

STATE OF ILLINOIS
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HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

159th Legislative Day

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Speaker Keane: "The House will come to order. Members be at their seats. The Chaplain for today is Reverend Dean Beals of Trinity United Methodist Church in Marshall, Illinois. Reverend Beals is the guest of Representative Weaver. Our guests in the balcony may wish to rise for the invocation. Reverend Beals."

Reverend Beals: "Let us pray. Almighty God, our Heavenly Father, who governs the world with righteousness, whose judgment are true and righteous all together. We pray for our Legislators assembled today. Grant them wisdom, courage and strength to confront the burning issues of the day. Give them compassion for all of the citizens of Illinois. We pray, Lord, that they may be of one mind, to establish justice and promote the general welfare and the best interest of the people of this state. Enable them to rise above partisan politics, to work for the common good of the citizens of this state. Give them pure purpose, right understanding and sound speech, as they discuss, debate and deliberate the Bills that are pending in this House. We pray that You will grant them the spirit of service and insight, which will enable them to do Your will on earth as Your will is done in heaven. Our prayers also go out to the Governor, the Senate and all others who strive to work in the best interest of our state and nation. We pray that You will cleanse our public life of every evil. Subdue in our state all that is harmful. May those persons assembled here look to You as a source of strength, wisdom, hope and faith. In Christ's name, we pray. Amen."

Speaker Keane: "We will be led in the Pledge by Representative Hartke."

Hartke - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands,

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one nation under God, indivisible, with liberty and justice for all."

Speaker Keane: "Roll Call for Attendance. Representative Kubik, do you have any reported absences?"

Kubik: "The Republicans are all here, Mr. Speaker."

Speaker Keane: "Representative Matijeovich."

Matijeovich: "No excused absences on this side."

Speaker Keane: "118 Members answering the roll call, a quorum is present. Let's start on page 1 of today's Calendar, Human Services, Third Reading. On that Order of Business is Senate Bill 1965, Representative Currie. Out of the record. On the Order of Children and Family Law, Third Reading, Senate Bill 400, Representative Homer. Out of the record. On the Order of Banking, Third Reading, Senate Bill 1519, Representative Capparelli. Out of the record. On the Order of Civil Law, Third Reading, Senate Bill 2134, Representative McCracken. Out of the record. On the Order of Criminal Law, Third Reading. The Sponsors on this Order of Business are: Representative Lang, Representative Homer, Representative Rotello and Representative Steczko. The first Bill is Senate Bill 744, Representative Lang. Out of the record. Senate Bill 1555, Representative Homer. Out of the record. Senate Bill 1693, Representative Rotello. Out of the record. Senate Bill 1763, Representative Steczko. Out of the record. On the Order of Senate Bills, Public Utilities, Senate Bill 1766, Representative Steczko. Out of the record. On the Order of Professional Regulation. The Sponsors of the Bills on this Order of Business are: Representative Mautino, Representative Steczko and Representative Phelps. Senate Bill 626, Representative Mautino. Out of the record. Senate Bill 20...I'm sorry. Senate Bill 689, Representative Mautino. Out of the

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rec...Senate Bill 2057, Representative Phelps. Out of the record. On the Order of...Senate Bills on Third Reading, Revenue, appears Senate Bill 1479, Representative Lang. Out of the record. Senate Bill 1490, Representative Kubik. Mr. Clerk, read the Bill. This Bill...Okay, we'll take this one out of the record momentarily. Representative Kubik, if you could come up...Go to Government Operations, Order of Third Reading. On that Order, the Bills' Sponsors are Representative Curran, Representative McGann and Representative Hultgren. Senate Bill 1667, Representative Curran. Out of the record. Senate Bill 2131, Representative McGann. Out of the record. Representative...Senate Bill 2190, Representative Hultgren. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2190, a Bill for an Act concerning codification and revision of statutes. Third Reading of the Bill."

Speaker Keane: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. I have a Motion on file with respect to this Bill. Will you be handling those at this time?"

Speaker Keane: "No."

Hultgren: "You better take the Bill out of the record then."

Speaker Keane: "Take it out of the record. On the Order of Health Care, Third Reading, appears Senate Bill 2138, Representative White. Jesse White. Out of the record. On the Order of Mandates, Third Reading, the Bills Sponsors are: Representative Regan, Representative Stepan, Representative Schakowsky, Representative McGann and Representative Giorgi. On Mandates, Third Reading, Senate Bill 1615, Representative Regan. Mr. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 1615, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Keane: "Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1615 requires the court to notify the defendant in a sex-related criminal cases if he tests positive for an HIV virus. It's designed for multiple sex offenders so that on a second offense, it can be proven that he would be convicted of that offense in addition to the HIV testing offense, which is spreading the disease when known to have the disease, and I urge its adoption."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this...Representative Homer.'"

Homer: "Thank you, Mr. Speaker. The Gentleman had worked with the Judiciary Committee in fashioning an Amendment that was also negotiated by the ACLU, and he's done a good job. I support his Bill."

Regan: "Thank you."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Kubik, 'aye'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 voting 'aye', 1 voting 'no', none voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 1640, Representative Stepan. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1640, a Bill for an Act relating to education in public school system. Third Reading of the Bill."

Speaker Keane: "Representative Stepan."

Stepan: "Mr. Speaker, I ask leave to return the Bill to Second

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for purposes of an Amendment."

Speaker Keane: "No. Take the Bill out of the record. Come up...Have you registered that desire with Jim here? If you have, we'll do that on a Special Order. Senate Bill 2075, Representative Schakowsky. Out of the record. Senate Bill 2093, Representative McGann. Out of the record. Senate Bill 2139, Representative Giorgi. Out of the record. On the Order of Elementary and Secondary Education, the Sponsors are: Representative Curran, Representative McNamara and Representative Cowlishaw. On Senate Bill 969, Representative Curran. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 969..."

Speaker Keane: "Take...Take it out of the record. Senate Bill 1685, Representative McNamara. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1685, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Keane: "Take the Bill out of the record. Senate Bill 1772, Representative Cowlishaw. Out of the record. On the Order of...Page 1 on Third Reading, the Order of Children and Family Law, appears Senate Bill 400, Representative Homer. Representative Homer. Representative Homer, do you wish this Bill called? Out of the record. Anyone who is hoping to amend their Bill or wants to amend their Bill, whether it's a Bill on Second and coming into...going into Third...if it's on Second for an Amendment, be sure to come up and see the Clerk. If you have a Bill on Third Reading that you want to bring back to Second for purposes of an Amendment, come up and identify that Bill also to the Clerk. On the Third Reading, on the Order of Civil Law, Senate Bill 2134, Representative McCracken. Representative McCracken, do you wish this Bill to be called? Out of the record. On the Order of Criminal Law, we have the

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Sponsors, on the Third Reading, Criminal Law, are: Lang, Homer, Rotello and Steczo. Senate Bill 744, Representative Lang. Out of the record. Senate Bill 1555, Representative Homer. Out of the record. Senate Bill 1693, Representative Rotello. Out of the record. Senate Bill 1763, Representative Steczo. Out of the record. Mr. Clerk, 1763. Out of the record."

Speaker Giglio: "Order of Criminal Law, appears Senate Bill 744, Representative Lang. Representative Lang, wish to call Senate Bill 744? Out of the record. House Bill...Senate Bill 1555, Representative Homer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1555, a Bill for an Act to create the offense of stalking and aggravated stalking. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Canton, Representative Homer."

Homer: "Thank you, Mr. Speaker. This Bill, in its current form, is identical to House Bill 2677, which was the anti-stalking measure that passed the House, went to the Senate, has been approved by the Senate with Amendment and, now, is on the Order of Concurrence here in the House. Senate Bill 1555 is in identical form as House Bill 2677. This legislation would create the criminal offense of stalking; would establish a felony offense of a Class 4 felony for the first conviction and a Class 3 for subsequent convictions; creates the offense of aggravated stalking a Class 3 felony the first time, subsequent offenses would be a Class II Felony. The measure also sets up a mechanism whereby the court, prior to the establishment of bail, would conduct a hearing to determine whether to admit the party to bail; and, finally, has a

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provision that allows the sentencing judge to request the Prisoner Review Board to order, as a condition of mandatory supervised release or parole, that the person undergo mental health counseling. This is a very important measure to provide protection to the victims of conduct that...has resulted in many unfortunate and tragic recent cases, and the death of domestic partners who are being stalked by their former spouse or boyfriend or girl friend. This measure is needed in order to provide these victims with protection so that they need not hear in the future what they've heard in the past, that before the officials can do anything, they must first...the assailant must first carry out the threats. That's simply unacceptable, and we need to provide them with protection. This Bill, as amended, would give Illinois the toughest anti-stalking protection measure in the entire nation, and I would urge that we unanimously approve this legislation. Before moving for the passage, however, I want, for purpose of legislative intent, to indicate that the portion of the Bill that pertains to the prevention detention hearing, whereby a court may deny bail subject to the trial of the cause, that the authority for that provision is specifically found in the Illinois Supreme Court Case of Hemingway versus Elrod and that the purpose of this provision is, specifically, to provide the court a method to deny to the accused stalkers the right to be admitted to bail when, in the court's opinion, such denial of bail is necessary to prevent the accused stalker from fulfilling the threat to the victim who has complained in the instant cause. That...specific language derives from the Supreme Court case of Hemingway versus Elrod, where the court held that keeping an accused in custody pending trial to prevent

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interference with witnesses or jurors or to prevent the fulfillment of threats was specifically approved. So for that specific legislative intent and for that specific purpose to comply with the Supreme Court case of Hemingway versus Elrod, the language in this portion of the Bill has been carefully drafted in order to meet that...constitutional and legal threshold. I would like to commend Minority Leader, Lee Daniels, along with members of his staff, the House Democratic staff, the DuPage County State's Attorney and others for their collaboration that resulted in the final product of this legislation. I would answer questions, and at this time, if there are none, would move the adoption of the Bill."

Speaker Giglio: "Any discussion? The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise on this side of the aisle to commend Representative Homer and Representative Lee Daniels for the very hard work on this Bill to address an important issue in the State of Illinois, and urge everyone in this House to vote in favor of it. We've had some dramatic instances, both from Representative Homer's district and also from Representative Daniels' district in Elmhurst, Illinois, of the real need for this legislation. And I would encourage all of you to vote in favor of it and let's get it passed."

Speaker Giglio: "Representative Homer to close."

Homer: "Thank you. I'd appreciate a favorable roll call."

Speaker Giglio: "Question is, 'Shall Senate Bill 1555 pass?' All in favor signify by voting 'aye', opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Take the record, Mr. Clerk. Currie, 'aye'. Have all voted? Take the record, Mr. Clerk. On this question,

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116 voting 'yes', none voting 'no'. Senate Bill 1555, having received the required Constitutional Majority, is hereby declared passed. Representative Rotello, would you like to have Senate Bill 1693 called? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1693, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Winnebago, Representative Rotello."

Rotello: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1693 is a Bill that would allow previous convictions of a similar violation to be used for an extended term. This arose out of the Peoria County State's Attorney's need to try and convict someone of a multiplicity of shoplifting offenses and no statute to have a stiffer penalty. So I urge your consideration."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much. Excuse me. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I reluctantly rise in opposition to the Gentleman's Bill. This measure is aimed at helping prosecutors bring charges against repeat shoplifters, and I don't think anyone in here has a problem with that. However, it is opposed by the State Bar Association, the Attorneys for Criminal Justice and the Cook County Public Defender. It's my understanding that it's also opposed by the Department of Corrections because what you will do, if you pass this Bill, you will simply make it easier for state's attorneys to put people in a correction system in Illinois which is already crowded beyond belief. So, it's for that reason and that primary reason that I rise to oppose the

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Gentleman's Motion. I would ask that you vote 'no' or 'present' because this Bill will enhance...the ability to put people in the Department of Corrections for shoplifting, and while that might be a laudable goal, depending on your viewpoint, the fact is we don't have any room in the Department of Corrections. And if the current budget isn't fixed, we aren't even going to have enough people to work in Corrections. So, I would...for that reason, urge you to vote 'no' on Senate Bill 1693. It has a very negative adverse impact on the number of people we would be putting in a correction system that is already dramatically overcrowded."

Speaker Giglio: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I rise to support the Gentleman's Bill. As he indicated, this...the origin of the Bill came from my area. State's Attorney, Kevin Lyons who pointed out that his prosecutors were having difficulty with repeat...shoplifters in convincing the court that the court had the authority to authorize an extended term for...repeat violators. The legal argument is somewhat technical and doesn't and I don't think would lend itself to this debate, but for the record I would like to cite the case of the People versus Hurd which is a report at 190 ILAP (3rd) 800. This Appellate Court case is being used to frustrate the ability of a court, in a proper case, to give an extended term sentence for repeat violators of the Retail Theft Statute. There's nothing in this Bill that mandates an increase in minimum sentences or mandates that a jail or prison sentence be given at all. All that the Gentleman wants to do in his Bill is make retail theft comport and be similar to other felonies of a repeated nature, so as to give the judge discretion...discretion, in

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a proper case, to give an extended term sentence. Candidly, I don't think many judges are giving maximum sentences for retail theft now. I don't think this would be widely used. It certainly wouldn't be abused, but as the Peoria County State's Attorney points out, if someone now is convicted 24 times of shoplifting, the court, under this legal opinion, has no authority or discretion to give an extended term. Let's give the judiciary some discretion. I think they'll use it wisely. It's a good proposal, and it ought to be supported."

Speaker Giglio: "The Gentleman from Cook, Representative Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this proposal. Like one of the previous speakers said, our prison systems busting at the seams, courts don't need this kind of discretion. What this Bill would allow, someone could be guilty of shoplifting something as minor as a pack of cigarettes and if they were convicted of a third time for stealing a pack of cigarettes, this Bill would allow them not only to be tried as a felon and receive felony penalties, but extended felony penalties. The current state of the law would allow someone who's convicted of shoplifting a second or a third time to be tried as a felon and be given felony penalties even though it was a very small item. I think the law is strong enough in this area, particularly considering our overcrowded prisons, and I think when we do increase penalties, we need to increase it for activity that is a little worse than stealing cigarettes. For that reason, I urge a 'no' vote."

Speaker Giglio: "The Gentleman from Champaign, Representative Johnson."

