80
SB-0031 THIRD READING	PAGE	52
SB-0045 SECOND READING	PAGE	20
SB-0045 OUT OF RECORD	PAGE	21
SB-0064 THIRD READING	PAGE	116
SB-0073 SECOND READING	PAGE	19
SB-0089 SECOND READING	PAGE	21
SB-0116 RECALLED	PAGE	116
SB-0130 THIRD READING	PAGE	34
SB-0133 SECOND READING	PAGE	4
SB-0151 RECALLED	PAGE	117
SB-0154 SECOND READING	PAGE	19
SB-0158 THIRD READING	PAGE	62
SB-0242 THIRD READING	PAGE	119
SB-0257 RECALLED	PAGE	90
SB-0257 THIRD READING	PAGE	70
SB-0257 THIRD READING	PAGE	92
SB-0258 SECOND READING	PAGE	4
SB-0264 SECOND READING	PAGE	13
SB-0278 RECALLED	PAGE	120
SB-0278 THIRD READING	PAGE	120
SB-0301 SECOND READING	PAGE	4
SB-0302 SECOND READING	PAGE	4
SB-0303 SECOND READING	PAGE	4
SB-0304 SECOND READING	PAGE	4
SB-0305 SECOND READING	PAGE	4
SB-0306 SECOND READING	PAGE	4
SB-0308 SECOND READING	PAGE	4
SB-0310 SECOND READING	PAGE	4
SB-0311 SECOND READING	PAGE	4
SB-0334 SECOND READING	PAGE	4
SB-0335 SECOND READING	PAGE	4
SB-0336 SECOND READING	PAGE	4
SB-0337 SECOND READING	PAGE	5
SB-0338 SECOND READING	PAGE	5
SB-0339 SECOND READING	PAGE	5
SB-0340 SECOND READING	PAGE	5
SB-0341 SECOND READING	PAGE	5
SB-0342 SECOND READING	PAGE	5
SB-0343 SECOND READING	PAGE	5
SB-0344 SECOND READING	PAGE	5
SB-0345 SECOND READING	PAGE	5
SB-0346 SECOND READING	PAGE	5
SB-0348 SECOND READING	PAGE	5
SB-0349 SECOND READING	PAGE	5
SB-0350 SECOND READING	PAGE	5
SB-0351 SECOND READING	PAGE	5
SB-0352 SECOND READING	PAGE	5
SB-0353 SECOND READING	PAGE	5
SB-0354 SECOND READING	PAGE	5
SB-0355 SECOND READING	PAGE	6
SB-0356 SECOND READING	PAGE	6
SB-0357 SECOND READING	PAGE	6
SB-0358 SECOND READING	PAGE	6
SB-0359 SECOND READING	PAGE	6
SB-0360 SECOND READING	PAGE	6
SB-0361 SECOND READING	PAGE	6
SB-0363 SECOND READING	PAGE	6
SB-0364 SECOND READING	PAGE	6
SB-0365 SECOND READING	PAGE	6
SB-0366 SECOND READING	PAGE	6
SB-0367 SECOND READING	PAGE	6