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Johnson: "Isn't...and I guess this isn't a question, just a rhetorical comment. A second theft of a package of baseball cards is already a Class 4 felony. It allows you to go to the penitentiary for three years. I mean, isn't that enough? No one wants to encourage theft, but for God's sake, we've gone on this law and order binge, which we all support law and order, but this isn't law and order, this is just passing a Bill for the sake of saying we support law and order when the realistic consequences of it, not only for the penal system in its overcrowded nature but just generally, are ridiculous. A first offense of a package of baseball cards is a misdemeanor; you can go to jail for that. It's wrong. It should be condemned. We've got to do everything we can to prevent it. A second offense is already a Class 4 felony - up to three years in the penitentiary. So, now, a third offense (I agree we want to address that issue), but isn't three years in the penitentiary enough? There's a range of one to three. That's the reason we have indeterminate sentencing in Illinois so that the courts can properly consider previous criminal offenses, and if you add a third time shoplifter we have a one to three sentence range. Normally, you're going to give a one-year sentence or probation on a second offense with community service or restitution or whatever. You get to a third offense probably a fourth, the judge is probably going to say, 'Those are aggravating circumstances and we probably ought to go towards the maximum term.' But why do we need to come in here and tell everybody that this is some kind of a law and order measure when the current law is entirely adequate to cover the situation? I'm not sure that the crowded state of the penitentiaries ought to be a dominant factor in considering these Bills, and I

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don't think it is, but, it's certainly not an irrelevant factor, and when we have to worry, as we do, about safely and adequately locking up armed robbers and murderers and rapists and others, to put a 16-year-old, third time baseball card thief in a double sentence range is really ridiculous, and we shouldn't be in here considering this Bill. We should defeat it and go on to the business of the House."

Speaker Giglio: "The Lady from Cook, Representative Davis."

Davis: "Thank you, Mr. Speaker. I, too, rise in opposition of this legislation, and the reason I rise in opposition is because I believe that the judicial system should have the opportunity to decide each case on its merits and not to decide that enhanced sentencing is the talk of the day, and one major reason is because the average cost to maintain an inmate in an Illinois prison for one year is \$15,988, that's for medium security. I don't believe that the taxpayers of the State of Illinois want to continue to house prisoners who have been given extended and maximum sentencing, based upon legislation, to the tune of almost \$16,000 per inmate. We urge a 'no' vote on a piece of legislation that's well intended. However, it just isn't wise in the economy we're in today. Thank you."

Speaker Giglio: "The Lady from Cook, Representative Pullen."

Pullen: "I'd like to ask the Sponsor a couple of questions, please?"

Speaker Giglio: "Proceed."

Pullen: "Is this enhanced sentencing provision mandatory or discretionary?"

Rotello: "It's discretionary by the judge."

Pullen: "So what this Bill does is give the court greater flexibility, rather than less?"

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Rotello: "That's correct, and that is the key element in this Bill, I think, Madam."

Pullen: "Are the felonies and misdemeanors covered by this Bill limited to shoplifting or is it more general than that?"

Rotello: "It's more general."

Pullen: "So it could apply to something, as in some people's eyes, minor as shoplifting or it could apply to something much more major? Is that right?"

Rotello: "Yes, it can."

Pullen: "Thank you."

Rotello: "Thank you."

Speaker Giglio: "Representative Rotello, to close."

Rotello: "I would just...As I just mentioned, responding to the question, this is a discretionary measure, and I would ask your consideration to allow the courts, particularly since there's been a case that has indicated that taken from the statute this is drawn from that did not recognize the extended sentence. So I think this clarifies the language."

Speaker Giglio: "Question is, 'Shall Senate Bill 1693 pass?' All those in favor signify by voting 'aye', opposed, 'no'. The voting is open, and this is final action. Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Representative Shaw, one minute to explain your vote."

Shaw: "Yes, Mr. Speaker. In case this Bill meets the requisite number, we'd like a...I'd like a verification of the vote, please."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rotello."

Rotello: "I'd like to poll the absentees on this Bill if it fails."

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Speaker Giglio: "All right. Take the record, Mr. Clerk. The...On this question, there're 58 'yes' and 45 'noes', and Representative Rotello asks for a poll of the absentees."

Clerk O'Brien: "Poll of those not voting: Flowers. Laurino. Phelan. Santiago. Stange. White and Woolard. No further."

Speaker Giglio: "Representative Rotello."

Rotello: "Postponed Consideration, please."

Speaker Giglio: "The Gentleman asks leave to put it on Postponed Consideration. Put the Bill on Postponed Consideration, Mr. Clerk. Representative Steczo on Senate Bill 1763. Steczo. The Chair would also like to remind the Members if there are any Bills that are on Second Reading that have to be amended, would you kindly come up to the Clerk's Office here on the floor and put them on Special Order? And those Bills that Members have that are on Third that have to be brought back to Second for the purpose of an Amendment, please come up to the well and file the slip with the Clerk. All right, the Bill has to be amended. Is that correct, Representative Steczo? Does the Bill have to be amended, this Bill?"

Steczko: "Mr. Speaker, yes. The Bill has to return back to Second Reading."

Speaker Giglio: "All right. When we get to that Order, we'll bring it back. We're in the process now of offering Members the opportunity to come up here and put their Bills on a list so we can do that all in one Order, and you're on the list, short list. On the Order of Municipal, County and Conservation, Third Reading, appears Senate Bill 1828. Representative Hartke. Representative Hartke, last chance. Representative Brunsvold, 1862. Out of the record. How

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'bout Representative Stepan, on 2101? Representative Capparelli, on Banking, Senate Bill 1519. Civil Law, Representative McCracken, Senate Bill 2134. Out of the record. Representative Steczko, you have Senate Bill 1766, Public Utilities. Is the Gentleman in the chamber? Out of...All right. On Professional Regulation, Senate Bill 626, Representative Mautino. Is Representative Mautino in the chamber? You have two Bills on Professional Regulation, Senate Bills 626 and 689. Did you file with the Clerk's...Do you want to hear 626? Out of the record. And the next Bill, you said, has an Amendment on it?"

Mautino: "Yes."

Speaker Giglio: "Did you file with the Clerk's...All right. Well, we're going to come to that Special Order later...when everybody finishes their lunch. Representative Steczko, you have two Bills on Professional Regulations. Out of the record. On Revenue, Representative Keane. Representative Keane in the chamber? Representative Currie. Representative Hartke, 1606, in Revenue. Would you like to have that...Coming back for an Amendment? Is it on the list up here? Did you file? Yes. All right. Later. On Government Operations, appears 1667, Representative Curran. Do you wish to have that Bill called, Sir? Government Operations, 1667. Out of the record. Hultgren, 2190. Representative Hultgren in the chamber? Out of the record. Representative White, Health Care, Third Reading. Jesse White? Senate Bill 2138. Would you like to have this Bill called? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2138, a Bill for an Act to provide grants to podiatry practice residency programs and student scholarships. Third Reading of the Bill."

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Speaker Giglio: "The Gentleman from Cook, Representative Jesse White."

White: "Mr. Speaker, Ladies and Gentlemen of the House. This Bill has passed through this Body on numerous occasions. It's a simple one. It's a scholarship program which will provide students from the Dr. Scholl's School of Podiatry with a one-year scholarship, and it would...with the understanding and the commitment that they will serve in underserved areas throughout the State of Illinois. There are about 38 counties in Illinois that is without a podiatric doctor, and with the passage of this legislation, we can be assured of the fact that there will be three who will be made available to those counties. I move for its adoption."

Speaker Giglio: "Any discussion? The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think the House Members ought to know that the House Bill that passed out did not get out of Senate Rules Committee, but the Bill has been vetoed twice in the past, and there's a reason for it. This Bill will only provide one scholarship for a two-year period of time at a cost to the taxpayers of Illinois of \$37,000. Now, the Department of Public Health is opposed to it. The State Med Society is opposed to it. The Department of Professional Regulations is opposed to it. There is really no mechanism for funding it other than taking general revenue dollars to provide one scholarship for a two-year period. The Bill's going to be vetoed again. Let's get back to the budget tomorrow and pass a balanced budget out of this House and out of the General Assembly, and go home for the year. This is a bad vote, and I urge a 'no' vote."

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Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative White, to close."

White: "Mr. Speaker, Ladies and Gentlemen of the House. The last Gentleman who spoke, misspoke. These dollars are raised by the doctors themselves, and you're only talking about a few dollars that are needed in order to make sure that this program is properly handled. The Members of the Illinois General Assembly, each Member receives eight one-year scholarships times 177, and yet no one has raised the issue about how much it costs to administer that program. So with that in mind, we're only talking about a few dollars for the implementation of this program. The dollars will not come from the taxpayers. They will come from the people in that field. I move for its passage."

Speaker Giglio: "Question is, 'Shall Senate Bill 2138 pass?' All those in favor signify by voting 'aye', opposed, 'no'. The voting is open. This is final action. Hultgren, 'aye', Mr. Clerk. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there's 71 voting 'yes', 39 voting 'no'. Senate Bill 2138, having received the required Constitutional Majority, is hereby declared passed. On the Order of Mandates, Third Reading, appears Senate Bill 1640. Representative Stepan. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1640, a Bill for an Act in relation to education and public school systems. Third Reading of the Bill."

Speaker Giglio: "I'm sorry, Mr. Clerk. The Lady informs the Chair this has Amendments. Are they filed, Representative Stepan? All right, we'll come to that Order. Representative Schakowsky, on 2075. Is the Lady in the

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chamber? Out of the record. Representative McGann. Andrew McGann. Is Representative McGann in the chamber? Representative Giorgi. Is Representative Giorgi in the chamber? Out of the record. The Order of Agriculture. Obrzut, Brunsvold and Hartke. Representative Obrzut. Representative Obrzut in the chamber? Representative Brunsvold. Brunsvold in the chamber? Senate Bill 2176. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2176, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2176 deals with a specific situation in Senator Welch's district regarding a discharging of sewage into underground mines. This Bill sets up a procedure for the annexation of that contiguous territory. It sets up the language for the hearings, et cetera. I have discussed this with the Municipal League. They are okay on this Bill. I've been working with the Senator. It's very narrowly drafted to include only that community. On the House in Second Reading an Amendment was added that dealt with 911 by...the community of Montgomery, and I would happily answer any questions regarding this Bill."

Speaker Giglio: "Any discussion? Representative...Ropp."

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

Speaker Giglio: "Indicates he will."

Ropp: "Representative, is the intent here for the municipality to annex this to clean up the whole operation?"

Brunsvold: "Yes, Representative, on the second page of the Bill, it indicates that the annexing municipality must have a

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plan for cleaning up the ground water in these wells."

Ropp: "And who ends up paying for this clean-up?"

Brunsvold: "The city in its usual procedure, if it gets annexed, would then do the same...the usual procedures of collecting fees, I would assume, or start with their funds and then they would have to have sewage system set up for the new area that would probably contribute some to the paying of the clean-up."

Ropp: "Okay. So this is just for their own area, and they will fund it for themselves for the improvement of the environment within that specific area. Thank you."

Brunsvold: "Thank you."

Speaker Giglio: "The Gentleman from Will, Representative Wennlund."

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

Speaker Giglio: "Indicates he will."

Wennlund: "The Bill, as amended, does contain the controversial 911 language?"

Brunsvold: "Yes, it does have the...the language that Representative Deuchler put on there dealing with Montgomery and Kane and Kendall counties."

Wennlund: "It's my understanding that this Amendment, before the Municipal and Conservation Law Committee, failed on a zero to 11...no 'yeses', 11 'noes'."

Brunsvold: "Yes, it did, and I think it was on a 'do not pass' Motion."

Wennlund: "So the Bill had a full hearing before the committee and failed."

Brunsvold: "Correct. I would add, Representative, that I talked to Senator Welch about this. He's not real happy about the 911 Amendment on it. I will assume he'll move not to concur."

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Wennlund: "Okay. Thank you very much."

Speaker Giglio: "The Gentleman from DeKalb, Representative Burzynski."

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

Speaker Giglio: "Indicates he will."

Burzynski: "Thank you. Representative Brunsvold, is the Commerce Commission in opposition to that Amendment that we were talking about? Do you know that?"

Brunsvold: "I think they are. I would...If you would care to have Representative Deuchler answer those questions, she could. I could defer to the Representative, but I think the ICC is against this Amendment."

Burzynski: "Okay. Thank you. Thank you, Mr. Speaker."

Speaker Giglio: "The Lady from Kane, Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is...has been drawn much more narrowly than the original Bill. This Amendment states that, 'Either county who adopted an ordinance imposing a surcharge under this section prior to July 26, 1989, is covered.' So, basically, Montgomery, Illinois, having their 911 system in place, is about the only municipality in this state affected under this legislation. It was not as it was originally proposed in committee. I don't...I did not have the impression that the Illinois Commerce Commission was opposed to this narrowly drawn window, so that Montgomery can solve their 911 problems. The police chief has been in very close contact with me, explaining that calls are going all over Kendall County and the response time has been greatly cut in the 911 system and really...begging us to allow that municipality this option. Thank you."

Speaker Giglio: "Representative Brunsvold, to close."

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Brunsvold: "Thank you, Mr. Speaker. I'm willing to accommodate the Lady and see if we can work out some agreement with Senator Welch regarding her Amendment. There is a little...a little negative to the Amendment from a few areas of the Bill. The original Bill, 2176, I know of no opposition to. So I ask for your support on Senate Bill 2176."

Speaker Giglio: "The question is, 'Shall Senate Bill 2176 pass?' All those in favor signify by voting 'aye', opposed, 'no'. The voting is open and this is final action. 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 82...83 voting 'aye', 14 voting 'no' and 13 voting 'present'. Senate Bill 2176, having received the required Constitutional Majority, is hereby declared passed. Representative Hartke. Hartke. Out of the record. Representative Capparelli, 1770. Out of the record. Senate Bill 1770...Any Members that would like to have their Bills that are on Third Reading called at this time? On the Special Order. On the Order of Government Operations, appears Senate Bill 1667. Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1667 authorizes CMS to pay back wage claims from the Personal Services Appropriation of the appropriate state agencies by January 1st to the year appropriated for back-wage claims. It further creates a Personal Services Revolving Fund; that's the underlying portion of the Bill. Then Representative Black and Representative Curran both had Amendments - mine in committee - simply clarified where that payment...the lump sum payments for vacation days, sick days...and personal

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time shall be paid by the agency from which an employee is transferring, and then Representative Black's Amendment dealt with personal services when used in the Appropriation Act shall also mean to include back-wage claims of state officers and employees. I'll be glad to answer any questions. I don't think there's any opposition."

Speaker Giglio: "Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1667, a Bill for an Act concerning personnel practices. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Macon, Representative Dunn. Do you wish to speak on this Bill?"

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

Speaker Giglio: "Indicates he will."

Dunn: "What does this Bill, as amended, do with regard to payment of...to state employees for sick leave?"

Curran: "As per my Amendment in committee, it says that the...I'll just read you the Amendment. It says, 'that the employees accrued vacation time, sick time, shall be paid by the jurisdiction where he is leaving'. In other words, if you move from the Department of Transportation to Central Management Services, the Department of Transportation will pay the accrued sick time and vacation time because he was an employee in that department."

Dunn: "Does this, in anyway, expand the ability of an employee to take advantage of accumulated sick time in the form of cash?"

Curran: "Well, it does say that the employee 'shall be payable to the employee in a single lump sum by the jurisdiction from which he moved'. So, I guess the answer to your question is yes. Not enhanced, but simply, they would get that money."

Dunn: "In fairness to the Sponsor, I don't know whether employee

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might already be entitled to the money under state statutes. Philosophically, employees should not be able to...of the State of Illinois...should not be able to accumulate and receive cash for accumulated sick time. Sick time is for the unfortunate circumstance in which you're not healthy. If you're lucky enough to be healthy you should do your job and go to work, especially in these difficult times. We should not pay cash to people for accumulating sick time. Most and probably almost all private employers prohibit that kind of practice and I don't think it's a good idea. In fairness to the Sponsor of this legislation, I can't tell whether this expands that practice or not, but it is something that we should be wary about in this state at this time."

Curran: "Mr. Speaker."

Speaker Giglio: "Proceed."

Curran: "Mr. Speaker, to clarify the Gentleman's point. This only becomes operative in those rare occasions where the jurisdiction to which the employee is moving would not allow the accumulation of the sick time or vacation time or overtime. So, I don't think it's a very common occurrence but in some...Moving from one jurisdiction to another, the state employee may find themselves in a position of losing those sick days or vacation days. Certainly that is not fair, and that's the improper result that this Bill seeks to address."

Speaker Giglio: "The question is, 'Shall Senate Bill 1667 pass?' All those in favor signify by voting 'aye', opposed, 'no'. The voting is open. This is final action. The Gentleman from Vermilion, Representative Black."

Black: "Well, thank you very much, Mr. Speaker. I was just going to explain my vote. I don't think I need to.

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Representative Curran has done an outstanding job of putting this package together."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'yes', 5 voting 'no', and Senate Bill 1667, having received the required Constitutional Majority, is hereby declared passed. The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I would like to ask for your kind indulgence to violate the rules momentarily to introduce, in the back of the chamber, some 14 young people who are representing 4-H in the State of Illinois, from the counties of Dupage County and Cook County. They are 4-H Ambassadors representing some 74,000 4-H'ers in the State of Illinois. I'd ask them to raise their hand and we give them a kind welcome to Springfield."

Speaker Giglio: "The Chair would like to announce that Representative Ryder and Representative Hannig has moved to suspend the appropriate rule to extend the deadline on the following Appropriation Bills. Mr. Clerk, read the Bills."

Clerk McLennand: "Senate Bills 1483, 1607, 1727, 1728, 1729, 1730, 1733, 1840, 1841, 1842, 1844, 1845 and 1847."

Speaker Giglio: "You heard the Motion. Is there leave by the Attendance Roll Call to extend the deadline on the Bills that were just read? Hearing none, leave is granted and the Motion's adopted, and these Bills have been extended until the end of the 1992 fall Veto Session. Representative Ryder moves to suspend Rule 37(g) to extend the deadline on the following Bills. Mr. Clerk, read the Bills."

Clerk McLennand: "Senate Bills 1843, 1849 and 1850."

Speaker Giglio: "Is there leave? Hearing none, by the Attendance

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Roll Call, leave is granted that the following Bills be extended until the 1992 fall Veto Session. All those in favor say 'aye'...'aye'. The Bills have been extended. The Chair is going to go to Second Readings, where there...where there are no Amendments filed to the Bills. And on that Order appears Senate Bill 1650, Representative Wolf. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1650, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments? Representative Wolf, were there any Amendments filed to this Bill? Three Amendments? Well, then take it out of the record for a moment. How about Senate Bill 1717, Representative LeFlore? Out of the record. Representative McDonough's Bill, 2091. Any Amendments filed? Take it out of the record. Are there Amendments filed to this Bill? It's not ready. Representative Cronin. Out of the record. Representative Lang, 1986. Out of the record. How about Senate Bill 2088? Out of the record. Representative Currie, 1643. The Bill's on the Order of Second Reading, Representative Currie. Any Amendments filed? We'll come back to that. Representative Giorgi, on Senate Bill 1486. Is the Gentleman in the chamber? Out of the record. Representative Trotter, you have a Bill on Second Reading, 1692. Out of the record. Representative Currie, are you ready with Senate Bill 1643? Mr. Clerk, read that Bill."

Clerk McLennand: "Senate Bill 1643, a Bill for an Act to amend the Revenue Act of 1939. Second Reading of this Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

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Manny Hoffman."

Speaker Giglio: "Manny Hoffman, are you withdrawing this Amendment? Withdraw the Amendment, Mr. Clerk. Are there further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Giglio: "Third Reading. On Mandates, Second Reading, Representative Giorgi. Out of the record. On Consumer Protection, appears Senate Bill 1516, Representative Kubik. Is Kubik in the chamber? Out of the record. Senate Bill 1486, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1486, a Bill for an Act to amend the State Mandates Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk McLennand: "No Floor Amendments."

Speaker Giglio: "Third Reading. Representative McAfee, 1736. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1736, a Bill for an Act relating to alcohol, drug abuse and dependency and related educational programs and services. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk McLennand: "No Floor Amendments."

Speaker Giglio: "Third Reading. Under Mandates, Third Reading, appears Senate Bill 2139, Representative Giorgi. Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 2139, a Bill for an Act concerning sanitary districts. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, this is a Bill that we amended out the part that was objected to by the Illinois Home Builders

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Association and the Chamber of Commerce and the other people. All this Bill does now is allows sanitary districts to borrow up to \$1 million to buy property...to buy equipment that will be pledged. The only collateral for the loan will be the equipment that they buy, and it has to be paid off in five years. I urge the adoption of the Bill."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Would the Clerk check and make certain that Floor Amendment #1 has been adopted to this Bill?"

Speaker Giglio: "Mr. Clerk, has Amendment #1 been adopted to this Bill?"

Clerk McLennand: "Amendment #1 was adopted."

Black: "Well, thank you very much, Mr. Speaker. This is the Amendment that deletes the provision...that literally would have made septic tanks, for all practical purposes, illegal in...in certain areas of the state, and while that may be a noble objective, it wasn't practical at this particular point in time. I appreciate the Sponsor putting this Amendment on the Bill, and it certainly removes most of the objections that many of us had to the Bill."

Giorgi: "Thank you, Mr. Black."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall Senate Bill 2139 pass?' All those in favor signify by voting 'aye', opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 104 voting 'yes', 3 voting 'no'. Senate Bill 2139, having received the required Constitutional Majority, is hereby declared

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passed. Are there any Bills on Special Order on Third Reading? On Third Reading that any Member would wish to have their Bills called at this time? Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. By my count, we've been through the Calendar seven or eight times and, usually, after that many times through the Calendar we move on to Agreed Resolutions. Are we at that point now?"

Speaker Giglio: "Mr. Clerk, are the Agreed Resolutions ready? I'm afraid they're not ready, Representative Black."

Black: "Do you need any help? We could, perhaps, lend you some people. It might help to get those ready."

Speaker Giglio: "We're going to send some people down. Representative Homer, are you seeking recognition, Sir?"

Homer: "Yes. May I request that you call Senate Bill 400? It's on a Special Order under Criminal Law, Third Reading."

Speaker Giglio: "What was that Bill again, Representative?"

Homer: "It's on Criminal Law, Third Reading. No, it's under...I'm sorry. It's under Family Law, Third...Children and Family Law, Third Reading."

Speaker Giglio: "Under Children and Family Law, Third Reading, appears Senate Bill 400, Representative Homer. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 400, a Bill for an Act concerning domestic violence. Third Reading of this Bill."

Speaker Giglio: "The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. Senate Bill 400 is an initiative of Senator Rock, which amends the 1986 Domestic Violence Act providing a number of comprehensive revisions, the first time that the

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Legislature has addressed a comprehensive rewrite of the Domestic Violence Act. Input on the Bill has been obtained from a number of sources including a number of victim advocate groups as well as the Attorney General's Office, the Coalition Against Domestic Violence, the Illinois State Bar Association, and is also...The negotiations have also included the Illinois Rifle Association and National Rifle Association. All of these groups are now either for the Bill or waive any opposition to the Bill in its present form. The primary changes in the Domestic Violence Act, implemented through this legislation, would be to amend the Domestic Violence Act to enlarge the definition of family or household member to include persons who have had a dating or engagement relationship. Under current law, there is no protection under the Act for those who are not family members or present or former members of the household. So this would extend the protection to those in dating or engagement relationships. The Bill also allows the court to order the respondent to reimburse a shelter for the cost of providing temporary housing and counselling services to the petitioner so that it is the respondent, the offending party, who shoulders the burden of the expense. In addition, the Amendment provides that the...for a waiver of the sheriff's fees for serving a petition for an order of protection, so as to relieve the petitioner from the expense of having to pay for those sheriff's fees. And, in addition, the Bill provides protection for the...against the exploitation of high risk adults with disabilities. The Bill has been negotiated at some length by the parties of concern and, I believe, in its present form, has properly addressed those concerns and, yet, does advance the Domestic Violence Act of

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Illinois in such a way as to make its implementation even more effective than it has been these past six years, so as to provide protections to victims of domestic violence. I would offer to answer questions and urge the adoption of this Bill."

Speaker Giglio: "Any discussion? The Gentleman from Will, Representative Wennlund."

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

Speaker Giglio: "Indicates he will."

Wennlund: "Representative Homer, since it appears that we have little if anything to do this afternoon, perhaps we could debate this issue all afternoon or maybe the Speaker could find a way to go ahead and adjourn until, perhaps, tomorrow."

Homer: "Are you asking my advice on that? I would suggest we just go ahead and pass this Bill and get back to doing what we were doing."

Wennlund: "I think that's a good idea. It's an excellent piece of legislation. We all ought to support it, and it's probably going to go out of here with 118 votes. Let's do it."

Speaker Giglio: "Representative Matijevich, do you wish to speak on this Bill?"

Matijevich: "No, Mr. Speaker, I noticed there was a lull. I don't want to interrupt the discussion on this Bill, but I want to take this opportunity to wish my seatmate, Jesse White, from the famous Jesse White Tumbling Team. Some of us are Cub fans. Imagine him. He played in the Cubs farm system for nine years. I want to wish him a 'Happy Birthday' today, for Jesse White."

Speaker Giglio: "Happy Birthday, Jesse. And on this question, Senate Bill 400, all those in favor signify by voting

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'aye', opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, 116 voting 'yes', none voting 'no', and Senate Bill 400, having received the required Constitutional Majority, is hereby declared passed. The Chair would like to ask if there are any Bills that are on the Order of Special Call, on Third Reading, that you want to have called at this time? Representative Kubik, you want your Bill called? Representative Tenhouse, for what purpose do your rise, Sir?"

Tenhouse: "I'd like...Mr. Speaker, thank you. I'd like to make an introduction. Last week we were fortunate here in the House of Representatives to have representatives of the Illinois Future Homemakers of America here, but the state president wasn't introduced because she was out in Washington, D.C., and I'd like to take this time to introduce the state president of the Illinois Future Homemakers who's serving as an Honorary Page here today. She also happens to be afflicted with a strange name, her name is Amy Tenhouse. So, let's welcome her. Thank you."

Speaker Giglio: "Welcome to Springfield, Amy."

Laurino: "...Laurino in the Chair. The Chair is going to proceed to Bills that are on recall - Senate Bills, on Third Reading. If the Sponsors wish to be brought back for Amendments to Second Reading, the first Bill that we'll here is Senate Bill 969, Representative Curran, on Elementary and Secondary Education. Representative Curran. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 969..."

Speaker Laurino: "Out of the record? All right. The next Bill that we will proceed to is Senate Bill 689, Representative

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Frank Mautino, Professional Regulations. Is Representative Mautino in the...chambers? The Gentleman requests that this Bill be brought back to Second Reading for an Amendment. The Gentleman requests leave. Does he have leave? Hearing no objections, the Clerk will read the Bill on Second Reading."

Clerk McLennand: "Senate Bill 689, a Bill for an Act to amend the Beer Industry Fair Dealing Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Further Amendments?"

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

Speaker Laurino: "Representative Steczo. Amendment #2, House Bill 689."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #2 contains the exact same language as House Bill 3424, which is a Bill that passed this House unanimously and on the Consent Calendar, that addresses the situation of a person who owns a building and who has that building leased to a person who owns a bar and sells alcoholic beverages. Under the present law, if that bar owner or that outfit that licensee, in some cases, or license holder is caught with an infraction and the license has to be turned back that building owner can no longer, for a period of one year, rent that building out to another liquor licensee. This makes a change that allows that to happen, so long as there is no connection between the...the landlord, if you will, and the license holder."

Speaker Laurino: "The Gentleman moves for the adoption of Amendment #2 to Senate Bill 689. Seeing no discussion, all those in favor will indicate by vot...saying 'aye', opposed, 'nay'. The 'ayes' have it, and the Amendments

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adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Laurino: "Third Reading. Gentlemen of the House, these Bills that we have...are bringing back to Second for...Amendments will be...placed on Third Reading and will probably be called tomorrow. So if you've got a Bill that you're asking for a recall to Second Reading due...for the purposes of Amendment, they will be put back on Third Reading after if you are successful with your Amendment and then they'll probably be called on Regular Calendar tomorrow. Senate Bill 1518, Representative Currie. Out of the record. Senate Bill 963, Representative Steczo, under Professional Regulation. Out of the record. Representative Steczo changes his mind again. It's Senate Bill 963. I'm going to ask leave for the House to have this Bill brought back to Second Reading. Representative Black, for what purpose do you arise?"