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

JUNE 21, 1991

SB-0368	SECOND READING	PAGE	6
SB-0369	SECOND READING	PAGE	6
SB-0370	SECOND READING	PAGE	6
SB-0371	SECOND READING	PAGE	6
SB-0372	SECOND READING	PAGE	6
SB-0373	SECOND READING	PAGE	6
SB-0374	SECOND READING	PAGE	6
SB-0385	THIRD READING	PAGE	87
SB-0409	SECOND READING	PAGE	7
SB-0440	SECOND READING	PAGE	7
SB-0477	THIRD READING	PAGE	49
SB-0499	SECOND READING	PAGE	23
SB-0505	SECOND READING	PAGE	10
SB-0535	THIRD READING	PAGE	81
SB-0580	THIRD READING	PAGE	93
SB-0588	SECOND READING	PAGE	122
SB-0588	RECALLED	PAGE	122
SB-0593	SECOND READING	PAGE	11
SB-0601	THIRD READING	PAGE	143
SB-0608	THIRD READING	PAGE	144
SB-0608	POSTPONED CONSIDERATION	PAGE	147
SB-0619	RECALLED	PAGE	97
SB-0619	THIRD READING	PAGE	96
SB-0628	MOTION	PAGE	82
SB-0659	SECOND READING	PAGE	33
SB-0698	OTHER	PAGE	147
SB-0698	OTHER	PAGE	147
SB-0707	SECOND READING	PAGE	22
SB-0707	OUT OF RECORD	PAGE	23
SB-0715	THIRD READING	PAGE	88
SB-0756	SECOND READING	PAGE	29
SB-0757	THIRD READING	PAGE	98
SB-0763	SECOND READING	PAGE	114
SB-0791	THIRD READING	PAGE	98
SB-0822	THIRD READING	PAGE	124
SB-0829	THIRD READING	PAGE	59
SB-0844	THIRD READING	PAGE	93
SB-0873	THIRD READING	PAGE	99
SB-0874	THIRD READING	PAGE	111
SB-0915	THIRD READING	PAGE	112
SB-0953	SECOND READING	PAGE	7
SB-0954	SECOND READING	PAGE	7
SB-0956	SECOND READING	PAGE	7
SB-0958	SECOND READING	PAGE	7
SB-0959	SECOND READING	PAGE	7
SB-0973	SECOND READING	PAGE	19
SB-0973	OUT OF RECORD	PAGE	19
SB-1016	SECOND READING	PAGE	13
SB-1020	THIRD READING	PAGE	125
SB-1037	THIRD READING	PAGE	57
SB-1048	SECOND READING	PAGE	7
SB-1059	THIRD READING	PAGE	83
SB-1073	THIRD READING	PAGE	89
SB-1105	SECOND READING	PAGE	30
SB-1125	THIRD READING	PAGE	51
SB-1147	SECOND READING	PAGE	14
SB-1147	OUT OF RECORD	PAGE	18
SB-1189	SECOND READING	PAGE	22
SB-1209	THIRD READING	PAGE	127
SB-1272	THIRD READING	PAGE	128
SB-1273	THIRD READING	PAGE	60
SB-1291	RECALLED	PAGE	129
SB-1300	MOTION	PAGE	141
SB-1303	SECOND READING	PAGE	8



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

JUNE 21, 1991

SB-1310 RECALLED	PAGE	85
SB-1341 SECOND READING	PAGE	7
SB-1364 SECOND READING	PAGE	9
SB-1364 RECALLED	PAGE	141
SB-1365 SECOND READING	PAGE	10
SB-1377 THIRD READING	PAGE	132
SB-1377 POSTPONED CONSIDERATION	PAGE	141
HR-0245 ADOPTED	PAGE	33
HR-0245 RESOLUTION OFFERED	PAGE	33
HR-0450 ADOPTED	PAGE	33
HR-0450 RESOLUTION OFFERED	PAGE	32
SR-0012 ADOPTED	PAGE	149
SR-0012 RESOLUTION OFFERED	PAGE	148
SR-0077 RESOLUTION OFFERED	PAGE	148

SUBJECT MATTER

HOUSE TO ORDER - SPEAKER KEANE	PAGE	1
PRAYER - CLERK O'BRIEN	PAGE	1
PLEDGE OF ALLEGIANCE - REP. LANG	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
PRAYER - MINISTER PARVIN	PAGE	2
PLEDGE OF ALLEGIANCE - REP. LANG	PAGE	2
ROLL CALL FOR ATTENDANCE	PAGE	2
REPRESENTATIVE GIGLIO IN THE CHAIR	PAGE	10
REPRESENTATIVE SATTERTHWAITE IN THE CHAIR	PAGE	38
INTRODUCTION - DR. DONALD DAVIS	PAGE	115
AGREED RESOLUTIONS	PAGE	147
GENERAL RESOLUTION	PAGE	147
DEATH RESOLUTION	PAGE	148
ADJOURNMENT	PAGE	148
FIRST SPECIAL SESSION	PAGE	148
FIRST SPECIAL SESSION - ADJOURNMENT	PAGE	149
PERFUNCTORY SESSION	PAGE	149
MESSAGES FROM THE SENATE	PAGE	149
PERFUNCTORY ADJOURNMENT	PAGE	149