Black: "Well, I'm not sure if we can stand in support of the Gentleman's Motion until I get a chance to talk to him. I'll object."

Speaker Laurino: "I couldn't hear you. The Gentleman requests that the Bill be taken out of the record. Out of the record, Mr. Clerk. House...House proceed to Bill on recall, Senate Bill 1640. Representative Stepan, under Mandates. State Mandates. Representative Stepan wishes this Bill brought be brought back to Second Reading for purposes of an Amendment. She asks leave. Does she have leave? Appears she does. Mr. Clerk, read this Bill on Second Reading."

Clerk McLennand: "Senate Bill 1640, a Bill for an Act relating to education and the public school system. Second Reading of the Bill. Amendment #1 was adopted in committee."

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Speaker Laurino: "Further Amendments?"

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

Speaker Laurino: "Representative Stepan."

Stepan: "Yes, Mr. Speaker and Members of the Assembly. Floor Amendment #2 merely clarifies the intent of the Bill. I ask for its adoption."

Speaker Laurino: "Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker. If the Sponsor would just tell us what intent she's clarifying with Amendment #2, perhaps we could join her."

Stepan: "All right. Representative Black, what this does would...would be to clarify the intention here that the publishers of school textbooks would have to provide to the State Board computer diskettes 30 days...or rather 90 days after the request was made and also for the translation into Braille and...and also within...and the publishers would further have to provide a copy of the textbook with the copyright permission within 15 days to the school district. That then provides for if you have blind children who are moving from one district to another those...that would they be available. We wouldn't have to wait for the 30-day...the 90-day period."

Black: "Representative, is this practice generally accepted throughout the textbook publishing industry?"

Stepan: "Yes, it is. We...The State Board has discussed it with the publishers. Most of the textbooks that are in use today have are on computer disks and this does not make for terribly further complications for the publishers."

Black: "Thank you very much. I appreciate your explanation."

Stepan: "You're welcome."

Speaker Laurino: "The Lady ask for the adoption of Amendment #2

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to Senate Bill 1640. All those in favor indicate by saying 'aye,' opposed, 'nay'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Laurino: "Third Reading. Senate Bill 1606, Representative Hartke. Gentleman wishes that this Bill be brought back to Second Reading for the purposes of Amendment. Does he have leave? Leave being granted, the Clerk will put this Bill on Second Reading. Read the Bill, Mr. Clerk."

Clerk McLennand: "Senate Bill 1606, a Bill for an Act concerning local government. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Further Amendments?"

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

Speaker Laurino: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. Floor Amendment #2 to 1606 is the product of a problem that has developed in my...my district. The present statute in the State of Illinois does not allow for the sale of real estate to members of the city council. In Altamont, Illinois, there's a city council member who wishes to expand a manufacturing plant in the city recently, purchased some property from an abandoned B & O Railroad that runs through the city. If the city could sell this piece of property to the member of city council, there could be an expansion of the possible 30 jobs in the community. So I've offered Amendment #2 which states that the sale of the property would be allowed, provided that it would be by a unanimous vote of the city council members, except for the member that desires to purchase the

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property, for the full appraised value...certified appraisal value of the property. I'd be happy to answer any questions."

Speaker Laurino: "Gentleman moves for the adoption of Amendment #2, Senate Bill 1606. Any discussion? Seeing none, Representative Homer."

Homer: "Yes, will the Gentleman yield?"

Speaker Laurino: "He indicates he will."

Homer: "It's hard to hear you, Representative Hartke. This Amendment is being offered for a specific...situation to allow an alderman to purchase some real estate from the city. Would you explain that again?"

Hartke: "Yes, it is. It's for a specific city, but it does not mention the city in the Amendment. It says for municipalities under the population of 20,000."

Homer: "What city are we talking about?"

Hartke: "We're talking about Altamont, Illinois. Altamont, Illinois, under the new redistricting, will not even be in my district but in hopes of economic development in the area and, you know, creation the of jobs, I think that...this is a very good Amendment."

Homer: "So, so this would empower a...an alderman in that city to purchase some real estate at a 100% of the assess...of the appraised value of the real estate?"

Hartke: "That's true. By a certified appraiser. And the alderman or the city council member who is purchasing the property would not be allowed to vote on the issue. So if it were not by a unanimous consent of all the other members of the city council, the sale would not go through."

Homer: "And what's the reason that he wants this real estate? What's...He's going to development it?"

Hartke: "The city, of course, is desirous of having a

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manufacturing plant developed by the city council member, and the city council member, at the present time, owns property adjacent to...this property recently acquired by the city. The city acquired abandoned railroad property through the city. The city bought the property in order to lay...utility lines from one end of the city to the next and so forth, and they've done that, or will be doing that, and...he needs a portion of this property for the development...for more square footage for this manufacturing plant."

Homer: "Well, to the Amendment. We've done similar kinds of things, mainly dealing with quick-take provisions to spur economic development. Representative Hartke, I think your your Amendment would have been better had you you put sunset date in here so that this would then come off the books. I...I think it's all right to help a municipality in a given situation waive interest...waive the provisions of the Corrupt Practices Act or the provision in the municipal code that prohibits dealings between its officers and the city, but since it's for a special situation, a one-time situation, it would be a better form, I think, to have a sunset date where, after one year of the effective date, the provision would come out. Otherwise you've created a permanent exception in the statute that, while not abused in this case, could...could set a precedent which would not be good government. So I would encourage you. I'm not going to oppose your Amendment, but I would encourage you to consider, as this Bill moves through the process, goes to Conference that you consider adding a sunset date and hope you will think about doing that."

Speaker Laurino: "Further discussion? Seeing none, Gentleman moves for the adoption of Amendment #2 to Senate Bill 1606.

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All those in favor indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

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

Speaker Laurino: "Rep...Mr. Clerk, would you tell me who that is? Who? Representative Monroe Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, Amendment #3 to Senate Bill 1606 very simply puts...puts in order a Bill I sent over to the committee...I mean over to the Senate, rather...having to do with taking...police powers away from...from the animal control people. There was some objection, number one, from Cook County and DuPage County, so we added in a 600,000 population limit and that takes them out. We also added in local county board options. So any county that doesn't want institute this, can stay out of it, and I would ask for the adoption of the Amendment."

Speaker Laurino: "Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I must rise in opposition of the Gentleman's Amendment. I don't know how many of you in this chamber have been contacted by your animal control departments, but my phone lines have sure been burned up by mine. We ask these animal control wardens to enforce various animal regulations and humane ordinances in unincorporated areas, and now we're going to strip them of their...police authority...which means that they would not be able to do a number of things, but, most specifically they would not be able to carry a weapon. Were it not for that fact, in the last two or three years with the proliferation you've all read about of various pit bulls and vicious animals of...I would imagine that one of the wardens in my home county

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would have been killed in an attack by a very vicious dog. I don't think these people use this police power in any way but in full cooperation with the county board and their local sheriff's department, and I really think that to take this away from them, albeit that the Gentleman may had have a problem in his home county to just unilaterally strip all animal control regulatory agencies in every county, except two, of their police authority, I don't think is a wise move. It would be best handled on a county-by-county basis, and I have been asked by my animal control wardens to rise in opposition to the Gentleman's Amendment. And, thus, I do so and would ask 'no' vote, and, Mr. Speaker, would ask for a Roll Call Vote."

Speaker Laurino: "Further discussion? Representative Homer."

Homer: "Yes."

Speaker Laurino: "Representative Flinn, do you wish to respond?"

Flinn: "Well, Mr. Speaker, in answer to the Minority Leader, apparently he has not read the Amendment very clearly. It simply transfers the option to local county board. We don't strip anybody out of anything. The only reason we're after to start with is offer the county boards an opportunity to relieve themselves of a potential liability of someone being maimed or killed by a animal control person. It doesn't take any of their power away from them so far as citation's concerned. It doesn't even cause them to have to put it into effect unless the county board chooses that option. So I would ask for the adoption of the Amendment."

Speaker Laurino: "Further discussion? Representative Homer."

Homer: "Yes, will the...Representative Flinn, the language that's stricken from the Bill seems to take away the right of...these animal control wardens to make arrests and limit

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their authority simply to issuing and serving citations and orders. Would you...that's, I think, what Representative Black was asking you. Your remarks just indicated that that was not your intention. Would you, perhaps even for legislative intent, then, explain what your intention is?"

Flinn: "I can't hardly hear you back here. We have a lot of completions. We have a lot of temporary Pages on the floor. they seem to congregate."

Homer: "Representative Flinn, that the language this Bill...your Amendment strikes some language from the current law that would seem...and the effect of which would appear to be to take away the right of animal control...wardens to...to make arrests. Is it your intention to take away the arrest authority of animal control wardens?"

Speaker Laurino: "Further discussion?"

Flinn: "No, it is not my intention at all. I had to come down here to listen. Mr. Speaker, we have an awful lot of confusion back here with the kids running up and down the...the aisles. Now, I'm all for kids, but if they're going to interfere with the operation of the House, I believe we ought to have them sit down while we're doing this. It is not the intention of the Sponsor of this Amendment to take away the police powers so far as making arrests issuing citations, that sort of thing. All we are trying to do is to offer county boards the opportunity to take away their police powers so far as carrying a gun. We have all kind of policemen, deputy sheriffs and everybody else who are trained police officers, who can do the work that's necessary to be done. We don't want somebody shooting at a dog that has gone mad and killing some kid. That's exactly what we're trying to get away from is the liability that this would create for some of the counties.

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Those counties who do not choose to do, can opt out or just not pass the thing in the way of a county board action."

Homer: "If...if a county board chose to grant arrest authority to an animal control warden, would your Bill allow them to do that?"

Speaker Laurino: "Representative Flinn."

Flinn: "Yes. In answer to your last question, we are not taking away anything. The state is not issuing a statute, a...putting in a...a statute that requires that they do anything. It simply transfers the authority to the county board. This is what I was trying to get away from in the Bill originally, and now we've done it by an Amendment."

Homer: "And the effect of establishing a threshold of 600,000 population - that would appear to remove Cook County and DuPage County from your Bill. What would happen to the authority of animal control wardens in Cook and DuPage County under your Amendment? Would they continue to have the same authority that they have under current law or would this Amendment take away their authority to serve citations and make arrests?"

Flinn: "Well, there's no intent to take away their authority to issue citations at all and, in fact, the only intent of the Amendment is to transfer to the county board the authority to take away their police powers so far as carrying a gun is concerned. That would leave it up to the local officials who are elected, like we are, and who want to know more about what needs to be done there at local level, and we do here in Springfield. And I would ask for the passage of the Amendment."

Speaker Laurino: "Further discussion? Representative Black seeks recognition."

Black: "Thank you very much, Mr. Speaker. Since my name was

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indirectly mentioned, I would just simply point out to the Sponsor on line 18 of the Amendment, the Amendment clearly removes the power of police authority for animal control wardens and their assistants. Now, I can't read from this Amendment that it's assumed that the county board will give it back. In fact, I don't think the county board can, without enabling legislation...in the state statutes, but the Amendment clearly removes the power of peace officers from animal control wardens. If that's not what he means to do, then he should change the Amendment. Otherwise, I renew my call for a Roll Call Vote, and I stand in opposition to the Amendment."

Speaker Laurino: "Further discussion? Seeing none, the Gentleman moves for the adoption of Amendment #3 to Senate Bill 1606. All those in favor indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it, and the Amendment's...The Gentleman asks for a roll call on Amendment #3 to Senate Bill 1606. All those in favor will indicate by voting 'aye', opposed will vote 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Amendment, having received 57 'ayes', 53 'nay', 6 voting 'present', is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Third Reading. Representative Kubik is coming down the aisle...center aisle with his date. My date's a honey bear. Representative Jack Kubik, for the purposes of an introduction."

Kubik: "Thank you. Thank you all very much. It is my pleasure to introduce some of the people who have been up in Room 400 today from the Brookfield Zoo. As you know, they come down every year. A group of (what we call people from

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docent program) is a volunteer program which helps teach young people about the environment and about animal life, et cetera. What I'd like to do is introduce the manager of the docent program who is Jean Lindsner and Jean will tell you a little bit about the people, the program and our special, special guest in the...right under the well. So please, give a warm welcome to the Brookfield's Zoo manager of the docent program, Jean Lindsner."

Lindsner: "Thank you very much, Ladies and Gentlemen. It's a pleasure to be here. We had a wonderful day, doing all sorts of environmental and...educational programming on endangered species for your children and grandchildren, and what we learn there is a bad news good news story and the bad news is that many of our favorite animals are endangered, but the good news is that places like Brookfield Zoo, with the help of your children and grandchildren are working to help animals and on the back is unfurling a banner that your children and grandchildren made with all of their promises for what they're going to do for endangered species, both in Illinois and around the world. So, we wanted to share part of their handiwork with all of you this afternoon. Thanks for having us. We had a wonderful time, and our docents, our volunteer educators, thank you for letting us share our day with you."

Kubik: "The...For those of you who wish a picture with the Brookfield Zoo Bear, he will remain there...or she will remain there. (Oh boy)...she will remain there for a few minutes, so please feel free to come on up."

Speaker Laurino: "Rotello, you look like twins. Mr. Clerk, we'll proceed to the recall Bills. Senate Bill 1518, Representative Currie. Lady wishes the Bill to be brought back to Second Reading. She asks leave of the House. Does

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she have leave? Hearing no objection, the Bill will be brought back to Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1518, a Bill for an Act to amend the Illinois Income Tax Act. This Bill has been read a second time previously."

Speaker Laurino: "Representative Currie. Hold on. Hold on. Further Amendments?"

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

Speaker Laurino: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This is a technical Amendment to a Bill that is itself only a technical Amendment. I believe this has the support of the Minority spokesman on the House Revenue Committee. The point of the Bill is to use for general revenue committee purposes. I'd appreciate your support for the adoption of this Amendment."

Speaker Laurino: "Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. We don't have the Amendment. Has it been printed and distributed?"

Speaker Laurino: "Yes, it has."

Black: "Okay. All right."

Speaker Laurino: "Representative Kubik, for what reason do you arise?"

Kubik: "I just wanted to make sure that Representative Black understood that Amendment #1 was not adopted. The plan is to use this particular vehicle for some revenue...Acts that were held in the Senate, so I would support the Lady's Motion."

Speaker Laurino: "Lady moves for the adoption of Amendment #2 to Senate Bill 1518. All those in favor indicate by saying

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'aye', opposed, 'nay'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Senate Bill 1763, Representative Steczo. Representative Steczo, on Senate Bill 1763. Gentleman wishes this Bill to be brought back to Second Reading. He has leave of the House. Hearing no objections, the Bill will be brought back to Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1763, a Bill for an Act in relation to sexual assault. Second Reading of the Bill."

Speaker Laurino: "Any Amendments?"

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

Speaker Laurino: "Representative Levin. Amendment #1 to Senate Bill 1763."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Some months ago, there was a situation that hit the press about a woman in Oregon who abandoned her elderly father who had Alzheimer's and turned out in the State of Oregon there was no law that prohibited this kind of abandonment; despite the fact that there was an obligation in that case, for that women to take care of her father, and the abandonment occurred at a race track. Amendment #1 clarifies existing Illinois law with respect to Section 12-21 of the Criminal Code with respect to persons who are otherwise defined as care givers and have an obligation to take care of elderly or handicapped persons to add a provision that would prohibit them from abandoning those individuals. It is a clarification. I think that...would avoid the kind of situation that occurred...that occurred in Oregon and just ask for your support for Amendment #1."

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Speaker Laurino: "Further discussion? Representative Black."

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

Speaker Laurino: "He indicates he will."

Black: "I did not serve on the Judiciary II Committee, but my notes indicate that a Bill almost identical of this failed to pass from the Judiciary II Committee and, in fact, only got one vote. Is that your understanding?"

Levin: "Representative, it is my understanding there was a Bill, and the intent of that Bill was to cover this subject, but the problem I understand, with that legislation was it did not...it was broader than this Amendment. It covered any abandonment of a senior citizen whether or not there was an obligation to provide care or custody or not. And the members of the committee were sympathetic to the legislation, but they felt it was overly broad. This has been run by the chairman of the committee. It is limited in its application only to care givers under this particular provision of the Criminal Code. So, there already is an establishment of an obligation by law for these individuals to take care of these senior citizens and handicapped. It does not have the problem that that legislation that you refer to had in committee."

Black: "All right. If that's...that's...All I wanted to know was if you had, indeed, run this by the members of the Judiciary II Committee, and I would simply defer to any of those committee members and their expertise as to the appropriateness of your Amendment, and I appreciate your time."

Levin: "Thank you."

Speaker Laurino: "Further discussion? Representative Stern."

Stern: "Mr. Speaker and Members of the House. I was really

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wanting to follow up on what Representative Black asked about. I remember this Bill being before the committee, but I can't remember all the reasons why we didn't support it. I know I wanted it spread of record for my children's sake that I supported it. I do not want to be abandoned at a dog track, but I also had some concerns about something in the Bill; maybe it was that it was too punitive, or what was the...What happens to somebody who abandons his or her elderly relative on the street?"

Levin: "Representative. I cannot address what was in...everything that was in the original legislation. What this does is to add...under the current Criminal Code in terms of care givers. There are two provisions that...are...where they commit the offense of criminal negligence right now. One is where a care giver performs acts which cause the elderly or disabled person's life to be endangered, health to be injured or pre-existing physical or mental condition to deteriorate. The second condition that is currently in the statute is 'fails to perform acts which he knows or reasonably should know are necessary to maintain or preserve the life or health of the person'. This simply adds a third situation to the statute and that is the 'abandons the elderly or disabled person' to make clear that in addition to the other two, that this would be added to the...provision of the existing law."

Stern: "I do remember now what one of the concerns was. It had to do with who is a care giver. Have you got a definition of care giver in there?"

Levin: "Care giver, in the statute right now, on page 2 of the Amendment, means a person who has a duty to provide for an elderly or a disabled person's health and personal care at such person's place of resident including, but not limited

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to, food and nutrition, shelter, hygiene prescribed...medicine and medical care and treatment. In other words, this is the existing definition that we pick up."

Stern: "Okay, thank you, Representative."

Speaker Laurino: "Further discussion. Representative Williams."

Williams: "I think I understand it now, because, as you know, we had a similar Bill that you sponsored or someone sponsored in Judiciary and...Let me just make sure that I have an understanding here. First of all, there is...This is an existing statute that deals with...criminal penalties for neglect of elderly or disabled person. That's correct, right?"

Levin: "Correct. We are simply amending the existing statute which deals with care givers and care givers are defined as 'persons that have an obligation to take care of the elderly or the handicapped person under existing law'."

Williams: "And all you really do here is to add abandonment as one of the three or four...things that could be done to create the penalty of criminal...or create...to do the crime of criminal neglect of elderly or disabled persons."

Levin: "Correct. We're adding...There are two things here now; we're adding 'abandons the elderly or the disabled person' as a third thing."

Williams: "Okay, this is not...much narrower than what you originally...or what was originally proposed by someone."

Levin: "Right. I was not the Sponsor of the Bill in committee. I was aware that there had been legislation, and I was also aware that this solved the problems that the other Bill...was not able to address."

Williams: "Okay, thank you."

Speaker Laurino: "Further discussion? Representative Wennlund."

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Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Some of the reasons that this Bill received only one vote in Judiciary II Committee were its overly broad nature. The question is. Who has the duty to render care to a person over the age of 60? Does a visiting nurse who may not have been paid, but still may be under a duty to render care who may not have show up at the elderly person's place of residence that day? That person could be guilty of a Class 3 felony and that's why this Bill failed in the Judiciary II Committee because of its overly broad nature on...to exactly who had a duty. Even though a person may have a contract to be paid who is not paid by the elderly person, by the person over age 60, and so if that nurse doesn't show up that day, or if that person who looks in, the neighbor, for instance, who might be looking in after her neighbor, if that neighbor may establish by a course of conduct, a duty to the neighbor to look into that person over age 60. And if that person decides she's going to take a vacation or go to Florida for the winter, she could be guilty of a Class 3 felony. Our prisons have already reached over 30,000 in population. The proposed budget doesn't call for the opening of Big Muddy or any of the new for...work camps. I don't know where we're going to put all of these people, if we want to continue making everything in this state, every act of a person (It may be an innocent act...It may be an innocent act not going to look in on your neighbor or care for your neighbor), and then be found guilty of a Class 3 felony and gets sent to Menard for four years. It is just going too far, and that's the reason that the Bill in the original proposal failed in the Judiciary II Committee, and it's the reason that this Amendment ought to fail and, Mr. Speaker, I ask

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for a Roll Call Vote on Floor Amendment #1."

Speaker Laurino: "Further discussion? Representative Steczo."

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

Speaker Laurino: "Indicates he will."

Steczko: "Mr. Levin, there has been...there has been statements made that this Bill is the same Bill that was heard and received one vote in the Judiciary Committee. Is that true or false?"

Levin: "It is not the same proposal. This proposal corrects the problems that Representative Wennlund talked about and others have talked about earlier in the Bill that was in the Judiciary II Committee. The Bill that was in the Judiciary II Committee imposed an obligation not to abandon any senior citizen, whether or not the individual did the abandonment had an obligation to take care of that individual. This is very different from that. This is narrowly drawn. It is an Amendment to the existing statute...which defines a care giver as 'a person who has an obligation to take care of that elderly or handicapped person.' It is very different from what was before the committee. It simply applies to that person who already has an obligation to take...to provide the care."

Steczko: "Mr. Levin, you indicate that there is currently in the statute provisions that regard criminal neglect of an elderly or disabled person. Is that correct?"

Levin: "Correct."

Steczko: "And all you're doing is adding to the two definitions of criminal neglect of an elderly or disabled person and adding the word 'abandonment.'"

Levin: "Correct."

Steczko: "Mr. Speaker to the Bill, I understand that perhaps the Members of the House Judiciary Committee who heard his

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Bill...found the old Bill that was...that was sponsored under somebody else other than Representative Levin objectionable, and a Bill that went too far and which only got one vote. This Amendment from my understanding of listening to Mr. Levin, listening to Mr. Williams on the House floor here is, in fact, not the same Bill that was heard in the House Judiciary Committee and, in fact, from my understanding of the debate on the House floor, was drawn far narrower. So what it does is just simply takes our current statute, which deals with criminal neglect of elderly or disabled persons, and adds to that a cause for abandonment far different from the Bill that was heard in the Judiciary Committee a few weeks ago and far less objectionable or unobjectionable, I guess, as compared to that Bill that was introduced. So, I believe, Mr. Speaker, that those people who got up and asked questions and spoke against this Amendment should actually take a look at it and compare it to the Bill that was defeated in Judiciary Committee, and they will find that it's not anywhere near the same, so I would urge...the adoption of Amendment #1."

Speaker Laurino: "Further discussion? Representative Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. This Bill...a similar Bill did come through the House Judiciary II Committee of what's on the Chair. It was sponsored by Representative Martinez, as I recall, and it created a new separate offense, I believe, called 'abandonment of the elderly or disabled', and it did not have tight enough language, in the opinion of the committee to define what the care giver was, so there was a concern that someone who may have had only a casual contact with the disabled or aged person may be subject to prosecution even though they had no affirmative duty to care for them. That Bill only

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got one vote. This...this Bill is...amends the criminal neglect of an elderly or disabled person statute which is already on the books, and just adds another...provision that...says that you commit that crime if you abandon the elderly or disabled person. But in order to be guilty, you must be a care giver, and a care giver is carefully defined as 'a person who has a duty to provide for a elderly or disabled person's health or personal care', so the Bill is tightly worded and addresses the situation that was...that came to light out in Oregon, as some of you - remember widely publized - where a daughter abandoned her elderly father who suffered from Alzheimer's disease at a race track and left him to fend for himself. That's reprehensible conduct, should be subject to prosecution in the State of Illinois for similar happenings here. I think the Gentleman's Bill is carefully worded and is a good Bill, significantly different than the Bill that was in the Judiciary Committee, and we should support him in this initiative."

Speaker Laurino: "The Chair wishes to advise the Body that Representative Wennlund withdraws his request for a Roll Call Vote. Representative Levin moves for the adoption of Amendment #1 to Senate Bill 1763. All those in favor indicate by saying 'aye,' opposed, 'nay'. The 'ayes' have it, the Amendment's adopted. Further Amendments?"

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

Speaker Laurino: "Representative Hoffman. Amendment #2, Senate Bill 1763."

Hoffman, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 1763 will take some of the Governor's consolidation recommendations and would

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put them into law. The Speaker's Task Force on Reorganization and Consolidation which is co-chaired by Representative Granberg and myself came up with these recommendations that we should accept the Governor's provision to establish a Prisoner Review Board within the Department of Corrections, repeal the Illinois Governor's Council on Health and Physical Fitness. The Export Council is repealed, and the Export Development Act would be repealed. I ask for the adoption of this Amendment."

Speaker Laurino: "Further discussion? Representative Black."

Black: "Mr. Speaker, my light was on in error. I defer to Repr..."

Speaker Laurino: "Representative Wennlund."

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

Speaker Laurino: "He indicates he will."

Wennlund: "Is there currently an independent appropriation for the...Prisoner Review Board which was, and is currently, independent of the Department of Corrections?"

Hoffman: "Just a second, Representative. Let me look. It is my understanding- maybe I'm wrong, 'maybe correct me - but I thought that it had been put into the Department of Corrections' appropriations. If it hasn't, I think we...we should work on that and make sure that it's...it's changed before we send a budget out of here."

Wennlund: "What my question is, is this going to place an additional burden on the Department of Corrections?"

Hoffman: "It's my understanding that the money that is currently...under the Governor's proposal, the money that is currently...last fiscal year was given to the Prisoner Review Board would now be under the Department of Corrections. They wouldn't have to expend additional funds...Or they would get additional funds for the

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expenditures for taking over this purpose."

Wennlund: "And is...does this Amendment abolish any state agencies?"

Hoffman: "Well, it...it repeals the Export Council Act, the Export Development Act and repeals the Illinois Governor's Council and Physical Fitness Act. I don't believe that...I guess you could call them state agencies, but those were the Governor's recommendations, especially in the light of the fact that the Export Council Act and the Export Development Act have virtually been nonexistent over the past few years, and the Illinois Governor's Council on Health and Physical Fitness has...has become such a problem that we've decided to go private with it."

Wennlund: "What...What actual changes does this Amendment make? And what the genesis of the Amendment?"

Hoffman: "The Amendment would adopt some of the Governor's recommendations as far as consolidation and reorganization. The genesis of this Amendment comes from the recommendations which were made by the Speaker's Task Force on Reorganization and Consolidation after looking at the Governor's proposals. This would essentially...consolidate, as I said before, the Prison Review Board within the Department of Corrections. It would repeal the Governor's Council on Physical...Health and Physical Fitness Act which was said...that would be no more a state agency. The Export Council Act would be repealed; that would no longer be a state function and the Export Development Act would be repealed; that would no longer be a state function."

Wennlund: "Thank you. Mr. Speaker, inquiry of the Chair. I would ask the Parliamentarian to look at the bottom of page 3 from lines 32 through line 7 on page 4. That appears to be technically incorrect in that none of the language in

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there was underlined indicating a change and indicating that indeed, the Governor's Council on Health and Physical Fitness and the Export Council Act and the Export Development Act - all being repealed - was not underlined, as are the other changes set forth in that section."

Speaker Laurino: "Would you repeat your objection, please?"

Wennlund: "Yes, on page 3, lines 32 and 33; and on page 4, lines 1 through 7; none of which are underlined as required to indicate that, indeed, those are changes and new provisions."

Speaker Laurino: "Representative Wennlund, the Parliamentarian advises me that repealers are not amendatory language; therefore, they...there is no necessity for them to be underlined, and...your request is not well taken."

Wennlund: "Has the...Maybe the Sponsor...It appears that Amendment #3, which does the same thing but which was designed to correct certain technical difficulties with the language of the Bill..."

Hoffman: "Representative, Amendment #3 was to be used if Amendment #1 was not adopted. That's the reason we had Amendment #3, just in case Amendment #1 was not adopted."

Wennlund: "On page 4 of Amendment #3, on line 2, it inserts that language after the end of Section 3 in the following and under Amendment #3, the clarification section, it inserts that language at the end section 2 as opposed to Section 3. I was concerned maybe you got the wrong Amendment here. I mean..."

Hoffman: "I...I don't...I...think the reason...the reason it's different, Representative, is because once Amendment #1 is adopted, we're working from a Bill that includes Amendment #1. Amendment #3 would have been used if, and only if...Right, right. Amendment #3, if you could...would have

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been used if, and only if, Amendment #1 would have not come onto the Bill, and that's...that's why we have the difference."

Wennlund: "Okay, thank you very much."

Speaker Laurino: "Further discussion? Seeing none, the Gentleman moves for the adoption of Amendment #2 to Senate Bill 1763. All those in favor indicate by voting...saying 'aye', opposed, 'nay'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker Laurino: "Representative Hoffman, on Amendment #3."

Hoffman: "Withdraw Amendment #3."

Speaker Laurino: "Withdraw Amendment #3, Mr. Clerk. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "This Bill will stay on Second Reading because there has been filed...correctional budget impact note. Until that's satisfied the Bill, will remain on Second Reading. Senate Bill 1556, Representative Steczko, under Revenue. Gentleman wishes this Bill be brought back to Second Reading for purpose...Representative Steczko, for what reason do you arise? The Gentleman asks leave of the House to have this Bill be brought back to Second Reading. Hearing no objections, the Bill will be brought back to Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1556, a Bill for an Act relating to state and local tax and fiscal matters. This Bill has been read a second time previously. Floor Amendment #1, offered by Representative Steczko and Barnes."

Speaker Laurino: "Representative Steczko, on Amendment #1."

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

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Amendment #1 to Senate Bill 1556 would place on the ballot next November an advisory question dealing with the questions of state mandates. This is...an item that we have adopted previously. Unfortunately, the House Bill that we adopted this Amendment to was not called before the Third Reading deadline. As you know, the Constitutional Amendment that would have provided for the same thing met a uncertain fate in the Senate prior to the May deadline for doing so, so we feel that the question of mandates, as such, that perhaps the voters of the State of Illinois can give us some advice on the ballot next November and vote on a question that deals specifically with the Legislature and the adoption of new mandates. I would move, Mr. Speaker, for the adoption of Amendment #1."

Speaker Laurino: "Further discussion? Representative Barnes."

Barnes: "Thank you, Mr. Speaker. I rise in support of this. We had a public hearing...out in Oak Forest, and it was really greatfully accepted to have this type...of Amendment. I would ask for an 'aye' vote along with Steczo."

Speaker Laurino: "Further discussion? Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to bring to the attention to the Clerk of the House that this Bill is...is no longer a Steczo-Kubik Bill, but should be a Steczo-Barnes Bill, just for his...housekeeping chores."

Speaker Laurino: "Further discussion? Representative Matijevich."

Matijevich: "Not discussion on this. But second time around, Jesse White had a plate of fruit earlier and now he has a lot of cake here on his birthday - a lot of cake here. You can come here for his...to celebrate his birthday."

Speaker Laurino: "Happy birthday, Jes. Further discussion?"

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Seeing none, the Gentleman asks that the House adopt Amendment #1 to Senate Bill 1556. All those in favor indicate by saying 'aye,' opposed 'nay'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Senate Bill 2057, Representative Phelps. Gentleman asks leave of the House to have this Bill brought back to Second Reading. Hearing no objections, the Bill will be brought back to Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2057, a Bill for an Act concerning mines and mining. This Bill's been read a second time previously. Floor Amendment #1, offered by Representative Phelps."

Speaker Laurino: "Representative Phelps, on Amendment #1 to Senate Bill...2057."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 1 actually is a repeat of what we put on a House Bill that had great success, but we are trying to get it on this Bill, also...It actually, in regards to the federal Clean Air Act requirements and the sale of emission allowances, this requires the Illinois Commerce Commission to collect information relating to the allocation and acquisition and sale of the emission allowances, and we want to be sure we...have this provision before them. That's what Amendment 1 does."

Speaker Laurino: "Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. I simply rise in support of the Gentleman's Motion...The underlying Bill was lost in the...shuffle when we adjourned, as he has explained. It came out of Citizens' Assembly, the Illinois Commerce Commission...Well, I don't know of any opposition

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to this Amendment and I'm pleased to rise in support of the Gentleman's Motion on Amendment #1."

Speaker Laurino: "Further discussion? Seeing none, Gentleman asks the House to adopt Amendment #1 to Senate Bill 2057. All those in favor indicate by vot...saying 'aye', opposed, 'nay'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker Laurino: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment makes technical changes to a provision that the House sent out of here on Consent Calendar, but this even gives the Mines and Minerals more authority in the rule-making to allow the...the variances...for the provisions, in which we allowed in the Bill to...regulate the Ozark Mahoney Mine in their operation of fluorspar...to store explosives. So this gives the Mine and Minerals a little bit more latitude than what they even agreed to earlier."

Speaker Laurino: "Further discussion? Seeing none, the Gentleman asks for the adoption of Senate Bill...Amendment #2 to Senate Bill 2057. All those in favor indicate by saying 'aye,' opposed, 'nay'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Senate Bill 1770, Representative Capparelli. The Gentleman asks leave of the House to have this Bill be brought back to Second Reading for purposes of an Amendment. Does he have leave? Leave being granted, the Clerk will read the Bill."

Clerk O'Brien: "Senate Bill 1770, a Bill for an Act to amend the

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Illinois Pension Code. This Bill has been read a second time previously. Floor Amendment #2, offered by Representative Capparelli."

Speaker Laurino: "Representative Capparelli, on Amendment #2."

Capparelli: "Thank you, Mr. Speaker. Amendment #2 corrects the intent of the Bill on the early retirement for Cook County. It changes...replaces 10% to 1% on line 4, and change the multiplied by the employee's number of years. I ask for adoption of Amendment #2."

Speaker Laurino: "Further discussion? Seeing none, the Gentleman asks for the adoption of Amendment #2 to Senate Bill 1770. All those in favor indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. The Chair will proceed to Senate Bills on Second Reading with Amendments. Senate Bill 1941, Representative Ryder. Is Representative Ryder in the chambers? Out of the record. Senate Bill 2091, Representative McDonough. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2091...a Bill for an Act to amend the Revised Cities and Villages Act of 1941. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any floor Amendments?"

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

Clerk O'Brien: "Nelson Rice."

Speaker Laurino: "Representative Rice, on Amendment #1 to Senate Bill 2091. Representative Rice on Amendment #1 to Senate Bill 2091."

Rice: "(Senate Bill) 2091, as it stands, would be added. This Amendment represents...facility that should be built...in

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the City of Chicago for the public library."

Speaker Laurino: "Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. It appears to us that this Amendment is not germane. The original Bill amends the Cities and Villages...Villages Act of 1941. The topic of the Bill...and the Amendment are strictly the...City of Chicago and the underlying Bill amends the Civil Administrative Code. We would ask the Chair to so rule, that the Amendment is not germane."

Speaker Laurino: "Representative Black, the Amendment is germane. It deals with the City of Chicago, and so does the Bill. Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. I appreciate you...looking into our inquiry. I must rise in opposition of the Gentlemen's Amendment. Ladies and Gentleman of the House, this Amendment says that the Department of Commerce and Community Affairs must loan or grant \$4 million to an appropriate entity to finance the construction of a public library within the boundaries of the 34th ward of the City of Chicago. Now, I don't have anything against the 34th Ward of the City of Chicago or any other ward in the City of Chicago; however, in a budget year, where there are simply not enough dollars to meet the many pressing needs of the citizens of Illinois, it was my understanding that such an Amendments would not be viewed favorably by either side of the aisle. I think if this Amendment goes on, then...we may open the floodgates to all kinds of member add-ons that have a very legitimate need to try and take care of some pressing problems back in their districts as well, and so it's for that purpose that I rise in opposition to the Gentleman's Amendment and would urge a

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'no' vote."

Speaker Laurino: "Further discussion? Representative Rice, to close."

Rice: "Members of the House, if there's no appropriation that will be available for this worthwhile project...there will be no need of us fighting it at this particular time, but hopes that things will change because we believe in that great thing. Have faith, Brother Black. Have faith."

Speaker Laurino: "Gentleman moves for the adoption of Amendment #1 to Senate Bill 2091. All those in favor indicate by saying 'aye,' opposed, 'nay'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker Laurino: "Representative McDonough, on Amendment #2. Senate Bill 2091."

McDonough: "Mr. Speaker, this Amendment provides an immediate effective date after the adoption."

Speaker Laurino: "Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. Now, Ladies and Gentlemen of the House, Amendment #1 that passed on a very close voice vote very close asked that we spend \$4 million to build a library in a specific ward. Now Amendment #2 adds that it has an immediate effective date. Now if this is going to pass, I would suggest we all line up and get the Christmas tree ready to roll out of here, but who are we kidding? There isn't any money. So, Mr. Speaker in all due respect to the Sponsor of the Amendment - and since Amendment #1 was added - I must rise in opposition to this immediate effective date on this \$4 million Amendment, and at this time I would ask for a Roll Call Vote on the Amendment, Mr. Speaker; if you would take that under

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consent, I would be most grateful and would urge a 'no' vote on the roll call."

Speaker Laurino: "Further discussion? Seeing none, Representative McDonough for what reason do you arise, Sir?"

McDonough: "I would like to withdraw this at this time...withdraw the Amendment."

Speaker Laurino: "Gentlema withdraws Amendment #2 to Senate Bill 2091. Representative Rice, for what reason do you arise, Sir?"

Rice: "Mr. Speaker, when we come to the General Assembly, we have our first Bill. Since this is going to be my swan song...May the Lord bless me and give me strength and courage that this...when I leave it don't...My swan song, over with."

Speaker Laurino: "Any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Senate Bill 1931. Representative Novak. Oh, no. I'm sorry. Out of the record. Senate Bill 1590, Representative Schoenberg. Out of the record. Senate Bill 1641, Representative Keane. Out of the record. Senate Bill 1717, Representative LeFlore. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1717, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Floor Amendments?"

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

Speaker Laurino: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1717 is a shell Bill. It having to do

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with the GA...appropriation. This Bill is now being worked on as a shell Bill and the Governor's office, along with some other concerned individuals are working on this. I'd just like to move this Bill now. I'd like to adopt the Amendment at this time. So, I would ask for a favorable vote upon the adoption of the Amendment."

Speaker Laurino: "Further discussion? Representative Wennlund. Representative Wennlund. Oh. Representative LeFlore moves for the adoption of Amendment #1 to Senate Bill 1717. All those in favor indicate by saying 'aye,' opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Senate Bill 1641, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1641, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Floor Amendments?"

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

Speaker Laurino: "Representative Hoffman, Amendment #1 to Senate Bill 1641."

Hoffman: "Mr. Speaker."

Speaker Laurino: "Representative Hoffman."

Hoffman: "Take it out. Take it out of the record."

Speaker Laurino: "Take what out of the record?"

Hoffman: "I'm sorry. The Amendment."

Speaker Laurino: "You want withdraw Amendment #1?"

Hoffman: "Yes."

Speaker Laurino: "Withdraw Amendment #1 to Senate Bill 1641. Further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Senate Bill 1941, Representative Ryder. Roll it. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1941, a Bill for an Act in relation to amusement. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Laurino: "Any Floor Amendments?"

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

Speaker Laurino: "Representative Steczo, on Amendment #2. Representative Ryder. Representative Steczo on Amendment #2. Representative Ryder, for what reason do you arise?"

Ryder: "I just wanted to tell Representative Steczo that it's a fine an Amendment and if he would move to adopt, I'd second, and we could go."

Speaker Laurino: "Sponsor moves to adopt the Amendment #2 to Senate Bill 1941. All those in favor indicate by saying 'aye'. Representative Frederick, for what reason do you arise?"

Frederick: "Mr. Speaker. Thank you. I just simply wanted to okay Amendment #2 on Senate Bill 1941."

Speaker Laurino: "All those in favor indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 2169."

Speaker Laurino: "Representative Keane, in the Chair."

Clerk O'Brien: "A Bill for an Act in relation to sentencing

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driving under the influence offenders. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Cronin."

Cronin: "Yes, Thank you, Ladies and Gentlemen of the House, Mr. Speaker. Amendment #1 is an Amendment which Representative McAfee and I are co-sponsoring. This Amendment contains the text of a House Bill 2849 which provides that the Secretary of State shall report its recommendations to the General Assembly by January 1, 1993, on the issue of the sale and dissemination of lists and information from that office. The Secretary of State supports it, and I ask for its adoption."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House adopt the Amendment #1 to...Senate Bill 2169?' All in favor say 'aye', all opposed, 'no'. The 'ayes' have it, and Amendment #1 is adopted. Any further Amendments?"

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

Speaker Keane: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 deals with an issue which is very timely during this season and that is the increased violence, an increased incidence of drunk driving as a result of underage keg parties. A study released just a couple of months indicated that there is common availability of beer kegs to underage beer drinkers, and the best way to prevent the incidents of...of the violence and the driving under the influence incidents is to

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restrict the availability of kegs to underage drinkers. This Floor Amendment calls for the placement of identification tag on each beer keg that is sold with a deposit of \$50. If that deposit is, in fact, forfeited, then the funding would go towards local substance abuse and alcohol abuse agencies. My Bill's endorsed by many law enforcement/alcohol abuse groups, including the Illinois Association of Police Chiefs, the Alliance Against Intoxicated Motorists, Cook County Sheriff Michael Sheahan, the Illinois Alcoholism and Drug Dependence Association, the Illinois State Fair Officers and the Illinois Department of Drug, Alcohol and Substance Abuse. I would urge you to support this legislation. I ask for an 'aye' vote."

Speaker Keane: "On that issue, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. If you take a quick look at this Amendment, the Gentleman's intentions may be very good, but the unanswered questions about tagging a keg of beer. I don't understand this at all. It says somebody's going to provide it; somebody's going to put it on there. Somebody's going to get fined. It doesn't tell you for sure who's going to pay to create the tag and who's going to put it on there, what kind of costs are involved, and holding the ultimate seller responsible. I'm not in this business (and perhaps I should yield to...to some who know certainly more about this business than I do), but I must rise in opposition...to this Amendment. I don't think it's drafted...with very specific language, and it just...you know, for example, if you deface or remove this beer keg tag you're going to be guilty of a Class C misdemeanor. Is this going to be something like those tags that appear on

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mattresses that you know, 'Do not remove this tag under of penalty of law'? What happens if it falls off during transit or somebody knocks it off at your party? You bring the keg back without the tag. I...certainly can appreciate what the Sponsor of the Amendment is attempting to do, but I...I think this is completely open-ended, perhaps not necessary at this time, and I would urge a 'no' vote on Amendment #2 and would ask for a Roll Call Vote, Mr. Speaker."

Speaker Keane: "Representative Mautino."

Mautino: "Would the Sponsor yield?"

Speaker Keane: "He indicates he will."

Mautino: "As proposed, who would...I that see the distributors would supply the tags and the forms, as well, to the retailers?"

Schoenberg: "The tags, a sample of which I'm holding right now, this is the metal tag similar to the one that's used in Franklin County, Massachusetts - also comes in a plastic form. It would be affixed to the beer keg. It has an identification number, and the tag would be affixed under this Amendment by the distributor. The tags would be donated, so there would be no cost incurred. The record keeping, and there is specific provision in the Amendment for what type of information - contrary to the previous speaker's statement - there is specific...designation within the Amendment that the information log would be relating to personal data regarding the person...purchasing the beer keg. That would be the responsibility of the retailer."

Mautino: "Currently many retailers, or most retailers track their kegs at the time of purchases and I see that this would add or raise the deposits to \$50 on standard kegs, so an average person walking in (where now they would pay

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approximately in \$100 in deposits) would pay the \$150 and then records are normally tracked at the retail level. My question is, when we go to the distributorship level with this the drivers would have to also make this information available to the local police stations and they would tag it with the tag form that you're...you've showed there."

Schoenberg: "Correct."

Mautino: "Okay. Now, in the beer business there are two different types, basically, of kegs. You've got a Hauf-Stephens which operates - that's an Old Style or a Pabst - which do not have a point where you can attach a keg like that, so most likely you would be looking at a belly-type keg or an adhesive sticker. If that's submerged in...in water and that sticker comes off, that person is going to be liable for: one, loss of his deposit, and, also, a potential Class C misdemeanor."

Schoenberg: "The ability to affix the tag...exists regardless of which of the two forms of the keg we're talking about. The sample which I'm holding now of this tag, obviously, as you can see, we would be able to affix it by attaching it around the handle. There would...We have to use alternate means to affix a tag...in a way similar that's been done. This same issue arose...in Massachusetts when they sought to tag the kegs so...as a means of determining...who was purchasing kegs for underage parties, and they made the necessary provisions to do that there. I don't have a sample of that particular tag with me."

Mautino: "I understand what the...To the Bill...or to the Amendment. I understand the Sponsors concern and presently the tracking is taken care at the retail level. I don't know that if at the distributorship level you are adding additional work - and unnecessary work - since at that

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level you're really not responsible for the final sale of the kegs, so I would ask for a 'no' vote on this Amendment and would ask for a Roll Call Vote."

Speaker Keane: "Representative Deering. Question is...Representative Schoenberg, to close."

Schoenberg: "In closing, I'll tell you how this came to my attention. A number of human service organizations, namely advocates of...of alcohol abuse education and substance abuse in the northern and northwestern suburbs of Cook County, took this model and sought to adapt it to their own communities. The reason why the law enforcement community is so strongly supportive of this - from Sherrif Sheahan to the Association of Police Chiefs, to the very officers who go into...our respective schools and teach the DARE program - the reason why all these law enforcement officials are supportive of this measure as well as DASA, is because there's such a proliferation, particularly in suburban areas, of underage keg parties that they find that they're seeking a stronger deterrent and at the same token looking for a means to generate possible dollars, and those forfeited deposits by irresponsible parties would generate those dollars for their local alcohol abuse efforts as a means of trying to reduce this problem, and that's why I'm asking for your affirmative vote."

Speaker Keane: "The question is, 'Shall this Amendment be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Representative Deering, to explain your vote."

Deering: "Mr. Speaker, to explain my vote. This is another unfunded mandate on the retailers and on the taxpayers and consumers of the state. This is a bad Bill, bad Amendment. Let's defeat this Amendment."

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Speaker Keane: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Amendment, there are 17 voting 'aye', 77 voting 'no', 13 voting 'present', and the Amendment fails. Any further Amendments?"

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

Speaker Keane: "Representative Cronin."

Cronin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 seeks to amend the current language which deals with the...unauthorized use of cable television decoding devices, or kits, or parts of such a device. This Amendment seeks to prohibit leasing of decoding devices as well as offering devices for sale or lease with the intent that the device be used to intercept the transmission of cable TV programming without payment to the cable company. This Amendment also seeks to provide that the sale, distribution or lease...of such a device is evidence of a violation and if the seller, distributor or lessor has advertised or otherwise represents that the device can be used to enable a purchaser to obtain these services without charge (sic)...In addition, this Amendment seeks to...is...is needed because the current statute requires proof that the purchaser has actually used the device. Undercover purchases of such devices by law enforcement authorities, who do not use the device unlawfully, do not therefore constitute the evidence needed. Finally, this Amendment seeks to make the offense of contributing to the unauthorized use of a television decoding device a Class 3 felony. Currently, a violation of this provision is a Class A misdemeanor. I ask for its adoption."

Speaker Keane: "On the Amendment, Representative Deering."

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

Speaker Keane: "He indicates he will."

Deering: "If we make this a Class 4 felony...or Class 3 felony instead of a misdemeanor, what kind of a prison impact will we have here?"

Cronin: "I know that the Department of Corrections has indicated that...this would have some impact, and I think that they have registered their opposition in the appropriate fashion."

Deering: "Well, I agree with the idea of...prosecuting air pirates, but I think we're going too far and turning this into another...felony that could impact the already overcrowded prison system that we debated here earlier this year. You know, we have...problems with funding Corrections; and now we're going to put another problem with overcrowding. I recommend a 'no' vote on this Amendment."

Speaker Keane: "Representative Dunn."

Dunn: "I would like to echo the comments of the previous speaker and urge everyone to vote 'no' on this...silly Amendment. If...People shouldn't violate the cable franchise laws, but violation is not intended or meant to be a felony, and, as the previous speaker indicated, the prisons are already overcrowded, and we shouldn't be filling 'em up with people who are messing around with illegal cable hook-ups, for God's sakes. I think the Sponsor ought to do us all a favor and take this Amendment out of the record and withdraw it. It's a silly, crazy Amendment and it should be soundly defeated."

Speaker Keane: "Representative Hoffman."

Hoffman: "Representative, you used to be an assistant prosecutor, is that right?"

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Speaker Keane: "Representative Cronin."

Cronin: "Yes, that's right."

Hoffman: "In that capacity I guess that you prosecuted aggravated batteries,...subsequent offenses...other type of...of physical harm to individuals that are only Class 4 felonies, correct?"

Cronin: "...In certain circumstances, that's correct."

Hoffman: "But under this Bill, if you tie into cable illegally (sic-illegally), you have a...Class 3 felony which is...What is that, two to...two to five in prison?"

Cronin: "That's correct. Two to five years. Representative, as you know..."

Hoffman: "For a first offense? Is that correct?"

Cronin: "It doesn't make any distinction about number of offenses."

Hoffman: "So, if...you...if you...if you commit an aggravated battery and you seriously injure somebody, that's a Class 4 felony, I believe. And you could...you could get one to three in prison. But if you illegally hook up to a cable TV system, you could get three to five."

Cronin: "Is that a question?"

Hoffman: "That's a question."

Cronin: "You're...you're accurate on your statement of the Criminal Law."

Hoffman: "I think that...I'm not...I'm in favor of the concept, but maybe we should keep...keep it a Class A misdemeanor."

Speaker Keane: "The question is, 'Shall this Amendment be adopted?' All in favor say 'aye', all opposed...I'm sorry. Representative Williams."

Williams: "Yes, I'd like to question the germaneness of this particular...Amendment. As I understand it, this is amending an Act in relation to motor vehicles."

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Speaker Keane: "Representative Williams, was your question the..."

Williams: "My question is to the Chair."

Speaker Keane: "The question was to the Chair, not to the Sponsor."

Williams: "Right. Right."

Speaker Keane: "All right. The question the Gentleman asks whether the Amendment is germane."

Williams: "On the germaneness. Okay. I would like to debate the Amendment, also."

Speaker Keane: "You've been saved by non-germane Amendment. The Amendment is not germane. Any further Amendments?"

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

Speaker Keane: "Representative Cronin."

Cronin: "May I withdraw #4?"

Speaker Keane: "Withdraw Amendment #4. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Wennlund."

Speaker Keane: "Representative Wennlund withdraws Amendment #5. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Senate Bill 2170. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2170, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Schoenberg. Representative Schoenber. Mr. Sponsor, what's your..."

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Cronin: "I would...point out to the Speaker that Amendment #1 contains the same sum and substance of Amendment #2 to the previous Bill, Senate Bill 2169, which was overwhelmingly defeated. I believe the Sponsor's intent..."

Speaker Keane: "Do you move to table Amendment #1?"

Schoenberg: "Yes."

Speaker Keane: "Representative Schoenberg is here. Representative Schoenberg."

Schoenberg: "The Gentleman is correct. Could you please withdraw Amendment #1."

Speaker Keane: "Withdraw Amendment #1. Representative Davis, for what purpose do you rise?"

Davis: "Mr. Speaker and Ladies and Gentlemen of the House, I really wanted to take this awful opportunity to wish Jesse White his last birthday in the House. Jesse White is celebrating his very last birthday in the House of Representatives. So we just wanted to say happy birthday to Jesse White."

Speaker Keane: "Any further Amendments?"

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

Speaker Keane: "Representative Cronin."

Cronin: "May I withdraw the Amendment, please?"

Speaker Keane: "Withdraw Amendment #2. Any further Amendments?"

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

Speaker Keane: "Representative Cronin."

Cronin: "May I withdraw that Amendment as well?"

Speaker Keane: "Withdraw Amendment #3. Any further Amendments?"

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

Speaker Keane: "Representative Parke."

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Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #4...provides for an additional \$100 fee imposed by the county ordinance on a second and subsequent DUI violation. The proceeds of the revenue generated shall be used to finance DUI educational programs. In an essence, what we're trying to do here is that for those people who...who are habitual DUI, they need treatment. And we want them to help in paying for that treatment, and I would ask for passure (sic-passage) of this worthwhile Amendment to Bill 2170."

Speaker Keane: "I'm sorry. On Representative Parke's Amendment, any discussion? There being none, the question is, 'Shall the House adopt Amendment #4?' All in favor say 'aye', all opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Senate Bill 2051, Representative Currie. Mr. Clerk, read the Bill."

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

Speaker Keane: "Any further Amendment...Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any further Amendments?"

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

Speaker Keane: "Representative Wennlund."

Wennlund: "Withdraw."

Speaker Keane: "Withdraw Amendment #2. Any further Amendments?"

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

Speaker Keane: "Withdraw Amendment #3. Any further Amendments?"

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

Speaker Keane: "Representative Wennlund."

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

Speaker Keane: "Could you hold on one moment, please. Representative Williams, for what purpose do you rise?"

Williams: "Yes. We would also like to question the germaneness of this particular Amendment. It amends the...Government Ethics Act, and I believe the Bill addresses the Income Tax Act."

Speaker Keane: "One moment. You're correct, Representative Williams. The Amendment is non-germane. Not germane. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Currie."

Speaker Keane: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This Amendment deals with electronic funds transfer. Like approximately 25 other states that now have these kinds of requirements, the Amendment - which has agreement from the Retail Merchants and has been much worked on by the State Treasurer's Office - would apply...would say that beginning in October 1993, any taxpayer who is not an individual taxpayer with an average monthly tax liability of 150,000 or more would pay by electronic funds transfer, that figure moving to 100,000 for the threshold in 1994; and 50,000 in 1995. I'd be happy to answer your questions, and I would appreciate your support for the Amendment."

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

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

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Speaker Keane: "She indicates she will."

Black: "Representative, in your Amendment on page 4, it's very clear that the taxpayers who have this liability of six figures or more shall make all payments by electronic funds, and I thought I heard you say earlier...Has this been agreed to by all the retail groups since it isn't...certainly isn't permissive?"

Currie: "Yes."

Black: "...permissive."

Currie: "That's right. It isn't permissive, and, yes, it has been agreed to by the Retail Merchants and all other groups that I'm aware of."

Black: "So, they don't...they don't care if they get the float, huh?"

Currie: "Nope."

Black: "Hmm. Very interesting. All right. Thank you for answer."

Speaker Keane: "Representative Kubik. Representative Homer."

Homer: "Thank you, Mr. Speaker. I would urge support for the Amendment. I had a Bill similar to this a couple of years ago, and...it...high time that the State of Illinois and the taxpayers of this state get the benefit of the float on the money that is due the state through these obligations of large taxpayers. By putting this into the law we'll ensure that the obligations owed to us by the large taxpayers end up in the State Treasury instantaneously, and we can put that money to work, earning interest from day one and take advantage of what the commercial banks already understand very well - the issue of float. The taxpayers deserve that advantage, and I would urge support for the Amendment."

Speaker Keane: "The question is, 'Shall the House adopt Amendment

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#5?' All those in favor say 'aye', all opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. House...or Senate Bill 1935, Representative McGann. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1935, a Bill for an Act in relation to local government distributive funds. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

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

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. We're going to go through Third Readings, and we'll start off with Government Administration. The three Sponsors with Bills in this Order are Lang, McPike and Bugielski. Senate Bill 1722, Representative Lang. Out of the record. Senate Bill 1740, Representative McPike. Out of the record. Representative...or Senate Bill 1823, Representative Bugielski. Representative Bugielski? Do you wish to call 1823? Out of the record. On the Order of Municipal, County and Conservation - Third Reading - the Sponsors are Hartke, Brunsvold and Stepan. Senate Bill 1828, Hartke. Out of the record. Senate Bill 1862, Representative Brunsvold. Out of the record. We will now go to Civil Law, Third Reading. Senate Bill 2134, Representative McCracken. Out of the record. Criminal Law, Third Reading. Representative Lang, on Senate Bill 744. Out of the record. Representative Rotello, on Senate Bill 1693. Out of the record. Representative Steczo, on 1763. Out of

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the record. On the Order of Public Utilities, Third Reading, Senate Bill 1766, Representative Steczo. Out of the record. On the Order of...Senate Bill 963, Representative Steczo...Representative Black, for what purpose do you rise?"

Black: "Yes, just an inquiry of the Chair, Mr. Speaker. It's very hard to hear in here - lot of background noise and my Calendar is so frayed from having gone through it so many times, it's hard to read. Did I hear you say that we're on the Order of Agreed Resolutions?"

Speaker Keane: "I will be waiting with bated breath for that Order."

Black: "I...I well, I must have misunderstood you. Thank you very much."

Speaker Keane: "But you are...you are correct. There is an awful lot of noise on the floor."

Black: "Absolutely. Plus, if we go through this Calendar two or three more times, I need a new Calendar."

Speaker Keane: "Duly noted."

Black: "Thank you."

Speaker Keane: "Senate Bill 2057, Representative Phelps. Out of the record. On the Order of...Mandates, Second Reading, Senate Bill 1529. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1529, a Bill for an Act in relation to radiation protection. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Keane: "We will hold the Bill on Second Reading. Representative Satterthwaite, in the Chair. Representative Black, we may get some action now."

Speaker Satterthwaite: "We will go back to the Order of Criminal Law. Mr. Clerk, what is the status of Senate Bill 1763?"

Clerk O'Brien: "Senate Bill 1763 was taken back to Second

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Reading. Amendments 1 and 2 were adopted, and there was a request for a pension impact note filed, and the Bill was held on Second Reading."

Speaker Satterthwaite: "Representative Wennlund, I understand that it was your request and that request has been withdrawn?"

Wennlund: "Correct. That's correct. I withdraw the request for correctional impact note."

Speaker Satterthwaite: "Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative Homer? He's not there. Mr. Clerk, what Amendments were adopted on Senate Bill 1763?"

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

Speaker Satterthwaite: "Those were adopted today?"

Clerk O'Brien: "Adopted this afternoon. Correct."

Speaker Satterthwaite: "Senate Bill 1763 has been placed on Third Reading. On the Special Order of Mandates, Third Reading appears Senate Bill 2075, Representative Schakowsky. Out of the record. Representative McGann, Senate Bill 2093. Mr. Clerk, read the Bill."

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

Speaker Satterthwaite: "Representative McGann."

McGann: "Madam Speaker, I wonder...Do we have leave of the House to move this Bill back to Second Reading for purposes of an Amendment?"

Speaker Satterthwaite: "Representative McGann, you'll need to come up to the well and put that Bill number on a list to be recalled to Second Reading. Representative McGann, do you wish to call Senate Bill 2097 at this time?"

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Representative McGann, do you wish to proceed on Third Reading with 2097, or do you wish it to also be recalled?"

McGann: "I'm going to ask both be recalled to Second Reading for purposes of an Amendment."

Speaker Satterthwaite: "Thank you. On the Special Order of Agriculture and Environment - Third Reading - Representative Obrzut, on Senate Bill 1768. Out of the record. Representative Hartke on Senate Bill 2177. On Elementary and Secondary Education - Third Reading - Representative Cowlshaw, on Senate Bill 1772. Do you wish to have the Bill called at this time, Representative? Out of the record. Pensions - Third Reading - Representative Capparelli. Elections - Third Reading - Representative Lang, on Senate Bill 1992. Out of the record. Representative McGann, on Senate Bill 2093. You wish to bring that Bill back from Third Reading to Second Reading for purposes of an Amendment. Is there leave? Seeing no objection, the Gentleman has leave to bring the Bill back to Second Reading. The Bill is on Second Reading. Mr. Clerk, are there Amendments filed?"

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

Speaker Satterthwaite: "Representative McGann."

McGann: "Thank you, Madam Chair and Members of the Assembly. Amendment #1 to Senate Bill 2093 just keeps it a shell Bill and keeps it active. This Act takes effect upon becoming law. I'd appreciate adoption of the Amendment. I've discussed this with the other side of the aisle, and we're going to work together with this Bill."

Speaker Satterthwaite: "Is there any discussion? Seeing none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed, 'nay'. The 'ayes' have it, and

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the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Representative McGann, on Senate Bill 2097. The Gentleman asks leave to bring the Bill from Third Reading back to Second for purposes of an Amendment. Is there any objections? Seeing none, the Bill is on Second Reading. Mr. Clerk, are there Amendments filed?"

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

Speaker Satterthwaite: "Representative McGann."

McGann: "Thank you. The same on Senate Bill 2093. It's a shell Bill. We want to keep it a shell Bill. The Act takes effect upon becoming law. I have worked this out with the other side of the aisle on Senate Bill 2097, and we will work together once it gets in the Conference Committee. I'd ask for adoption of this Amendment #1 to Senate Bill 2097."

Speaker Satterthwaite: "Is there any discussion? Seeing no one seeking recognition, the question is, 'Shall Amendment #1 be adopted?' 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."

Speaker Satterthwaite: "Third Reading. Representative Lang, on Senate Bill 2076. Mr. Clerk, what is the status of the Bill?"

Clerk O'Brien: "The Bill is on the Calendar on the Order of Second Reading."

Speaker Satterthwaite: "Are there Amendments filed?"

Clerk O'Brien: "House Bill 2076, a Bill for an Act to amend the Probate Act. Second Reading of the Bill. No Committee Amendments."

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Speaker Satterthwaite: "Any Floor Amendments?"

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

Speaker Satterthwaite: "Representative Stange. Stange. Is the Gentleman in the chamber? He is not. What is your desire, Representative Lang? Take the Bill out of the record. Stange is not here for his Amendment. Representative Keane, on Senate Bill 1934. Mr. Clerk, what is the status of the Bill?"

Clerk O'Brien: "The Bill appears on the Calendar on the Order of Second Reading."

Speaker Satterthwaite: "Has the Bill been read a second time?"

Clerk O'Brien: "No. House Bill 1934, a Bill for an Act to amend the Deposit of State Moneys Act. Second Reading of the Bill. No Committee Amendment."

Speaker Satterthwaite: "Any Floor Amendments?"

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

Speaker Satterthwaite: "Representative Wennlund. Representative Keane."

Keane: "Yes, Madam Speaker, I question the germaneness of Amendment #1."

Speaker Satterthwaite: "The Amendment is not germane. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. By agreement of the Leadership, the Clerk can read into the record the Appropriation Bills that are on Second Reading and hold those Bills on Second Reading. We are not prepared to adjourn at this time. Do not take this as a signal that we are adjourning. Mr. Clerk, read the Bills."

Clerk O'Brien: "Senate Bill 1483, this Bill has been read a

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second time previously. Senate Bill 1607, a Bill for an Act making appropriations. Second Reading of the Bill. Senate Bill 1727, this Bill has been read a second time previously. Senate Bill 1728, this Bill has been read a second time previously. Senate Bill 1729, this Bill has been read a second time previously. Senate Bill 1730, this Bill has been read a second time previously. Senate Bill 1733, this Bill has been read a second time previously. Senate Bill 1840, a Bill for an Act making certain appropriations for education and higher education, and educational grant programs. Second Reading of the Bill. Senate Bill 1841, a Bill for an Act making certain appropriations of the Board of Trustees of the University of Illinois. Second Reading of the Bill. Senate Bill 1842, a Bill for an Act making certain appropriations for the Board of Trustees of Southern Illinois University. Second Reading of the Bill. Senate Bill 1843, a Bill for an Act making certain appropriations to the Board of Regents. Second Reading of the Bill. Senate Bill 1844, a Bill for an Act making certain appropriations to the Board of Governors of state colleges and universities. Second Reading of the Bill. Senate Bill 1845, a Bill for an Act making appropriations to the Illinois Community College Board and the Board of Trustees of the state community colleges for Fiscal Year 1993. Second Reading of the Bill. Senate Bill 1847, a Bill for an Act making appropriations to the Illinois Student Assistance Commission. Second Reading of the Bill. Senate Bill 1849, a Bill for an Act making appropriations for the ordinary and contingent expense of certain retirement systems. Second Reading of the Bill. Senate Bill 1850, a Bill for an Act making appropriations for the ordinary and contingent expense to

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the state university civil service system. Second Reading of these Appropriation Bills."

Speaker Satterthwaite: "Representative Matijevich, for what reason are you seeking recognition?"

Matijevich: "I thought you might get...give Speaker Stepan the gavel. I know she'll adjourn us. Wouldn't you, Ann?"

Speaker Satterthwaite: "Representative Lang? Is the Gentleman in the chamber?"

Speaker McPike: "Representative McPike, in the Chair. House Bill...Senate Bills, Third Reading. The chamber passed ten Bills on Third Reading today, because no one desires to call their Bills. It will not be the intent of the Speaker to stay late Thursday night. Thursday is the deadline. We do not intend to stay here until midnight Thursday. Now, we have gone through this Calendar four times today, so we're going to go through the Calendar again. There is a correction from the Clerk. There was (sic-were) only seven Bills passed today. Seven Bills. That's outrageous. Outrageous. Representative Capparelli, do you have any Bills on this Calendar? Would you like to call them? Which one? Senate Bill 1770. You did that on Second Reading today? Well, you can't call it today then. Government Administration, Second Reading. Senate Bill 1650. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1650, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

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Speaker McPike: "Mr. Flinn? Representative Wolf. The Gentleman is not here."

Wolf: "Mr. Speaker, I move to table Amendment #2."

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

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

Speaker McPike: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker and Member's of the House. Amendment #3 has the effect of removing the provisions of Amendment #1 that was passed in committee. I would move for adoption of Amendment #3."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Novak. You have a Senate Bill that you wish to call? What's the number? What's the number? (Senate Bill) 1664. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1664, a Bill for an Act concerning bikeways and trails. Third Reading of the Bill."

Speaker McPike: "Representative Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1664 was amended in the Senate to make it permissive. So it allows various taxing districts such as drainage districts, local mass transit districts, the Regional Transportation Authority, to utilize any existing or established funds, personnel and other resources to acquire, construct, operate and maintain bikeways and

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trails. The Bill has nothing to do with any annexations, any mandatory language, and it certainly is just permissive, allowing those stipulated...governmental bodies to utilize their existing funds. I ask for your support."

Speaker McPike: "The question is, 'Shall Senate Bill 1664 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 107 'ayes' and 5 'noes'. Senate Bill 1664, having received a Constitutional Majority, is hereby declared passed. Mr. Stange, are you prepared to offer your Amendment? Senate Bill 2076. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2076, a Bill for an Act to amend the Probate Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Stange."

Stange: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment 1 is grandparents' visitation rights. We've passed this Bill two years ago. There was some discussion on it several months ago. It lost by one vote last year. Very simple, outstanding piece of legislation. It's good for grandchildren; good for grandparents. It's good for all. I ask you for your favorable vote."

Speaker McPike: "Mr. Lang, on the Amendment."

Lang: "Thank you, Mr. Speaker, not to belabor. This has been debated over and over again. I just rise to support the Gentleman's Amendment. It's a good Amendment."

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

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

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

Speaker McPike: "Mr. Lang."

Lang: "I...Thank you, Mr. Speaker. I believe Amendment #2 is out of order. So..."

Speaker McPike: "Would you like to withdraw it?"

Lang: "...withdraw it."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Lang, are you ready on 1722? Tomorrow. Senate Bill 1606...is on Third Reading. The Gentleman asks leave to return it to Second Reading. Leave's is granted. The Bill is on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. Amendment #4 simply puts in the sunset date that was suggested by Representative Homer..."

Speaker McPike: "Mr. Wennlund, on...on the sunset date."

Wennlund: "Thank you. We did not have a copy. I have it now. Thank you."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' 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 McPike: "Third Reading. Senate Bill 1988, Representative

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Cowlshaw. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1988, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Well, Representative, all the Amendments are not printed yet, so we'll have to take this Bill out of the record. Take it out of the record. Does anyone have a Bill on Third Reading on Special Orders that they would like to call? Representative Dunn, what's your Bill number on Special Call? Hmm? Agreed Resolutions. The House will be in Session tomorrow at 9:00 a.m."

Clerk O'Brien: "House Resolution 2206, offered by Representative Klemm; 2207, Klemm; 2208, Klemm; 2209, Klemm; 2210, Klemm; 2211, Klemm; 2212, Johnson; 2214, Klemm; 2215, Klemm; 2216."

Speaker McPike: "How about 9:30 a.m.?"

Clerk O'Brien: "Kubik; 2217, Matijeovich; 2218, Cowlshaw; 2219, McDonough; 2220, Mulcahey; 2223, Johnson; 2224, Phelps; 2225, Hartke and 2226, Deets and Leitch."

Speaker McPike: "Representative Matijeovich."

Matijeovich: "Mr. Speaker, I understand one of the Resolutions we're going to adopt is an Agreed Resolution that we come in tomorrow at 10:00. Is that it? I thought that was an Agreed Resolution."

Speaker McPike: "No."

Matijeovich: "All right, then I'll adopt the other Agreed Resolutions."

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

159th Legislative Day

June 23, 1992

Speaker McPike: "The question is, 'Shall the Agreed Resolutions be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Agreed Resolutions are adopted. The House will come in tomorrow at 9:30. Death Resolutions."

Clerk O'Brien: "House Resolution 2205, offered by Representative Morrow, with respect to the memory of Mark Wilson. House Resolution 2213, offered by Representative Johnson, with respect to the memory of Howard Keith Kemper. House Resolution 2221, offered by Representative Churchill, with respect to the memory of William E. Brook. House Resolution 2222, offered by Representative Johnson, with respect to the memory of Roland E. Stevens."

Speaker McPike: "Representative Matijevich moves for adoption of the Death Resolutions. All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and Death Resolutions are adopted. Representative Novak moves the House stands adjourned until tomorrow at the hour of 9:30 a.m. All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the House stands adjourned."

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